SUPPORTING STATEMENT FOR CONVERSION OF AN AGRICULTURAL BUILDING TO FORM ONE DWELLING (C3 RESIDENTIAL USE), AT LEEK ROAD, UPPER MAYFIELD, ASHBOURNE. GRID REFERENCE: SK 14256 47385

This statement has been submitted by Andrew Large Surveyors Ltd on behalf of the applicants Mr and Mrs Robert Archer, and relates to a Prior Approval Notification (Class Q) from Agricultural to Residential (Class C3 Use) under the Town and Country Planning (General Permitted Development) Order 2015 at; Leek Road, Upper Mayfield, Ashbourne. The proposal includes the conversion of an agricultural building creating one dwelling house.

This statement is to be read alongside an independent structural surveyors report from Sansom Hamilton and Co and existing and proposed elevations and floor plans.

1.0 Background

1.1 The application site comprises a traditional field barn which forms part of a working beef farm with 46 head of suckler cows with followers, youngstock and bulls. The applicants holding extends to 100 acres of owned land. The applicant claims agricultural subsidy over the holding and has been assessed by The Department of Environment Food and Rural Affairs as an active farmer. Annual trading accounts are available at request. The intention is for the applicants to diversify their farming business to provide a dwelling to be used to provide short stay holiday accommodation within a Residential C3 dwelling.

2.0 SITE APPRAISAL

2.1 Physical Context

2.1.1 The subject building compromises of a traditional stone field barn constructed as cattle housing with hayloft above. It has a trussed pitched roof clad with Staffordshire blue tiles. Externally the building has raised parapet walls to the gables, quoin detailing and stone head stones above opening. The barn benefits from 5 existing openings giving scope for a conversions that minimises any change.

2.1.2 The building has a gross external area of 40.72 sq m. The proposed residential curtilage including two parking spaces is 38.7 sq m.

2.2 Social Context

2.2.1 The site is located on land adjoining Leek Road, Upper Mayfield, Ashbourne and is located 2.1 km to the north west of Mayfield village. Upper Mayfield is a settlement that, along with Church Mayfield and Middle Mayfield, makes up the larger Mayfield village all are located just within Staffordshire, right next to its border with Derbyshire, alongside the river Dove, which forms the boundary. Mayfield comprises a village hall, church, public house, bus service and recreation ground. The development will help create new rural housing helping support the existing services and facilities in the village and in the surrounding area.

2.3 Economic Context

2.3.1 The development will provide new housing within an area in high demand. The development of the site will also provide employment for local people employed in the construction and design trades.

3.0 Assessment against Class Q of Part 3 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015

3.1 Class Q development is permitted subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

(a) Transport and highways impacts of the development,

3.1.1 The proposed dwelling would be accessed via an existing made up farm track off the Leek Road. The development would utilise an existing access which benefits from visibility splays in excess of the required 2.4m x 165m for a 50mph stretch of highway. Visibility splays are shown on the accompanying block plan.

3.1.2 The proposed development is for the conversion of an agricultural building to form one dwelling (Class C3 residential use), according to the TRICS database a private rural dwelling typically generates 6-10 vehicle movements per day. Any vehicle movements created as part of the residential development can be offset against the pre-existing agricultural vehicle traffic that the site currently generates.

3.1.3 The property will have sufficient parking spaces to be in accordance with national standards, 2 spaces are provided within the amenity space.

(b) Noise impacts of the development,

3.1.4 The development will not give rise to any negative noise impacts on neighbouring properties.

(c) Contamination risks on the site,

3.1.5 The redundant building was last used for agricultural purposes. There are no known contamination issues associated with this site or use.

(d) Flooding risks on the site,

3.1.6 The following is an extract from the Environment Agency's Flood Risk maps. It shows the application site is outside any known area of flood risk.

