

October 2024

Planning Statement

Mill Farm off Gratton Lane, Endon, ST9 9AG

Change of Use of an
Agricultural Building to
form a Dwelling
under Class Q of the
General Permitted
Development Order

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Table of Contents

1	Introduction	3
2	Site Description and Planning History	4
	<i>Site Location</i>	<i>4</i>
	<i>Relevant Planning History</i>	<i>4</i>
3	The Proposed Development	7
	<i>Occupancy Condition</i>	<i>8</i>
4	Assessment Against Class Q Criteria	9
	<i>Transport and Highways Impact.....</i>	<i>16</i>
	<i>Noise Impacts</i>	<i>17</i>
	<i>Contamination Risks</i>	<i>18</i>
	<i>Flood Risk</i>	<i>18</i>
	<i>Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse</i>	<i>19</i>
	<i>Design and External Appearance</i>	<i>20</i>
	<i>The provision of adequate natural light in all habitable rooms.....</i>	<i>21</i>
5	Conclusions	22

1 Introduction

- 1.1 Planning & Design Practice is a multidisciplinary practice consisting of chartered town planners, architects and heritage specialists. The practice operates across England and Wales and has an exemplary track record of submitting successful planning applications and in creating sustainable development.
- 1.2 This application is submitted in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 632 (as amended on 21st May 2024) for the change of use of an agricultural building to a dwelling at Mill Farm, Gratton Lane, Endon, ST9 9AG. It follows a consent granted earlier in the year under the “old” legislation.
- 1.3 Class Q (a) of the above Order grants permitted development rights for the change of use of agricultural buildings and any land within their curtilage to dwellinghouses falling within Class C3 of the Use Classes Order. Class Q (c) allows any building operations reasonably necessary to convert agricultural buildings to dwellings.
- 1.4 This report has been structured to provide an introduction to the site and discuss its planning history; details of the proposed development and the rationale for it; and an examination of the key planning issues to be considered. Also submitted to accompany the report are the following:
- Site location plan
 - Plans & Elevations Existing/Proposed
 - Site uses plan
 - Flood Risk Assessment
 - Noise Assessment
- 1.5 Class Q requires that for proposals relating to the change of use of an agricultural building and its curtilage to a dwellinghouse, a determination should be made as to whether the prior approval of the local planning authority will be required, for the following:
- a) transport and highway impacts of the development;
 - b) noise impacts of the development;
 - c) risk of contamination;
 - d) flooding risks on the site;
 - e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse;
 - f) the design or external appearance of the building, and;
 - g) The provision of adequate natural light in all habitable rooms.

2 Site Description and Planning History

Site Location

- 2.1 The site is located within the Green Belt, approximately 1 mile north east of the small village of Endon and 3.5 miles west of Leek. Access to the site is provided via a gated access off Gratton Lane.
- 2.2 The agricultural building is located to the north of the access track into Mill Farm. The barn is a fully enclosed metal sheet building with 2 roller shutter entrances facing the access track. There are two larger buildings of similar style to the east of the subject building. Access to the site is shared with the existing business on the site, which provides plant operating training and is operated by the family of the applicant.
- 2.3 To the north of the building is a small steep-sided brook running from east to west. The site is located in flood zone 1. The accompanying flood risk assessment concluded that the site is at low risk of both surface water and fluvial flooding, and the proposals will not contribute further to flood risk.
- 2.4 The proposed barn currently stores machinery relating to the agricultural enterprise that is situated at Mill Farm. This includes tractors and farming equipment. The building was in agricultural use on and before 24th July 2023. As stated in Appendix D (a supporting letter written by the Applicant's Father), the farming business has been in a steady decline in recent years, with activity now centred around silage and grazing. The building was granted prior approval through application SMD/2011/0905 in 2011. The SBI number is 200822872.
- 2.5 On 2nd February 2024 prior approval was granted for the conversion of the building to residential use (DET/2023/0045).

