

DELEGATED DECISION REPORT

DET/2023/0031
Valid 06/10/2023

ROSE COTTAGE BEAT
LANE
RUSHTON SPENCER

PROPOSED CHANGE OF USE
OF AGRICULTURAL BUILDING
TO A SINGLE DWELLING
HOUSE AND ASSOCIATED
OPERATIONAL
DEVELOPMENT

(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 building proposed for conversion is a livestock building with a hay/straw loft, constructed in the mid 1980's from a mix of steel frame and solid blockwork with a pitched green box profile sheet roofing and side cladding and timber trusses/purlins. The agricultural building in question benefits from an existing access point which leads to the public highway. The property is within the hamlet of Rushton James, nearby to other residential development and with other barn conversions within the locality.

The grid reference of the site is SJ 926618. The building proposed for conversion comprises a solid masonry structure with a mix of livestock boxes and an open loft area used for hay and straw. The building has a solid concrete floor and box profile sheet roofing which is supported on independent timbers spanning between the steel frame.

PROPOSAL

The application is a "Notification of Prior Approval" application for the conversion of the building into a single dwelling (one large 2-bed dwelling).

The footprint of the building is approximately 66 square metres. The internal floor area of the converted building would be approximately 84.75 m² and includes use of the hay loft space.

The dwelling would take its access with the highway from the one existing central farmyard access, with the farm yard divided into areas of curtilage and parking.

The plans detail a limited amount of repair and rebuilding to restore original elevations and demolition to remove a dilapidated lean to. The work would amount essentially to the installation of glazing and doors.

The buildings are structurally sound and can be converted with only minor external fabric repair.

The application includes a protected species survey report from an ecologist:

- No evidence of bats found and building considered to be of poor potential for bats
- Swallows nests within the building
- No evidence of badgers

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS10 Other Rural Area Strategy
H1 Housing supply
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

88/01416/OLD All weather riding surface. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 1st December 2023
Neighbour consultation period ends: 1st December 2023
Press Advert: N/A

Public Comments

None

Town / Parish Comments

Rushton PC: Awaited

Staffordshire County Council Highways

No Objection. Conditional acceptance.

Visibility to the east is initially aided by the alignment of the carriageway. Approximately 2.4m x 120m is available. This is less than would be required for a new access but is adequate for the alignment and nature of the carriageway to the east.

To the west, visibility is slightly restricted immediately adjacent to the access. Visibility splay condition is recommended to provide 2.4m x 215m. In practice this will entail cutting back and maintaining, of a bush and hedge close to the access. Adequate parking and turning is available within the site.

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 located on a small unit of farm land. It is located adjacent to a horse riding arena that was granted planning permission in the late 1980s, at ground floor the building presents three stable style doors each serving separate animal stalls. Despite having some characteristics that might be shared with an equestrian or stable building, the applicant has provided a number photographs, a statement, and dated animal transfer documents as evidence to demonstrate that on the 20th March 2013, was used solely for an agricultural use as part of an established agricultural unit.

The building appears to overall be in reasonable substantial condition necessary work would amount to the alteration of window and door openings. It can be converted into residential use by utilising the existing structure as far as practicable. Blockwork will be clad or rendered and the roof surface will be replaced and insulated internally to meet current building regulation standards. The existing roof structure and timbers will be re-used.

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. The dwellings would be provided with standard compliant parking within the yard. The existing access would be shared and with some improvement to the west have adequate visibility splays.

Noise impacts are not anticipated to be any greater than those might be associated with and reasonably expected where a building was last in agricultural use on a working farmstead.

With regard to the contamination risks on the site, Environmental Health raise concerns about the proximity of a landfill site and the potential for ground contamination and gasses on the site to cause risk to human health. Any prior approval can be granted with informative and conditions flagging these risks with the developer and requiring them to properly investigate and remediate the site in line with Environmental regulations.

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, the only such issue is the impact of the scheme on the ecological value of the site. The application includes a bat survey that concludes that there is no evidence that bats are using the building and that it provides few opportunities where bats could roost, and its potential is considered negligible. An informative could be attached to any prior approval flagging the developers obligations regarding bats and protected species.

The building is of an adequate size for the conversion into the one dwelling. The amount of floorspace created would exceed the standards in the governments Nationally Described Space Standards. It would not be undesirable to convert the building based on the amount of space created and the impact of this on the living conditions of the eventual occupants.

With regard to the design or external appearance of the building, overall, the building would be in keeping with the rural character and appearance of the area.

Finally, with regard to light provision, the existing openings to be re-used are of a sufficient size to allow adequate light into all the rooms 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 residential curtilage area (i.e. the areas used for outdoor private garden use and car parking) would not exceed the size of the footprint of the building.

OFFICER RECOMMENDATION : Prior Approval Required and Granted

Case Officer: Ben Hurst

Recommendation Date: 08/12/2023

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council