

DELEGATED DECISION REPORT

DET/2024/0017
Valid 20/05/2024

POOL MEADOWS FARM
OLD MILL LANE
BAGNALL

**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

Pool Meadows Farm is a former working holding which lies on the south eastern side of Old Mill Lane, a non-classified road. It comprises of a semi-detached dwellinghouse set to the north with a T shaped arrangement of predominately two storey buildings to the south east. Unit 1 comprises of a traditional two storey building constructed from natural stone walls under a plain clay tile roof. A single storey later brick lean to has been attached to the northern gable of the building. To the south of this building and at right angles to it, lies Unit 2. Again a traditional two storey building constructed from a mix of natural coursed stone and brick walls this building has a profile sheet roof. A stone lean to is located on the eastern gable with a detached pitched roof brick outbuilding lying a short distance beyond. The front of the building is predominately open with large openings set between brick piers. A single storey brick and tile lean runs the entire length of the building and forms a link between this building and unit 1. The site lies in an attractive rural area which is characterised by loose scatterings of dwellings and small farmsteads.

PROPOSAL

It is proposed to convert the existing agricultural buildings into two dwellinghouses under the Permitted Development rights afforded in Part 3 Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015.

The application seeks a determination as to whether the prior approval of the Local Planning Authority is required and, if so, whether it can be granted, for the change of use and conversion proposal.

The scheme as submitted would provide two independent dwellinghouses. Unit 1 would provide an open plan kitchen, dining and living room with a separate laundry room and w.c. at ground floor and three bedrooms, one of which would be end-suite and a separate bathroom above.

Unit 2 would provide an open plan kitchen and lounge with a separate boot/utility and entrance as well as two ground floor bedrooms and a bathroom at ground floor with a mezzanine giving access to a further ensuite bedroom above. A separate master bedroom with ensuite and dressing room for this unit would be provided in the adjacent but detached brick outbuilding. Two parking spaces for Unit 1 and three parking spaces for unit 2 would be provided in the courtyard to the front of the application buildings. Garden areas for both of the units would be provided with Unit 1 on the eastern side of the building and unit 2 on the south. Access to the proposed units would be via the existing track off Old Mill Lane.

As well as the change of use of the building the proposal seeks approval for associated operational development which includes the demolition of the existing lean to structure between the two buildings, reroofing, replacement of timber first floors and provision of staircases, new insulated concrete floors, new damp proof course, installation of new and alteration of existing window and door openings to suit, insulation of existing walls and roof, replacement of existing door, windows and rainwater goods, provision of internal walls and installation of rooflights.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

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

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None Relevant

CONSULTATIONS

Publicity

Site Notice expiry date: 8th July 2024

Neighbour consultation period ends: 8th July 2024

Press Advert: N/A

Public Comments

Representations are made by a person who refers the Council to comments of objection that this current applicant made in respect of an application that proposed the erection of a dwelling at Old Mill Farm adjacent to the property (those comments are located and do not appear relevant to the current proposal).

The representations raised with the current application make additional comment that it should be noted that there is no mains water supplied to the location of Old Mill Lane, therefore consideration should be made in relation to other occupants of the vicinity and the significant disruption installing water mains on the single track carriageway may cause.

Town / Parish Comments

Bagnall Parish Council: Awaited

Staffordshire County Council Highways

No objection/acceptance subject to standard conditions requiring parking provision and access improvement.

SMDC Waste Collection

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.

Class Q was refreshed on 30th April 2024, with the changes taking effect from the 21st May 2024. Any application on or after this date, are subject to the new rules as laid out, notably the floor area of a new dwelling is capped at 150sq m. However, this application was submitted before 21st May, and therefore, under the transitional provisions made in the amendment, the development can rely on the 'old rules'. The applicant's agent in their covering statement set out their considerations against the old rules.

This proposal meets all of the criteria/tests under Class Q(1) for applying for a conversion under Class Q of the GPDO.

The buildings are built on a small farmstead clearly for the purposes of agriculture. The applicant evidence is that they have always been used for agriculture on an

agricultural unit and have not been used for any other purpose. On inspection, there is no reason to doubt that evidence. The previous use of the building was apparently agricultural. There is no evidence to suggest there has been any intervening uses since its last use.