Relevant Planning History

- **SMD/2024/0277** - Erection of a new dwelling - *Refused*
- **DET/2023/0045** - Change of use of an agricultural building to form a dwelling – *Approved*
- **DET/2023/0015** - Change of use of an agricultural building to form a dwelling – *Refused*
- **SMD/2011/0905** - Erection of implement storage shed – *Approved*
- **SMD/2009/0169** - Replacement agricultural shed – *Approved*
- **SMD/2003/1306** - Change of use from agricultural storage building to use as training centre and use of adjoining land for excavator training purposes – *Approved*
- **SMD/2003/0970** - Change of use from agricultural building to training centre and use of adjoining land for excavator training purposes – *Refused*
- **SMD/1986/0027** - Proposed semi detached houses - *Refused*

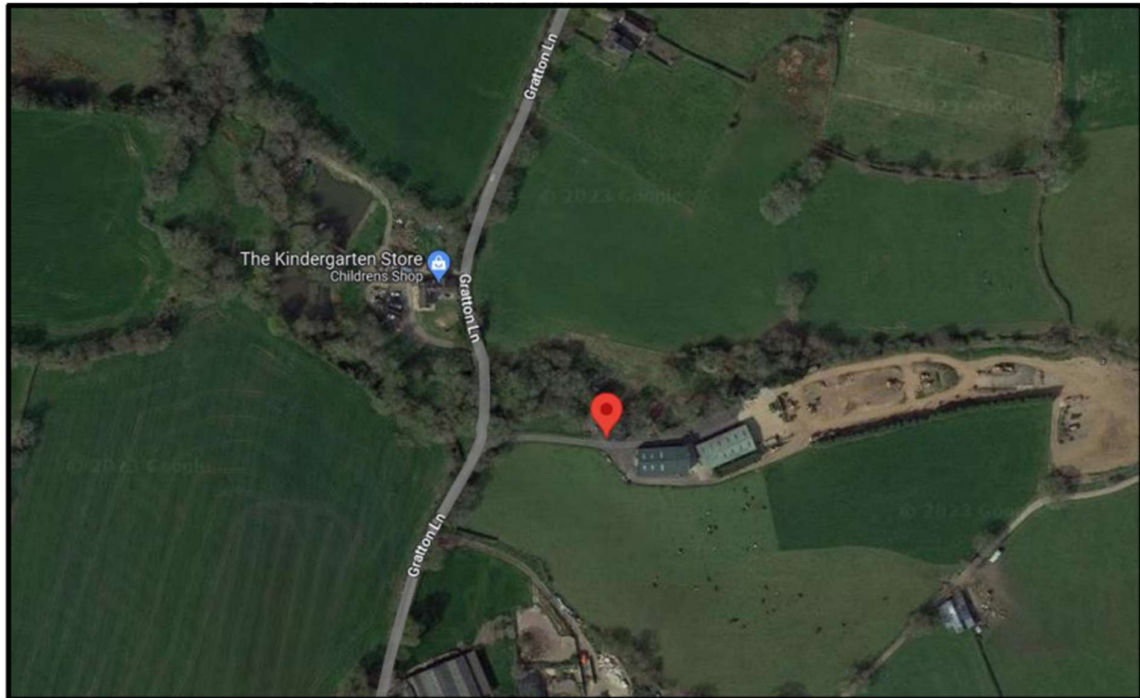


Figure 1 - Location of site



Figure 2 – Photo of agricultural building



Figure 3 – Photo from inside the agricultural building



Figure 4 – Photo from inside the agricultural building

3 The Proposed Development

- 3.1 The proposal is for the change of use of an existing agricultural building to provide a residential dwelling with associated building operations reasonably necessary for the building to function as a dwelling.
- 3.2 The proposed plans show how the proposed conversion will be completed. The existing cladding will be removed and replaced with anthracite insulated steel cladding. Details of this cladding have been included on the proposed plans. In terms of appearance, this cladding will be on a like-for-like basis, retaining the agricultural character of the building.
- 3.3 To accommodate this new level of insulation, the cladding will protrude 0.2 metres from where the existing cladding previously sat, which is permitted under paragraph (h) of the GPDO, as amended in May 2024. An indicative diagram of this proposed wall build up is included on the submitted plans.
- 3.4 The existing roller shutter openings are to be replaced with larch cladding, matching that which is to the rear of the building. 3 new windows are also to be located in these existing openings. Additional windows will be added to the rear and side elevations. The door to the rear will be repositioned in order to provide more usable internal space. Internally, the application proposes 2 bedrooms, bathroom, utility and an open plan living space. The proposals comply with nationally described space standards.
