

DELEGATED DECISION REPORT

DET/2024/0005
Valid 26/01/2024

1 APESFORD FARM
APESFORD LANE
BRADNOP

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A
PROPOSED: CHANGE OF USE
OF
AGRICULTURAL BUILDINGS
TO TWO DWELLINGHOUSES
(USE 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 about a mile to the south of Bradnop village and comprises part of a farm on the south side of Apesford Lane. It comprises two modern portal-framed blockwork and timber clad farm storage buildings which stand side by side and which are reached via a farm track off Apesford Lane which runs past several other farm buildings before reaching the site which is off a yard area at the end of the farm track and is on the southern edge of the farm. Each building has an open side which faces the gap between the buildings. The other farm buildings at the farm property, outside of the site, include a brick and tile traditional barn a short distance to the east of the buildings and which has an approval for a conversion into a dwelling but this has not yet been undertaken. There is a smaller brick traditional brick barn to the north of this which also has a dwelling conversion approval. The farmhouse which appears rather derelict and vacant lies further to the east on the

other side of the yard and farm track. There are other old and modern farm buildings to the north-east and east of the site. There is a separate farm property immediately to the north of the site ("Middle Farm") which has a separate access off Apesford Lane and which also comprises farm buildings and a farmhouse and another separate farm property to the west of this. Open fields lie to the west and south of the site.

A Public Right of Way (PRoW) runs along the farm access track then crosses the yard and then continues south through the fields. There is another PRoW crossing the field to the west of the site and which joins the other PRoW heading south.

PROPOSAL

The application is a "Notification of Prior Approval" application for the conversion of the buildings into two 3-bed single-storey dwellings. This would involve a new blockwork and timber clad wall being built on the open sides of each building. The existing timber cladding would be replaced on top of the blockwork walls (which are approx. 1 metre above the ground). The concrete floors would also be retained. Layers of insulation materials would be placed on the inside of the resultant external walls. The gaps between the existing timber rails on the inside of the timber cladding would be filled by Recticel Eurothane GP high performance PIR insulation material and a membrane inside the timber cladding. This would be on top of the existing blockwork to be retained. Inside that would be a 9cm thick Recticel Eurowall with fill insulation. This would be finished on the inside by a final inner skin – a solar aerated concrete blockwork wall of similar thickness, attached to the existing concrete floor base.

New windows would be inserted into the walls including south-facing triple bi-fold type windows and an external entrance door in the side elevation. Rooflights would be inserted into the existing metal sheeted roof. The rooms would be created by the installation of internal partition walls and doors.

Garden and parking areas would be formed to the side of each building. There would be two parking spaces per unit, adjoining the existing yard.

A Structural Survey Report has been submitted for each building.

A Planning Statement has also been submitted.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

National Planning Policy Framework – Revised December 2023.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant to the actual application site. There has been a recent full planning permission granted for extensions to the farmhouse and there are planning approvals for the conversions of older barns elsewhere at the farm into dwellings.

CONSULTATIONS

Publicity

Site Notice expiry date: 5.3.24
Neighbour consultation period ends: 5.3.24
Press Advert: N/A

Public Comments

One letter of objection has been received from a nearby resident who considers the proposal would involve significant further construction works amounting to a structural rebuild.

Town / Parish Comments

None received.

Local Highways Authority

No objection subject to condition to retain parking spaces.

SCC Public Rights of Way

The PROW's will not be affected by the proposal.

Peak & Northern Footpaths Society

We note that the PROWs Bradnop 16 & 17 are close to the proposed site. Use of the PROWs, and the safety of users must not be affected by the development, nor during the work taking place. We would be particularly concerned that the likely access for any construction traffic would be via the ROWs.

Waste Services

No issues regarding waste collections.

OFFICER COMMENTS

Part 3 Class Q of the GPDO allows the conversion of agricultural buildings into dwellings without the need to apply for full planning permission providing the tests listed under Class Q(1) 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.

I am satisfied this particular proposal meets the criteria under Class Q(1) for applying for a conversion under Class Q of the GPDO. For example, it was clearly last used for agricultural storage purposes and there appears to have been no other uses of the buildings since the agricultural uses stopped. There have been no farm buildings provided under Part 6 of the GPDO in the last ten years. The unit

floorspaces and numbers are under the thresholds set out in Class Q1 and no extensions are proposed.

Class Q permits the conversion of farm buildings and does not permit works which would be deemed to amount to a structural “re-build”, as upheld in the “Hibbett Case” (involving an appeal in another District relating to a Class Q application which included the building of new external walls). Class Q(1)b allows certain works needed in order for the building to function as a dwelling including new windows, doors, roofs, walls, utilities/services and partial demolition but no other significant works that would be needed in order for the building function as a dwellinghouse.

I am satisfied that no structural re-building would be required in order for the buildings to operate as dwellings without requiring further works that are not listed under Class Q. The building is a solid building with a steel frame and ground foundations supporting concrete block walls which support the rest of the building and it also has a concrete slab floor. The structural survey reports reveal that there are no significant structural defects that would warrant more than a repair.

