

DELEGATED DECISION REPORT

DET/2021/0019
Valid 23/04/2021

WILLOWSHAW FARM
CLOUDSIDE
CONGLETON

CHANGE OF USE OF
AGRICULTURAL BUILDINGS
TO 4 DWELLINGHOUSES

(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)

MAIN ISSUES

- Whether or not the proposal can be determined under a “Class Q” Prior Notification application and if so:
 - - The transport and highways impacts of the development
 - - The noise impacts of the development
 - - The contamination risks on the site
 - - flooding risks on the site
 - - Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a residential use
 - - The design or external appearance of the building
 - - Whether or not the proposal would allow in sufficient light for the occupiers of the dwelling in the interests of their residential amenities

DESCRIPTION OF SITE

The site lies within the open countryside between Rushton Spencer, a couple of miles to the east and Congleton to the west and is a short distance to the south-east of “The Cloud” hill and a short distance to the north of Beat Lane, the main country road connecting the village to Congleton. It comprises a complex of buildings forming part of a current working cattle farm. Willowshaw Farm and these lie adjacent to the fairly narrow country lane known as Cloudside which connects to Beat Lane a short distance to the south. The farm is on the east side of the lane and on land which slopes downwards towards the east. The south part of the farm comprises old traditional stone barns with modern blockwork pitched roof barns to the rear and a traditional stone farmhouse which directly faces the road. To the north side of the traditional stone barn lie large portal-framed modern farm storage buildings with corrugated fibre cement sheet walls and roof above concrete blockwork walls. The complex of farm buildings is surrounded by open land.

PROPOSAL

The application is a “Notification of Prior Approval” application for the conversion of the adjoining modern storage buildings into four adjoining 3-bed dwellings, two of which would have a rectangular footprint and a floorspace of 186 sq.m and two of which would have a square footprint and a floorspace of 100 sq.m. A mezzanine floor would be inserted into all four units to create upper floor rooms. There would

be no external alterations including extensions or changes to materials, other than the insertion of new windows in addition to the use of existing openings as further windows. New blockwork internal walls would be placed behind the external walls and the cavity in between would be filled with insulation material. In the roof and on ceilings, new timber binders would be fitted in between steels and the resultant gap would be filled with insulation material.

An existing access to the modern barns a short distance to the north of the farmhouse would be adapted into a new access of the lane and a new access road formed on the existing yard area accessing the 2-bay parking areas for the two units in the “rear” of the building. In front of the building, facing the road, two more parking areas would be formed directly accessed from the lane, serving the two front units. Patio and garden areas for each unit would be formed to the front, rear and north side of the building on existing yard areas and enclosed by new stone walls and post-and-rail fencing.

However, amended plans were received showing a different parking layout and the inclusion of visibility splays at the proposed adapted access. The front parking areas have been set back from the road behind visibility splays and remodelled and served by one shared access instead of two separate accesses off the lane. One of the rear parking areas has been repositioned to the other side of the proposed access road, on the side of the traditional barn to the south and parking bays have also been included next to it for a proposed barn conversion in the old stone barn, permission of which is sought under a separate concurrent application.

The application is accompanied by a Bat Activity Survey Report, Structural Survey Report and Planning, Design and Access Statement.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

National Planning Policy Framework – Revised February 2019

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0291: Concurrent application to convert the adjacent traditional stone barn into one further dwelling. Pending.

SMD/2021/0292: Concurrent application to extend the farmhouse. Pending.

CONSULTATIONS

Publicity

Site Notice expiry date: 27.5.21

Neighbour consultation period ends: 27.5.21

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

Concerns are raised regarding overdevelopment of the site in a rural area of a single-track road and which would result in six dwellings in total together as part of the overall scheme. Concerns are also raised regarding the on-site parking provision and impact on trees to the north of the site.

Local Highways Authority

SCC Highways objected to the original plans due to concerns over visibility at the proposed access and two new accesses to separate parking areas adding to further highway safety concerns. However, no objection was raised to the amended scheme subject to conditions.

Environmental Health Section

No objection with regard to ground contamination and noise subject to standard conditions.

Conservation Officer

No comments provided.

Waste Collection Services

No issues

OFFICER COMMENTS

Changes to the GPDO in 2015 introduced into 'Part 3 – Changes of Use' a 'Class Q' development which allows the conversion of agricultural buildings into dwellings without the need to apply for full planning permission providing the criteria listed under Class Q are met. However, a "Notification of Prior Approval" application needs to be submitted instead and the Council must determine this against the material planning considerations listed above.