- 3.5 The footprint of the existing building will increase, as a result of the external protrusion of 0.2 metres, to 87.7m². This is in compliance with Class Q requirements of the permitted development legislation.
- 3.6 The site is not occupied under an agricultural tenancy and is not affected by any of the constraints set out in criteria (k) to (n) of Paragraph Q.1. With regard to criterion (p), the building benefits from a suitable existing access from Gratton Lane. This access is comprised of hardstanding and is permanent in nature.
- 3.7 The proposals, therefore, satisfy all relevant criteria set out in Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596.

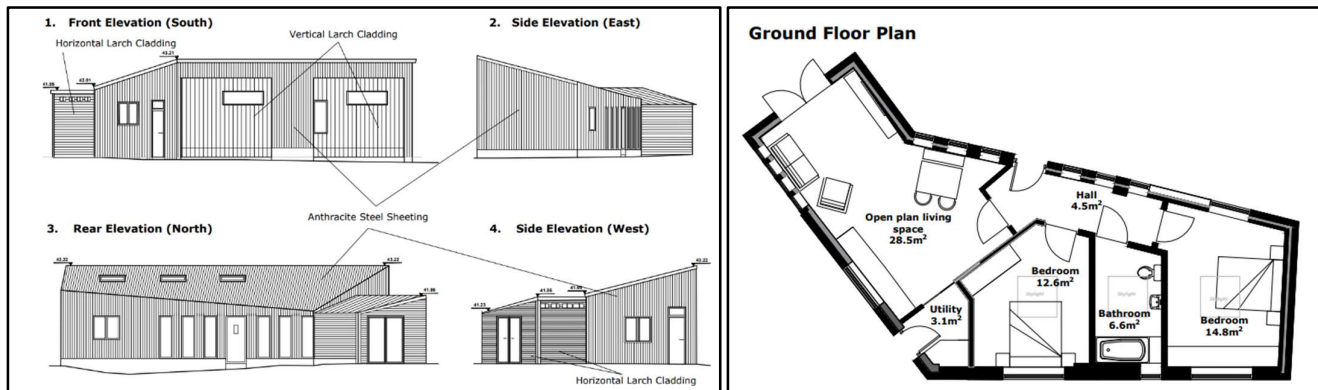


Figure 5 – Proposed elevations and floor plans

Occupancy Condition

3.8 The previous Class Q approval (application ref: DET/2023/0045) included an occupancy restriction on the dwelling. This limited the occupation of the dwelling to the following person(s);

- *Someone that owns or operates the adjacent agricultural building or excavator training centre,*
- *an employee of such an owner or operator;*
- *a family relative of such an owner or operator;*
- *or a guest of such an owner or operator, during a temporary period where the occupant has their main residence elsewhere.*

3.9 Since the previous Class Q approval, a noise assessment has been undertaken. This concluded that noise from the surrounding sources will not exceed external or internal noise criteria and therefore no noise mitigation is required. As such, it is considered that no such occupancy condition is now required.

3.10 The Applicant is reluctant to have an occupancy condition as part of this application. Since the previous approval, the Applicant's mortgage advisor has provided the following wording which should be included if a similar condition is considered necessary. This would be a clause confirming that if the property was repossessed by a mortgage lender they would be free to market and sell the property without restriction. They therefore suggest the following wording;

"A mortgage of the owners exercising its statutory power of sale, a receiver appointed thereby, or a successor in title thereto is not bound by the provisions of this Condition (provided always that any such mortgagee must be a body corporate registered with and regulated by the Prudential Regulation Authority (or any successor body whose function is to regulate mortgages and loans))."

