

DELEGATED DECISION REPORT

DET/2022/0001
Valid 05/01/2022

BARNES LEA FARM
REACLIFFE ROAD
RUDYARD

PROPOSED BARN
CONVERSION INTO A
RESIDENTIAL DWELLING

(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 (and Green Belt) to the south-west of Rushton Spencer and a short distance to the west of Rudyard Lake. It comprises a modern typical portal-frame agricultural storage building finished mostly with metal sheets above a blockwork base but with one wall being mostly timber clad. It is part of Barnslee Farm which is reached via a farm track connected to Reacliffe Road, a long narrow open lane running past Rudyard Laken North car park and onto Beat Lane, a C-class main road to the north. The building on site is on the east side of the grouping of buildings which includes a stone listed farmhouse to the west. The complex of farm buildings is surrounded by open land. The building has a footprint of approx. 28 x 13 metres. The application information states it has a floorspace of 385 sq.m. It is outside of the Conservation Area that covers the Rudyard Lake area.

PROPOSAL

The application is a “Notification of Prior Approval” application for the conversion of the modern farm storage building into a dwelling. No elevation of layout drawings have been provided. A covering letter explains the purpose of the application is to obtain a preliminary acceptance in principle of the change of use and then to enter into pre-application discussions over the design and appearance of the conversion into a dwelling. A Planning Statement has been submitted to justify that the building can be converted under permitted development in accordance with Part 3 Class Q of

the GPDO and in particular explains that the building cannot be deemed to be within the curtilage of the listed farmhouse under the Planning Acts (and therefore alleviates the need for a full planning application being required for the change of use).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

National Planning Policy Framework – Revised July 2021.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 2.3.22
Neighbour consultation period ends: 2.3.22
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

Local Highways Authority

No objection.

Environmental Health Section

No objection subject to standard conditions applied to agricultural building conversions into dwellings.

Staffordshire Wildlife Trust

Requests that the standing advice for checking ecological impacts resulting from barn conversions (e.g. impact on bats) is referred to.

Waste Collection Services

No issues regarding waste collections.

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 dated back to late 1980s and so was present in 2013 and has been in use for agricultural purposes with no evidence of any subsequent alternative uses. The size and number of the units and size of the overall building does not exceed the thresholds stated for a "larger dwelling" (i.e. with a floorspace exceeding 100 sq.m). There is no agricultural tenancy at the site.

The proposal would not meet the Class Q(1) tests if it was deemed to be included within the listing of the listed traditional stone farmhouse to the west. A Planning Statement has been submitted to give evidence that the building is not listed or part of the listing due to it being a "curtilage structure". As it was built after 1948 it clearly is not listed and the building is also separated from the farmhouse and the land around the farmhouse (i.e. the curtilage) by solid stone walls and a driveway/access road leading to other farm buildings to the rear. I consider that it clearly does not form part of the curtilage of the listed building as it is on a distinctly separate parcel of land and there are no traditional buildings to the other side of it. It has clearly been placed on former open land that was unlikely to have been within the grounds of the listed farmhouse or within the traditional farm grouping or farmstead. I am therefore satisfied that the building is neither listed or is included within the listing of the farmhouse and is not within its listed curtilage.

The proposal would not qualify for Class Q development if any rebuilding was involved. There are no details provided about the conversion works but the building appears to be solid with blockwork walls and metal frames supporting metal sheet walls and the roof and therefore only internal works to provide insulation materials would appear to be deemed necessary for the building to operate in residential use and this is not contrary to the list of works that can be undertaken under that part of Q1. The insertion of internal walls to separate rooms, if required, 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 small increase in vehicle movements without harming highway safety and there is ample parking and turning space within the site and using the existing access tracks for turning.

With regard to the noise impacts of the development, the closest farm buildings are the farmhouse and traditional stone barns converted, or approved to be converted, into residential uses. The more modern farm buildings continuing to be used for the purposes of farming are to other side of these a longer distance away. Neither the proposal or existing surrounding uses give rise to any noise and disturbance affecting either the future occupiers of the site and existing residents and the Environmental Health Section do not object to the proposal.

With regard to the contamination risks on the site, there is unlikely to be significant contamination that could affect future occupants although Environmental Health Section recommend a condition only in the event of “unexpected” ground contamination being found.

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 as it is on raised ground a safe distance from the lake.

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. There are also no ponds within 250m of the site and therefore great crested newts would not be affected by the proposed works.

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 dwelling can also be easily provided in a building of this size without contravention of 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 corrugated metal sheeting and concrete blockwork. Although such buildings are not uncommon in rural areas, the building does not have any design merit and is considered to be a purely functional appearance which does not contribute positively to the traditional rural character and appearance of the area. Due to the elevated position of the farm surrounded by largely exposed open fields, the building is visible from long distances across the landscape particularly from the east. Due to its size and position it is prominent from A523 to the other side of the lake about 1km away. The building is considered to currently have a poor design and appearance unsuited for a dwelling. Furthermore, no details have been provided to show how such a building can be converted and improved to amount to an acceptable design and appearance. As no re-building or extension is allowed under Class Q, the overall scale, bulk and form of the building

would remain the same and it is uncertain that a change of materials would significantly improve the buildings appearance to an acceptable extent.

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 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, particularly as it is so visible in the landscape from long-range views. 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, no drawings or details of proposed fenestration have been provided although as the building currently has large openings and sky lights which can be re-used, it is considered the building does have potential to achieve an acceptable level of light provision for future occupants via a conversion without substantial alteration.

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 has an unacceptable design and appearance and therefore fails to meet all of the tests in Q2 and therefore the application should be refused. It therefore cannot be converted under permitted development in accordance with Part 3 Class Q of the GPDO and therefore a full planning application would be required for the change of use to residential.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston
Recommendation Date: 2.3.22

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