(e) whether the location or sitting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order,

3.1.7 The site is located on the edge of the popular village of Upper Mayfield. There are a number of residential properties along Leek Road in the immediate vicinity. Mains water and electricity are available but not currently connected.

f) the design or the external appearance of the building,

3.1.8 Attached plans show that buildings can be sympathetically converted and that this will have a positive visual impact on the surrounding area. The proposed drawings show only one additional elevation opening together with two roof lights.

4.0 Statement of Case

4.1 Agricultural Building

4.4.1 The development rights are not allowed where:

4.1.2 *"...the site was not used solely for an agricultural use, as part of an established agricultural unit (i) on 29th March 2013, (ii) if the site was not in use of that date, when it was last in use; or (iii) if the site was brought into use after that date, for ten years before the date the development under Class Q begins".*

4.1.3 The definition of an agricultural unit is:
"Agricultural land which is occupied as a unit for the purposes of agriculture, including
(a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or
(b) Any dwelling on that land occupied by a farm worker"

4.1.4 Agricultural land is defined as
"…land which, before development permitted by this Part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business, and excludes any dwelling house or garden;"

4.1.5 As outlined in the background section the applicants run an established farming business.

4.1.6 The applicants trading as Churchfields Farm is registered and receives payment under the Basic Payment Scheme and has a county parish holding number (09/039/0024). Accounts are available at request

4.1.7 The farming business has a basic range of grassland farming equipment; the building subject to this application has historically and continually to date been used as an agricultural livestock shed.

4.2 Construction

4.2.1 With regards to the structural integrity of the traditional agricultural building it is considered the barn is structurally sound and capable of conversion without substantial alteration or rebuilding. Class Q development restricts changes to:

4.2.2 *(i) the development under Class Q(b) would consist of building operations other than—*

(i) the installation or replacement of—
(aa) windows, doors, roofs, or exterior walls, or
(bb) water, drainage, electricity, gas or other services,
to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

4.2.3 Attention is drawn to the attached structural report which concludes:

"The building is of substantial construction and has been well maintained in the past. There is some slight damage to the north west corner however this is relatively minor, and some repointing would also be beneficial to this elevation. The building is capable of conversion without any substantial alteration to the structure of the building.

As part of the conversion process it will be necessary to provide insulated floors and roofs and it is considered that these can be accommodated within the building without any significant alteration to the structure of the building."

4.3 Planning Practice Guidance Note (Paragraph: 105 Reference ID: 13-105-20180615)

4.3.1 The most recent planning practice guidance note states:

4.3.2 *"What works are permitted under the Class Q permitted development right for change of use from an agricultural building to residential use?*

4.3.3 *The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: Class Q of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.*
For a discussion of the difference between conversions and rebuilding, see for instance the case of Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2) [2016] EWHC 2853 (Admin).

4.3.4 *Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q."*

4.3.5 In simple terms the building works proposed are merely to ensure that the building meets the insulation requirements of building regulations and to subdivide the footprint of the building into a dwelling as the existing structure is sufficiently robust without additional structural elements.

4.3.6 Existing and proposed drawings submitted as part of this Class Q application clearly show that the building can be converted with minimal changes to the external appearance of the building.