4 Assessment Against Class Q Criteria

- 4.1 The notification in question for this application is Class Q (a) and (c) of the General Permitted Development Order 2015 (as amended) which establishes the principle of the change of use of an agricultural building to a dwelling as well as dealing with the operational development matters.
- 4.2 In accordance with Class Q (a) planning permission is deemed to exist for the change of use of a building and any land within its curtilage from use as an agricultural building to a use within C3 as a dwellinghouse and (c) those building operations are reasonably necessary to convert the building other than in the following circumstances;
- 4.3 *(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit –*
- (i) on 24th July 2023, or*
 - (ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,*

The building was used for the storage of agricultural machinery. The building has been used for agricultural purposes for many years and was part of an established agricultural holding on the 24th July 2023.

Firstly, Paragraph X of Schedule 2, Part 3 of the General Permitted Development Order defines “site” as “the building and any land within its curtilage”. The proposed plans show how the curtilage of the proposed dwelling does not include any part of the access road, with a single parking space and outdoor amenity space to the rear. The building, which is the subject of this application, and its curtilage (i.e. the site) are solely in agricultural use, unrelated to the other business on site. Appendix C is an appeal decision which explains how other uses can operate on land owned by the applicant when they are not situated within the red line boundary of the application. As a result, they do not carry relevance to this application, as stated in Paragraph 15 of this appeal decision.

Figures 3 and 4 are photographs from inside the agricultural building. They show a tractor and other farming paraphernalia being stored within the unit. The tractor is used on the site for muck spreading and

fertilising of the land. Appendix D is a supporting letter from the Applicant's father, Mr Williamson, who explains the use for this building.

This agricultural building was approved in 2011 by virtue of application SMD/2011/0905. This building was erected to provide a building which would store the tractor and the associated machinery. This was required after a fire burnt down the original agricultural building and, for insurance purposes, the tractor needed to be stored separately from the hay store.

Mr Williamson explains how Enforcement Officers have visited the site to ensure that this building was indeed used for agricultural use and that there was a clear distinction between agricultural activities and the training business.

The agricultural use of the building has also previously been confirmed by the extant Class Q consent (app. ref. DET/2023/0045). In the issued report, the Officer concluded that the agricultural use of the site should be accepted as part of this assessment.

It was concluded that this was indeed the case and the building in question was still in agricultural use. It can therefore be concluded that the site (i.e. the building and its curtilage) has indeed been solely in agricultural use before and since 2023.

4.4 *(b) in the case of a site that was (but is no longer) part of an established agricultural unit—*

- (i) the site was part of an established agricultural unit on 24th July 2023,*
- (ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or*
- (iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,*

Not applicable in this case.

4.5 *(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres,*

This is not the case. The internal floor space of the new dwellinghouse is 72.6m².

4.6 *(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—*

- (i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or*
- (ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,*

This is not the case. 1 new dwelling is proposed with a floor space of 72.6m².

4.7 *(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained,*

The site is not occupied under an agricultural tenancy agreement.

4.8 *(f) less than 1 year before the date development begins—*

- (i) an agricultural tenancy over the site has been terminated, and*
- (ii) the termination was for the purpose of carrying out development under Class Q,*

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use,

This is not applicable.

4.9 *(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,*

This is not the case.

4.10 *(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—*

- (i) *extension of the building allowed by paragraph Q.1(i);*
- (ii) *protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),*

As part of criterion (h)(ii), protrusions of up to 0.2 metres are permitted. As the proposals will enlarge the built envelope of the building, the existing cladding would no longer be large enough to accommodate this larger envelope. Therefore, the proposals include a like-for-like replacement which will maintain the agricultural appearance of the building. It will also improve the energy efficiency of the building and provide additional internal floorspace, making more efficient use of the site. The proposals are therefore considered to be in accordance with criterion (h).

4.11 *(i) the development under Class Q(b) would result in an extension that—*

- (i) *has more than one storey,*
- (ii) *is sited anywhere other than to the rear of the existing building,*
- (iii) *extends beyond the rear wall of the existing building by more than 4 metres,*
- (iv) *has eaves the height of which exceed the height of the eaves of the existing building,*
- (v) *is higher than whichever is the lower of—*
 - (aa) the highest part of the roof of the existing building, or*
 - (bb) a height of 4 metres above the ground,*
- (vi) *extends beyond a wall that forms a side or principal elevation of the existing building, or*
- (vii) *would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—*
 - (aa) the hard surface was not provided on the land on or before 24th July 2023,*
 - or*
 - (bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,*

No rear extension is proposed as part of this application.

