

DELEGATED DECISION REPORT

DET/2021/0041
Valid 03/11/2021

WILLOWSHAW FARM
CLOUDSIDE
CONGLETON

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

(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 larger of the two adjoining modern portal-framed storage buildings into two adjoining 3-bed dwellings, both of which would have the same shape form and rectangular footprint and a floorspace of 186 sq.m each. The adjoining smaller portal framed modern storage building would be demolished. This is an alternative “Class Q” proposal to one refused in June 2021 which sought approval of the conversion of both adjoining buildings into four dwellings, with the dwellings in the smaller building having a square footprint and a floorspace of 100 sq.m. This application was refused for the following reason:

1. *The design and external appearance of the building, due to its scale, form and finishing materials is of poor design and quality and detracts from the character and appearance of the site and surrounding rural area. The proposal, by retaining these features of the building and incorporating them within the proposed development, would result in a residential development with a poor design and appearance which would further harm the appearance of the area and therefore would fail to comply with Part 3 Class Q2(1)f of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as well as policy DC1 of the adopted Staffordshire Moorlands Local Plan 2020 and the design policies of the NPPF.*

The only change to the proposal other than the removal of the adjoining building and two of the units is the addition of timber panelling on sections of all four elevations.

The proposed vehicular access (adapted from an existing access) and drive would remain the same but the parking areas would be moved to the footprint of the building to be demolished. The outdoor amenity areas for the two units to be retained from the previous scheme would also comprise patios rather than patio and lawn areas.

The application is accompanied by the same Bat Activity Survey Report and Structural Survey Report as the previous application and a revised/updated Planning, Design and Access Statement.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

National Planning Policy Framework – Revised July 2021

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0291: Full planning application to conversion the adjacent traditional stone barn into one further dwelling. Approved.

SMD/2021/0292: Full householder planning application to extend the farmhouse. Approved.

DET/2021/0019: Class Q Prior Approval application to convert the modern storage buildings into four dwellings. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 29.12.21
Neighbour consultation period ends: 29.12.21
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

Local Highways Authority

No objection subject to conditions.

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, like the previous proposal, continues to meet 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 or last used for agricultural purposes and the size and number of the units and size of the overall building does not exceed the thresholds stated.

Like the last application, the new conversion proposal 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 noise impacts of the development, the contamination risks on the site and the flooding risks on the site, there have been no significant changes to the site or its surroundings in terms of the environment since the previous decision and therefore the impacts are deemed to be the same as before and therefore continue to be acceptable. Although the parking areas have changed location, they remain safe

and the parking provision would continue to accord with the Council's parking standards.

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 submitted with the previous application, 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 two 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, this is where the changes have been made to the previous proposal, in the form of timber panelling areas on the walls and gables presumably to improve the appearance of the building. Windows and doors of similar design to the others proposed (and to the previous scheme) have been added to the south-west elevation which formerly was the wall shared between the two buildings, the dividing wall, but the smaller building would be removed and this wall would become an external wall for the two units. The design and appearance of the building was considered unacceptable in the previous submission, leading to the refusal of the application and in the officer report, the following was commented:

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 have 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

I do not consider the changes to the new scheme in reducing the size of the building and adding further glazed areas (the same type as previous) and timber cladding would lead to any improvement to the appearance of the building. Despite the reduction in size, the bulky portal frame warehouse form and materials remain and dominate the building despite being broken up by timber panels. I therefore consider this new application should be refused for the same reason as before.

Finally, with regard to light provision, this was not considered to be unacceptable in the previous submission and as the units now have three aspects and not two, together with the additional windows, the amount of light entering the units would increase.

The scheme also continues to comply 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 revised proposal can continue be determined under Class Q as it continues to meet the tests in Q1 but in terms of planning-related impacts, despite the proposed changes to the building, it would remain to have an unacceptable design and appearance and therefore fails to meet all of the tests in Q2 and therefore the application should again be refused.

OFFICER RECOMMENDATION : Refuse

Case Officer: Chris Johnston

Recommendation Date: 29.12.21

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council