The proposal would provide two 'smaller dwellings' each with a floorspace of less than 100 sqm.

The building appears to overall be in reasonable substantial condition. It can be converted into residential use via repairs, and the provision of insulation boarding, a new floor and damp-proofing and these are not contrary to a conversion scheme allowed to be implemented under Class Q. 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.

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:

(a) Transport and highway impacts of the development

The applicant points to the pre-existing transport and highway impacts of the site used for agriculture and a residential dwelling, which are significant in comparison to those that would be associated with the displacement of that use with two 3 bed dwellings. The comparison is not considered to be unreasonable and it is not considered that the two proposed dwellings would introduce unacceptable transport and highway impacts.

Access to the proposed dwellings would be via the existing access which currently serves the agricultural buildings and would lead to a dedicated parking area for vehicles as shown on the submitted site plan with parking standard compliant parking and turning provision.

The highway authority have not objected to the proposal subject to conditions that secure the parking provision and access improvements shown on plan.

(b) noise impacts of the development

The proposed conversion of the agricultural building to two dwellings would not give rise to any adverse noise impacts and there are no neighbouring land uses that would be detrimental to future occupants of the building. The change of use would bring about a quieter environment without heavy vehicular traffic accessing the site. The proposal is therefore considered to be acceptable in this regard.

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.

(c) contamination

Historically and to date the site has only ever been used for agricultural purposes. It is proposed that the existing building foundations are utilised and there will be minimal ground disturbance or excavation. Previous excavations have not identified any ground contamination at this site. All excavated material for service trenches will be retained on site.

Environmental Health officers consider a full pre development contamination assessment to be onerous. They have not raised objection and recommend a condition that only requires further investigation in the event that unexpected contamination is discovered.

(d) flooding risks on the site

Stat map indicates that the dwellings would be 60m to the west of flood zone 2 and 3 associated with the nearest water course. Furthermore, the application site occupies a relatively elevated position relative to the edge of the flood zone. The likelihood of the development becoming flooded would be extremely unlikely.

(e) Impractical or undesirable

The guidance states that there may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

The application buildings are of traditional valued vernacular which are structurally sound and easily capable of conversion. The application site lies a short distance from Endon to the north and Werrington to the south both of which are identified as larger villages in the adopted Local Plan and which contains a number of facilities and services including a school, church, public house, shop and petrol filling station as well as a number of employment opportunities as well as the town of Baddeley Green to the west. It benefits from existing vehicular access and areas of existing yard and hardstanding.

Agricultural activity on site would be displaced with the conversion of the buildings and the demolition of certain parts.

The application includes a bat report that follows seasonal activity surveys by a qualified ecologist. The report concludes that there is no evidence that bats are using the building and that a bat license from Natural England would not be required.

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.

(f) Design & External Appearance

The application building comprises of a traditional valued vernacular building constricted from stone and tile and comprises of a permanent and substantial structure. The proposed development retains the existing materials through the conversion of the building, and in addition to these existing materials the development simply proposes the provision and alteration of existing window and door openings, and rooflights. Alterations to the overall design and external appearance of the building would therefore be very limited and the proposed conversion will retain the form and agricultural appearance of the original building.

There would be apparent benefit with the demolition of the lean to linking structure that connects the gable end of the oldest stone building to the range of more functional sheds to the south, the buildings would then stand as two discrete units and the form and individual setting of the original and oldest building restored.

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. All elevations would face onto yard and garden areas that are essentially enclosed and screened. Views from distance of the elevations are limited by tree and enclosure hedgerow.

Garden and curtilage areas would be proportionally modest and restrained, using existing areas of hard standing, boundaries would be marked with post and rail livestock style fencing that would be agrarian in character and appropriate to the rural area.

(g) Provision of Adequate Natural Light

The habitable rooms within the application building will all be served by existing openings which ensure appropriate levels of natural light. The proposal is therefore considered to be acceptable in the context of criterion Q.2.(1)(g) above. 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.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED AND GRANTED

Case Officer: Ben Hurst

Recommendation Date: 15th July 2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council