4.12 *(j) the development under Class Q(c) would consist of building operations other than—*

- (i) *the installation or replacement of—*
 - (aa) windows, doors, roofs, or exterior walls, or*
 - (bb) water, drainage, electricity, gas or other services,**to the extent reasonably necessary for the building to function as a dwellinghouse, and*
- (ii) *partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i),*

This following extract is taken from the Planning Practice Guidance Paragraph 105 Reference ID: 13-105-20180615. Although this has not been updated since the GPDO was revised in May 2024, the interpretation of the legislation is still considered to be accurate and relevant.

“The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: Class Q of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.”

Q.1(j) permits the installation or replacement of windows, doors, roofs, or exterior walls, or water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse and partial demolition to the extent reasonably necessary to carry out building operations.

“Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.”

For a discussion of the difference between conversions and rebuilding, see for instance the case of *Hibbitt and another v Secretary of State for Communities and Local Government* (1) and *Rushcliffe Borough Council* (2) [2016] EWHC 2853 (Admin).

The application is accompanied by detailed elevation plans setting out the associated building operations which are considered to be reasonably necessary for the building to function as a dwelling house, in accordance with Class Q limitations. The proposed development consists of the following building operations:

- Insertion of new windows and doors
- Replacement of existing cladding
- New timber cladding in existing openings

The conversion of the building to form a single dwelling will require internal works. The updated guidance referred to above explicitly clarifies that internal works are not prohibited by Class Q.

As set out above, the existing structural elements of the agricultural building will remain intact, with the external cladding and roofing material being replaced on a like-for-like basis and treated where necessary. The replacement of external walls is explicitly mentioned in the legislation as works that are considered to be permitted. The application does not propose any rebuilding as part of the application. The proposed scheme does not require any demolition. There are many examples of appeal decisions post the *Hibbitt & Anor v Secretary of State* which discuss the amount of works undertaken but the following paragraph taken from appeal decision Ref. APP/N1025/W/21/3277013 is helpful in understanding where the 'line' between fresh build and conversion lies;

"5. From the evidence before me, and my observations on site, I find that the building, including its framework, are structurally sound. Whilst the appellant's structural report suggests that some strengthening may be needed, this relates to the wall and roof cladding, and not the structural integrity of the building itself. Therefore, and mindful of Paragraph 105 of the Planning Practice Guidance (the PPG), I find that the building would be capable of functioning as three dwellings. Paragraph 5. appeal decision Ref. APP/N1025/W/21/3277013 (Appendix A)"

When having regard to the extent of building operations that are proposed it is considered that the works associated with the change of use would amount to conversion and not rebuild, as examined by High

Court decision (case *Hibbitt & Anor v Secretary of State for Communities & Local Government & Ors* (2016)) and are therefore considered to be reasonably necessary for the building to function as a dwellinghouse, in accordance with the aims of Class Q.

Appendix B is a recent Class Q appeal decision in Staffordshire Moorlands, where the Inspector granted the appeal after the Council had originally refused it.

4.13 (k) the site is on article 2(3) land,

The site is not on article 2(3) land.

4.14 (l) the site is, or forms part of—

- (i)** a site of special scientific interest;
- (ii)** a safety hazard area;
- (iii)** a military explosives storage area,

The site does not form part of a site of special scientific interest, a safety hazard area, or military explosives storage area.

4.15 (m) the site is, or contains, a scheduled monument,

There is not a scheduled monument on site.

4.16 (n) the building is a listed building,

The building is not listed.

4.17 (o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it, or

The building does comply with nationally described space standards. The gross internal floor area is 72.6m², which is larger than the 70m² requirement for a 2 bedroom 1 storey dwelling.

4.18 (p) *the building does not have suitable existing access to a public highway.*

The building does benefit from a safe and suitable access from the public highway. Current access to the site is a gravelled access off the main road, with a gated access into the site measuring approximately 6m wide. This track is bordered by low wooden fencing on either side of the track.

