

DELEGATED DECISION REPORT

DET/2024/0006
Valid 29/01/2024

PROPOSED BARN
CONVERSION
MIDDLECLIFF LANE
BRADNOP

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A
PROPOSED: CHANGE OF USE
OF
AGRICULTURAL BUILDINGS
TO DWELLINGHOUSES (USE
CLASS C3), AND FOR
BUILDING OPERATIONS
REASONABLY NECESSARY
FOR THE CONVERSION

(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)

MAIN ISSUES

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 there must be consideration for whether the development would comply with the limitations and conditions at Class Q and whether the development would be permitted at all.

DESCRIPTION OF SITE

The 'site' (the building and its curtilage) provide a large stone shippen attached to the side of the adjacent farm house. The building is of random course stone with a full pitch tiled roof. There are original openings apparent in the front elevation that have been filled with matching stone. On the rear of the building there is a block lean to addition.

The building fronts on to an open concrete yard. On the other side of the building a large modern cattle shed has been constructed adjacent.

PROPOSAL

The change of use to provide two small single dwellinghouses with conversion work within the envelope of the building and restoring original openings to provide windows and doors.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives

SS1 Development Principles

SS10 Other Rural Area
DC1 Design Considerations
DC3 Landscape Characteristics
T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

13/00675/FUL Erection of Agricultural Building. Approved (adjacent to application building)

CONSULTATIONS

Publicity

Site Notice expiry date: 21/03/2024
Neighbour consultation period ends: 21/03/2024
Press Advert: N/A

Public Comments

None

OFFICER COMMENTS

Part 3 Class Q of the GPDO permits a change of use of an agricultural building and *any* land within its curtilage to a dwellinghouse. The site must have been used *solely* for an agricultural use (so used for the *purposes of a trade or business*) as part of an established agricultural unit (agricultural land occupied as a unit for the purposes of agriculture) on 20th March 2013. Site means the building and *any* land within its curtilage.

On very apparent observations during the site visit the building and site are in agricultural use as part of an agricultural unit.

The amenity and living conditions of future occupiers

Where development is permitted by Class Q the authority must determine whether the prior approval of the authority is required as to, inter alia, whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses).

In this case the proposed dwellings would be adjacent to and within close proximity of a large cattle building and a slurry store. The dwellings would be centrally located within what appears to be an active working farm.

There would be concern here about providing or permitting an open market single dwellinghouse on such a site in such a location. Essentially the dwelling would have limited available amenity space and be isolated and surrounded by agricultural or commercial uses – an undesirable form of development and contribution to the housing stock. The arrangement and proximity between existing and proposed development and activity could result in a substandard or poor level of amenity and living conditions for the future residents of a dwelling in this location.

However, in this case, on site the applicant suggested the dwellings would make workers dwellings and make it easier to attract workers to the farm. On this basis a condition that restricts occupancy to persons that have connection with the adjacent agricultural uses would seem reasonable. In these circumstances, the occupant would not have the same expectations or sensitivities relative to adjacent noise, odour and living conditions.

This alleviates concerns in these regards.

Transport and Highway Impacts

Paragraph 111 of the NPPF states that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”. The proposed dwellings would generate a similar number of traffic movements as the existing permitted use of the site. The parking and turning of vehicles would be well within the site clear of the public highway.

Contamination Risks

There are no records of contaminated land within the vicinity of the site and as such there appears to be no potential contamination risks to future occupants of the building. The building is used for agricultural storage and has been used for agricultural purposes for many years. It is therefore unlikely that there have been any contaminants which would pose any risk to a sensitive end-use such as residential, as they would still be evident on the surface.

Design and External Appearance

The external appearance of the dwelling would involve minimal external changes and the character of the existing building would be largely retained, making use of the existing structure for conversion and maintaining existing openings. The General Permitted Development Order permits external alterations provided they are reasonably necessary for the conversion of the building into a dwelling. The proposed external works have been designed in accordance with this criteria, to retain the original fabric in its current position, whilst inserting new windows to the exterior walls to support functionality of the building as a dwelling.

The provision of adequate natural light in all habitable rooms

As part of the application a number of new windows and doors are proposed with each habitable room benefitting from at least one glazed opening. As such it is considered that there would be an adequate amount of natural light provided for each habitable room within the dwelling house not to adversely impact on the amenity of future occupants.

Ecology

An ecologist has submitted a bat survey with the application. Presence of bats was not found and they did not find that further surveys would be required. They recommend the installation of bat boxes to enhance opportunities for roosting.

CONCLUSION / PLANNING BALANCE

The applicant can rely upon the provisions at Part 3 Class Q of the GPDO to provide two small residential units for farm workers.

OFFICER RECOMMENDATION : Prior Approval Granted

Case Officer: Ben Hurst

Recommendation Date: 25th March 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council