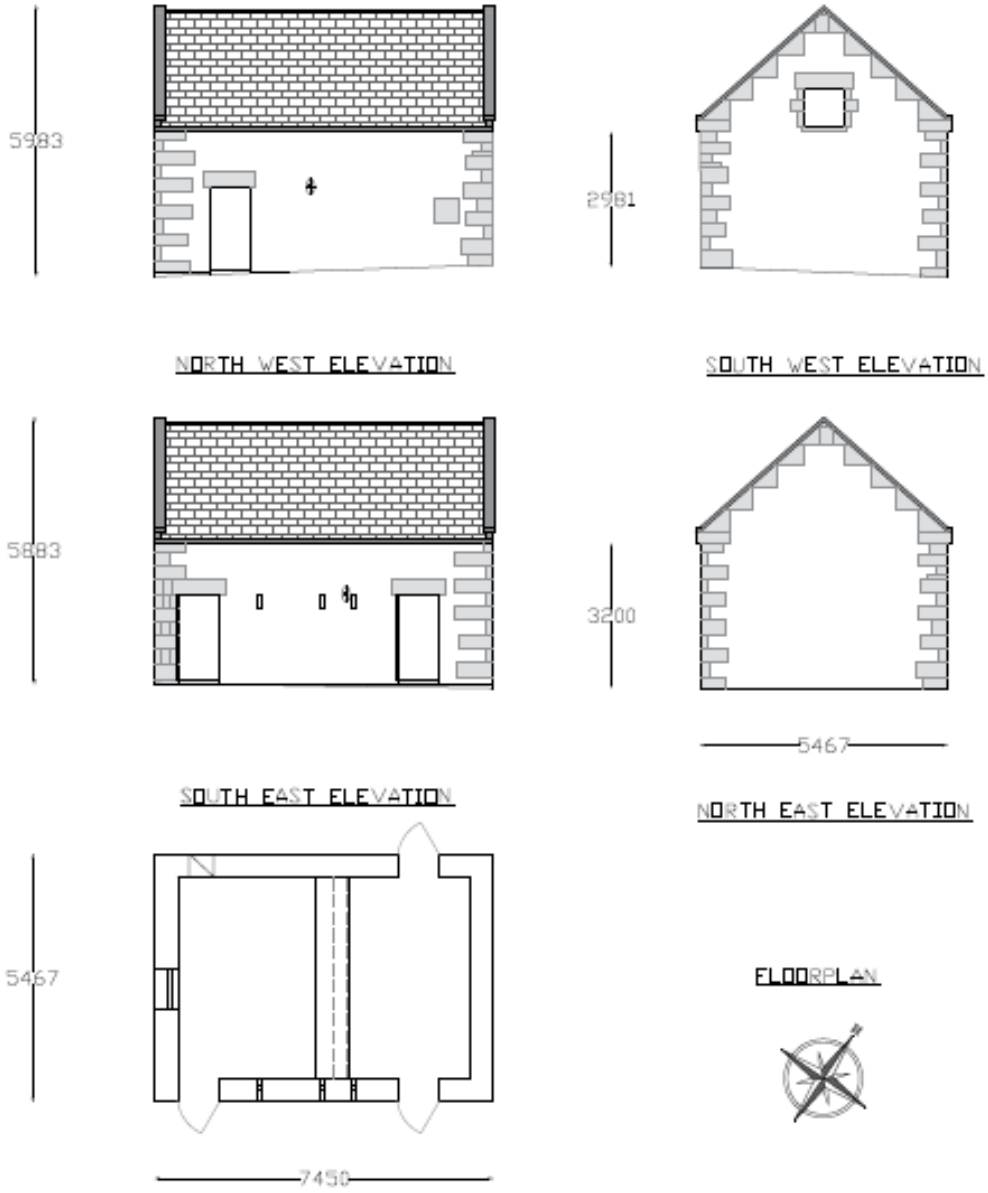


Figure one – Existing Elevations

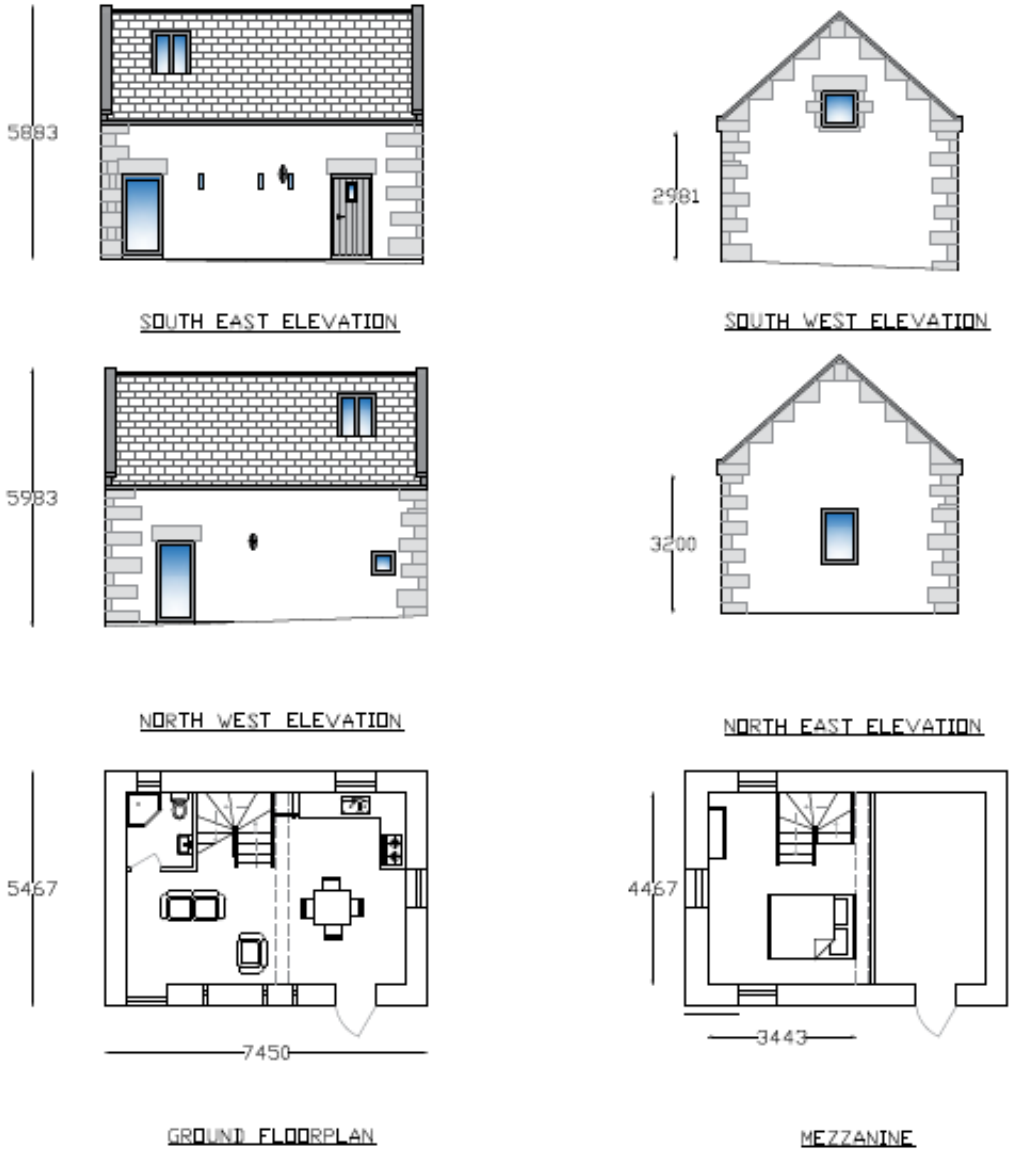


Figure Two – Proposed Dwellings

The proposed drawings retain a strong agricultural appearance achieved through the retention of the existing roof and re-use of existing openings. The buildings proportions and external dimensions remain unchanged.

5.0 CONCLUSION

5.1 Any proposal under Class Q of The Town and Country Planning Act needs to be assessed on its own merits and it is a point of judgment whether a scheme constitutes a conversion, with the works being proposed reasonably necessary. It is a balance between the extent of works proposed within the parameters of the legislation and the proposal comprising a conversion, as opposed to effectively demolishing and starting again.

5.2 This planning statement has demonstrated key and significant elements of the existing buildings fabric can be retained and form the basis for the conversion with a strong resemblance to its former use. It is considered all works proposed fulfill the requirements of Class Q and the application should be allowed.

Signed……..

Andrew J Large BSc (Hons) MRICS FAAV

Under Signed……..

Caroline Large MRICS

Dated…….