4.19 When having regard to the above, it is considered that the proposed development would constitute permitted development in respect of conditions Q.1 set within Class Q.

4.20 Notwithstanding the above, Paragraph Q.2 of the GPDO requires the local planning authority to assess the proposal solely on the basis of its impact in terms of transport and highways, noise, contamination, flooding, whether the location or siting of the building make it otherwise impractical or undesirable for the change of use and the design, the external appearance of the building and whether there is adequate natural light in all habitable rooms.

Transport and Highways Impact

4.21 Paragraph 115 of the NPPF states that *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”*.

4.22 Gratton Lane is a C-classified road and is subject to the national speed limit.

4.23 Current access to the site is a gravelled access off the main road, with a gated access into the site measuring approximately 6m wide. This track is bordered by low wooden fencing on either side of the track. The access is located on the outside of a slight bend, providing good visibility upon entering and exiting the site.

4.24 The proposed dwelling will generate a similar number of traffic movements as the existing permitted use of the site. It will also replace agricultural vehicles with smaller cars, which can be seen as a benefit to the public highway and surrounding environment.

- 4.25 This access has already been considered safe and suitable as part of the extant Class Q application (app ref. DET/2023/0045).

Noise Impacts

- 4.26 The application site and buildings are situated in a relatively tranquil area. The proposed dwelling is sufficiently distant from other residential properties and the existing business on site, which only operates during the day, avoiding any unacceptable impacts upon the amenities enjoyed by their occupiers.
- 4.27 The training exercises take place on the eastern part of the site. There is approximately 65 metres between the application site and the operator centre, with two large metal clad buildings located within this 65 metre separation distance. The machinery used as part of the training centre is contained within the eastern part of Mill Farm and do not drive past the subject building. The training facility does not require or result in large vehicles passing the application site. As this is a training centre, 'learners' are supervised at all times and remain within this part of Mill Farm exclusively.
- 4.28 The operator centre is open 9am to 4:30pm. No machinery which operates at the centre will pass the subject building. It is a training centre, so the machinery will remain in the eastern portion of the site.
- 4.29 A site uses plan has been submitted as part of this application, showing which buildings at Mill Farm are in agricultural use or as part of operator training.
- 4.30 Appendix E is an allowed appeal decision against Staffordshire Moorlands. Paragraphs 10 and 11 of said decision refers to the location of the proposed dwelling. In this instance, the subject building is in close proximity to existing agricultural buildings, which happens to be where the proposed bedrooms are to be located. The Inspector concluded that any noise related issue which may result could be effectively mitigated with a suitable scheme to insulate the proposed dwelling. This was also imposed as a condition. A similar insulation scheme could be incorporated into this proposed dwelling. Notwithstanding this, it should be reaffirmed that there is approximately a 65-metre separation distance between the "*noisy activity*" (the training centre, one would assume) and the location of the proposed dwelling.

- 4.31 Since the previous Class Q approval, a noise assessment has been undertaken. This concluded that noise from the surrounding sources will not exceed external or internal noise criteria and therefore no noise mitigation is required.
- 4.32 For the above reasons, the use of the building for residential purposes would not impact adversely on future occupants.

Contamination Risks

- 4.33 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.
- 4.34 The building is used for the storage of agricultural machinery and has been used for agricultural purposes for many years.
- 4.35 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.

Flood Risk

- 4.36 The Environment Agency's flood maps show the site as being within Flood Zone 1 where there are no significant or unacceptable risks to residential development from river flooding. Given the site is in close proximity to a small brook, a Flood Risk Assessment was commissioned to reaffirm this idea.