A new concrete block wall (finished in timber) would be required for the open elevation but walls are permitted under Class Q. This differs with the Hibbett case where completely new walls around the building were proposed. This can be provided without requiring any part of the current structure to be significantly altered i.e. the steel frame and blockwork supporting the overall building.

External works include the replacement of the timber cladding but this is not a supporting structural component and such cladding is not contrary to the terms of Class Q.

Significant works would be necessary to weatherproof and insulate the building so that it can practically be used as a dwelling. In this case, only internal works are proposed behind the timber cladding, comprising new blockwork walls and insulation materials. This does not amount to structural re-building works and I am satisfied this would be compliant with the required Building Regulations for a residential use of a building as the scope and type of materials is very similar to ones approved by a Building Control Officer for a very similar conversion of a farm building in Lask Edge under DET/2019/0030. The Council is therefore satisfied that the proposal would meet Class Q(1)b and can practically be converted into a habitable dwelling via conversion with the allowed Q(1)b works and not involve any significant other external works or any re-building.

An appeal case was provided by the applicant which allowed a Class Q conversion of a very similar open sided modern farm storage building in another District (details and photographs of which are provided in the Planning Statement accompanying the application). The building was also a very similar size and form and also had a concrete base and walls (which supported gappy metal sheeting rather than timber cladding, perhaps the only significant difference, but both materials would require replacement and similar wall treatments to provide habitable accommodation). The Inspector did not consider the similar proposed works to amount to a re-build.

As the proposal passes the tests in Class Q(1), the application must now 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 proposed three-bedroom dwellings would not lead to any significant additional traffic generation in relation to former agricultural workings at the site to the extent that highway safety would be harmed. The access onto the main roads is decent quality and SCC Highways raise no objection. There is also sufficient car parking on site. The impacts on highways and transport are acceptable and therefore this test has been passed.

With regard to the noise impacts of the development, the provision of two 3-bed dwellings would not significantly add to the noise generated by the surrounding agricultural uses and the approved new residential uses of two older barns at the property, affecting farm dwellings at nearby properties. There are no nearby dwellings outside of the farms. The occupants of the proposed dwellings would also not be affected by noise as they will be aware of farm workings that have historically been present in the area. The noise impacts are acceptable and therefore this test has been passed.

With regard to the contamination risks on the site, there is unlikely to be significant contamination problems in or surrounding the site over and above what is normal for a working farm. If contamination is present, the occupants would be protected by the concrete base of the buildings. This test has been passed.

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. This test has been passed.

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 exposed remote location would leave the building open to the elements and exposed to weather. However, it has been established above in this report that the building can practically be converted into a dwelling via internal insulation works. The rural location would also lend the site to be potentially well used by protected species such as bats. However, the building has negligible potential for bat use due to the open sided nature of the building which allow in substantial light not suited to bats.

Although the proposal would lead to dwellings in an unsustainable rural location, this factor cannot be used to refuse an application under Class Q as being “undesirable”. This matter has been tested at appeal.

The 130 sq.m of floorspace provided by each unit would exceed the thresholds set out for 3-bed 6-person single-storey dwellings in the governments Nationally Described Space Standards. A garden area would also be provided for each unit. The proposal would provide decent living conditions for the occupants.

A nearby traditional brick barn within 20m of “Unit B” has an approval for a residential conversion and there could be an overlooking impact due to a number of

facing windows to habitable rooms. However, this would not be severe. Any impact would be mutual and in any case, the approved conversion of the brick barn has not been implemented.

Overall, the proposal would not be impractical or lead to any undesirable impacts and therefore this test has been passed.

With regard to the design or external appearance of the building, the building is a typical modern portal-style farm building with concrete block walls, although the timber cladding above does improve the appearance in relation to many such modern buildings in the area and this would be replaced. Appeal approvals involving the conversion of modern farm buildings in the District have shown that the principle of such conversions of modern farm buildings is acceptable. However, each case has to be judged on its own individual merits as there will always be differences with each building, location and proposed design. In this particular case, the only significant external alterations are the insertion of windows and a contemporary approach to the window design has been chosen which I consider does not lead to any significant harm to the design and external appearance of building and the building with the works applied would still retain an agricultural form and appearance. This test has been passed.

Finally, with regard to light provision, new windows would be provided to each room including a large floor to ceiling triple light window for the large living/dining/kitchen space. There are several new windows and rooflights which are not contrary to any part of Class Q and would not lead to an unacceptable design and appearance. Overall, the occupants would have sufficient light provision and this test has therefore been passed.

The area reserved for parking and amenity space for each unit does not exceed the size of the footprint of the building and this is also in line with the GPDO and advice in NPPG.

CONCLUSION / PLANNING BALANCE

To conclude, the proposal can be determined under Class Q as it meets the tests if Class Q1. In terms of the planning-related impacts listed in Class Q(2), the proposal is also acceptable. Therefore the proposal can be approved as permitted development under Class Q of Part 3 of the GPDO and a full planning application is not required.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 28.3.24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council