This proposal meets all of the criteria/tests under Class Q(1) for applying for a conversion under Class Q of the GPDO. The building is still in use for agricultural purposes and the size and number of the units and size of the overall building does not exceed the thresholds stated.

The proposal would not qualify for Class Q development if any rebuilding was involved. There is no rebuilding as the building is very solid with blockwork walls. The new internal walls to contain insulation materials are deemed necessary for the building to operate in residential use and are not contrary to the list of works that can be undertaken under that part of Q1. The insertion of internal walls and mezzanine floors is also not contrary to this.

The application must therefore be determined against the planning considerations listed under Class Q(2) also listed in the "Main Issues" section of the report:

With regard to the transport and highways impacts of the development, the proposal would not lead any traffic or highway safety problems, despite the narrow nature of the country lane leading to the site, which can accommodate the predicted increase in vehicle movements without harming highway safety and the proposed accesses are deemed safe in the amended plans and the parking provision on site is acceptable for the four 3-bed units and would not lead to any unsafe parking on the narrow lane.

With regard to the noise impacts of the development, the proposal is part of an overall scheme which also involves the conversion of all the other barns and the ceasing of agricultural works which could create significant noise affect the living conditions of the eventual occupants of the new dwellings. However, even if works continued on another part of the farm, adequate noise insulation could be achieved by way of planning conditions.

With regard to the contamination risks on the site, there is unlikely to be significant contamination and although a turfed and grassed over space for private outdoor enjoyment forms part of the scheme, a preliminary contamination investigation of this area is considered by the Environmental Health Section to be too onerous.

With regard to flooding risks on the site, the site is not in a flood plain and does not appear to be affected by any localised flooding.

With regard to whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a residential use, there are no such concerns in this respect. One of the potential impacts that could occur in a rural location is the impact of conversion works on bats, a protected species. However, the building is a modern portal framed building with ample light and no lofts and is not considered suitable for use by bats and the Ecology Survey did not reveal any evidence of bat usage.

The remote and unsustainable location could be considered to amount to an undesirable impact. However, there have been case decisions at appeal where the level of sustainability of the location of a site should not be used to refuse an application on the grounds of a Class Q scheme being undesirable. The issue of the level of sustainability of the location is not to be taken into account in Class Q applications.

The four units would also not contravene the governments Nationally Described Space Standards which seek to ensure an adequate amount of living space is created for the eventual occupants.

With regard to the design or external appearance of the building, the building is a large and bulky modern storage building with untidy grey corrugated fibre-cement sheeting and roof and concrete blockwork. Although such buildings are not uncommon in rural areas, the building does not have any design merit and is considered to a purely functional appearance which does not contribute positively to the traditional rural character and appearance of the area. It is also very visible from Cloudside and from longer range views across the landscape to the east. The proposal looks to maintain the current finishing materials and add large amount of

glazing, particularly in the current openings. I do not consider this would significantly improve the appearance of the building as the overall scale, bulk and form of the building together with the materials would remain the same. Although approvals have been given for the conversion of modern portal framed buildings under Class Q, each proposal should be judged on its own individual merits. The building on site due to its scale and form and large width and depth give the building an excessively large and bulky appearance akin to a warehouse and the scale and form of the building together with the materials even after conversion would still in the opinion of the Council result in a poor design and appearance that continues to harm the appearance of the area. The application would therefore fail to meet this particular test in Class Q(2) and therefore the application should be refused

Finally, with regard to light provision, large opening and further windows and rooflights would allow adequate light into all the rooms, despite each dwellings only having a front and side aspect and therefore the living conditions of the proposed occupants are not considered to be inadequate as part of the scheme.

The scheme also complies with the other parts of Part 3 of the GPDO (relating to changes of use) and the guidance for Class Q development in that the total residential curtilage areas (i.e. the areas used for outdoor private garden use and car parking) would not exceed the size of the footprint of the building.

CONCLUSION / PLANNING BALANCE

The proposal can be determined under Class Q as it meets the test in Q1 but in terms of planning-related impacts, the proposed building would have an unacceptable design and appearance and therefore fails to meet all of the tests in Q2 and therefore the application should be refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston

Recommendation Date: 23.6.21

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council