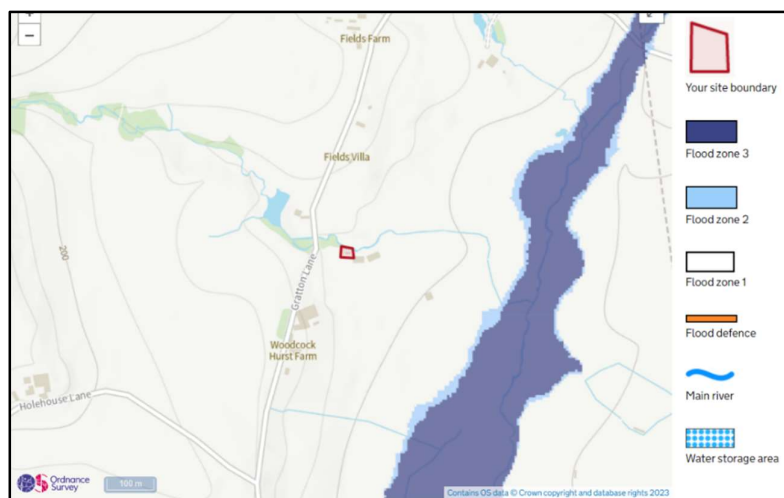


Figure 6 – Flood Risk map showing site is situated in Flood Zone 1

- 4.37 The Flood Risk Assessment has been submitted alongside this statement. It concluded that the site was at low risk of both surface water and fluvial flooding.

Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse

- 4.38 The application site is located within the Green Belt. There is a degree of inevitability that agricultural buildings across the country will not usually be located in or immediately adjacent to existing settlements, hence they will rarely meet the normal locational sustainability tests.
- 4.39 This is acknowledged by Paragraph 108 (ID 13-108-20150305) of the National Planning Practice Guidance, which states *“the permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house”*.
- 4.40 Paragraph 109 (ID 13-109-20150305) provides an interpretation of what constitutes impractical or undesirable circumstances for a residential change of use. It confirms that;

“...the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable”.

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.

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.

When a local authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval”.

- 4.41** As set out above, the dwellinghouse would be accessed via an existing agricultural access directly off Gratton Lane. It is considered that the track is of a suitable standard and is used by customers visiting the operator training business.
- 4.42** The application site lies within a rural location. It is not in a position where the local planning authority would normally grant permission for a new dwelling. Paragraph 108 of the NPPG makes it clear that location is not a sufficient reason to refuse prior approval. The site has a safe access to the public highway. The building is remote from any uses incompatible with residential development. There are no hazardous or noisy activities operating on site.
- 4.43** It is considered that the character and appearance of the countryside would not be harmed by the proposed development. The building is hidden amongst dense tree coverage that follows the brook to Gratton Lane. There is also consistent tree coverage on the east side of Gratton Lane.
- 4.44** When having regard to the above the proposed development does not make it impractical or undesirable for it to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Use Classes Order.

Design and External Appearance

- 4.45** The design and external appearance of the building has been kept to the minimum to retain the character of the building, making use of the existing structure for conversion and maintains existing openings. The General Permitted Development Order is explicit in listing the external alterations that are permitted under Class Q (b) 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.

- 4.46** For the reasons outlined above, the location or siting of the building does not make it impractical or undesirable for it to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Use Classes Order.

The provision of adequate natural light in all habitable rooms

- 4.47** 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.

5 Conclusions

- 5.1 Prior Approval is sought for the change of use and conversion of a steel framed agricultural building to form 1 no. dwellinghouse (Use Class C3) at Mill Farm, Endon.
- 5.2 The application is submitted in accordance Class Q, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 that permits the change of use and conversion of an agricultural building to a dwellinghouse or dwellinghouses (Use Class C3).
- 5.3 The proposal satisfies the relevant criteria set out in Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596. The conversion to residential use does not therefore require planning permission.
- 5.4 The building was last in agricultural use and has been so since before 24th July 2023. The building is structurally sound and capable of accommodating the alterations required to facilitate residential conversion. The proposal satisfies the relevant criteria set out in Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England). The conversion to residential use does not therefore require planning permission.
- 5.5 The proposed conversion would not unacceptably impact upon the safe or efficient use of the highway network, would not give rise to any unacceptable noise impacts, would not increase flood risk and is not at risk from contamination. Residential use is not therefore impractical or undesirable in this location.
- 5.6 The external alterations to the buildings in this scheme have been sensitively designed to respect the agricultural character of the existing building and its rural surroundings. They are reasonably necessary for the building to function as a dwelling.
- 5.7 The proposed development therefore constitutes permitted development under Class Q of the General Permitted Development Order.



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