

DELEGATED DECISION REPORT

DET/2021/0039
Valid 29/10/2021

THE WITHERING FARM
CHEADLE ROAD
ALTON

**CHANGE OF USE OF
AGRICULTURAL BUILDINGS
TO ONE DWELLINGHOUSE
(CLASS C3), AND FOR
BUILDING OPERATIONS
REASONABLY NECESSARY
FOR THE CONVERSION.**

**(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)**

MAIN ISSUES

The applicant seeks a determination as to whether the prior approval is required for details relating to the change of use of a building to a dwellinghouse, and if so, the prior approval of those details, relevant to Class Q, Part 3, Schedule 2 of the GPDO. As a starting point I have considered whether the development would comply with the limitations and conditions at Class Q and whether the development would be permitted at all. For reasons explained, the proposed development is not considered to be permitted and therefore, I have not gone on to consider other relevant matters.

DESCRIPTION OF SITE

The site is positioned in a countryside location beyond the settlement of Alton. The Withering Farm is a linear form of development consisting of the farmhouse and a row of farm sheds to the side. The development sits along a break in the hillside just above and set back from the roadside, behind which the hillside steepens notably. The application building is adjacent to the main farmhouse at the end of a connected range of sheds that all have open fronts in a row, facing the road. The conversion would take place within a large lean-to section at the front of the building.

The sheds open out onto a wide strip of concrete that provides the cattle with free access to open space. The application building was housing cattle on the date of inspection. At the opposite end of the linear run of farm sheds, to the south east, a detached building and a silage clamp structure were erected after a prior notification was submitted in 2014.

The B road provides a main route between Alton and Cheadle it winds and undulates through the countryside between traditional hedgerow and boundary features with open farmland beyond. There are other farms and cottages scattered in the surroundings.

PROPOSAL

The change of use to a single dwellinghouse with conversion work within the envelope of the building with the construction of new walls, windows and doors.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2014/0648 Erection of building. Approved.

CONSULTATIONS**Publicity**

Site Notice expiry date: 22nd Dec 2021

Neighbour consultation period ends: 22nd Dec 2021

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Alton Parish Council: No objection

Environmental Health

No objection subject to 'standard' conditions relating to potential contamination risks

Staffordshire County Council Highways

No objection subject to conditions requiring parking and turning provision

Waste Services

No issues regarding waste collections.

OFFICER COMMENTS

Class Q Part 3, Schedule 2 of the GPDO specifically permits, subject to conditions and limitations, the change of use of a building from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Use Classes Order.

As a starting point and before any other matter falls for consideration, there must be a lawful building to convert and use, and the development must involve a change from a use as an agricultural building. The building in this case has no planning history, however, it has clearly been present for well over 4 years and on the date of the inspection it was in agricultural use housing cattle.

The provisions of paragraph W(3)(a) of Part 3, Schedule 2 of the General Permitted Development Order 2015 mean that a prior approval application can be refused where in the opinion of the authority the proposed development does not comply with the conditions, limitations or restrictions specified at Part 3, Class Q.

In this case the development does not comply with those conditions, limitations or restrictions specifically because of the limitation at point (f) which states that development is not permitted where:

(f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

I know from the planning history and knowledge of the site through enforcement investigation and dealing with subsequent application that a detached building was built on the agricultural unit to the end of the existing buildings. The building was built after a prior notification was granted in 2014. More recently the applicant built a permitted clamp enclosure to the front of this building.

Accordingly the development fails to comply with Class Q and the procedures set out in paragraphs W.

CONCLUSION / PLANNING BALANCE

The development is not permitted

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 24/12/2021

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council