

DELEGATED DECISION REPORT

DET/2024/0037
Valid 05/09/2024

HOLLY HOUSE FARM 387
CHEADLE ROAD
CHEDDLETON

APPLICATION TO DETERMINE IF
PRIOR APPROVAL IS REQUIRED
FOR
THE CHANGE OF USE OF AN
EXISTING AGRICULTURAL
BUILDING INTO A SINGLE
DWELLING WITH ASSOCIATED
BUILDING OPERATIONS

(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)

MAIN ISSUES

- Whether or not the application and proposal details as submitted comply with GPDO (2015) Schedule 2 Part 3 Class Q (May 2024 revisions) – buildings on agricultural units and former agricultural buildings to dwellinghouses.
- Transport and highways impacts;
- Noise impacts of the development;
- 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 use falling within Class C3 (dwelling houses) of Schedule 1 to the Use Classes Order;
- Design or external appearance of the building;
- The provision of adequate natural light in all habitable rooms of the dwelling house;
- Part 3 paragraph W (procedure for applications under Part 3 prior approval) including assessments of impacts or risks.
- Part 3 – paragraph X.

DESCRIPTION OF SITE

The building the subject of this application is a single-storey, brick and tile building with a pitched roof. Windows are fitted and there are doorways within the southern and eastern facing walls. Internally the entire roof void and rafters can be seen. At the back of the building there is a sloping roof structure constructed using timber and corrugated sheeting which would be demolished as part of the proposal. To the front of the building there is a tarmacked area. The site is accessed via a drive linking directly to Cheadle Road.

The site is within the Green Belt and a low-risk coal development area. The property is not within any Conservation Area, the building is not listed and there are no immediately surrounding listed buildings/structures. There are no protected trees within the immediate vicinity.

PROPOSAL

This is a Class Q prior notification application for the conversion of the brick and tile building to domestic accommodation. The works would include removal of the muck heap and the

timber and corrugated sheet structure. The building would be converted to provide a one bedroom property with a kitchen/dining area, living room and separate bathroom. The plans show one parking space at the side of the building. The existing access to Cheadle Road would be utilized. To the rear of the building there would be a patio and garden area which would be bounded by a new drystone wall containing a garden gate. In addition to the garden gate, the rear patio and garden areas would also be accessible through two sets of French doors from the proposed kitchen and the living room area.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1	Development Principles
SS10	Other Rural Areas Strategy
SD4	Pollution and Water Quality
H1	New Housing Development
DC1	Design Considerations
DC3	Landscape and Settlement Setting
NE1	Biodiversity and Geological Resources
T1	Development and Sustainable transport.
Appendix 2	Parking Guidance

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands
2. Space About Dwellings

Supplementary Planning Document

- 1 Staffordshire Moorlands Design Guide.

National Planning Policy Framework

Including sections:

- | | |
|----|--|
| 2 | Achieving sustainable development |
| 5 | Delivering a sufficient supply of homes |
| 6 | Building a strong, competitive economy |
| 9 | Promoting sustainable transport |
| 12 | Achieving well-designed and beautiful places |
| 13 | Protecting Green Belt land |
| 15 | Conserving and enhancing the natural environment |

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2024/0022 Prior approval required and details submitted refused.

CONSULTATIONS

Publicity

Site Notice. Expired.

Neighbour consultation period. Expired.

Public Comments

No representations received during the statutory consultation period.

Cheddleton Parish Council: Recommend that planning permission required.

Environmental Health: No objection subject to conditions.

Waste Services (SMDC): No issues regarding waste collections. Bins to be presented on Cheadle Road.

Staffordshire County Council Highways: Conditional approval.

Personal Injury Records;

Current records show there were no Personal Injury Collisions on Cheadle Road within 160 metres of the access to Holly House from 30/12/2019 to 29/12/2022.

Background;

The property is situated on Cheadle Road an A classified road (Road No. A520) with a speed limit of 50mph. There are footways and street lighting along the section of Cheadle Road fronting the property.

Previous Application;

DET/2024/0022 - Application to determine if prior approval is required for a proposed change of use of an existing agricultural building into a single dwelling with associated building operations – Conditioned by the Highway Authority. DET/2024/0022 proposal was for a 2-bedroom dwelling with provision for parking 2 vehicles. This application now proposes a 1-bedroom dwelling with parking provision for 1 vehicle as shown in submitted Drg. No. 2023-2806-04 Rev D.

Proposal;

Application to determine if prior approval is required for the Change of Use of an existing agricultural building into a single dwelling with associated building operations.

Comments on Information submitted:

The application is to determine if prior approval is required for a proposed change of use of an existing agricultural building into a single dwelling. A single storey extension is also proposed and will provide a living room. The dwelling will have 1 bedroom and an area for parking for 1 vehicle.

Access:

Access to the proposed dwelling is existing and provides access to and will be shared with Holly House.

Parking:

Staffordshire Moorlands Parking Standards state: Detached/Semi-detached property of up to 3 bedrooms will require 2 spaces (2.4 x 4.8m each space) for residents and visitors. Submitted Drg. No. 2023-2806-04 Rev D shows a parking for 1 vehicle this does not meet the Parking Standards. However, having scaled from the plan there is sufficient space to accommodate parking and turning for 2 vehicles, it is also considered given the distance of the proposed dwelling from the adopted highway parking will be managed within the site.

I have no objection to the proposal (application number DET/2024/0037) subject to the following condition.

The development hereby permitted shall not be brought into use until the parking and turning area has been provided in accordance with the approved Drg. No. 2023-2806-04 Rev D. The parking and turning area shall thereafter be retained unobstructed as parking and turning for the life of the development.

Reason:-

To comply with NPPF; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

Severn Trent Water: No objections subject to condition.

Staffordshire Wildlife Trust: No representations received during the statutory consultation period.

OFFICER COMMENTS

The Town and County Planning (General Permitted Development) (England) Order 2015 (As amended) allows, within Class Q, for the change of use of:-

i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order.

The May 2024 GDPO revisions relating to Class Q now enable a broader range of buildings to be considered for Prior notification Part 3, Class Q change of use to Class C3 (dwellinghouses). Whereas the previous class Q provisions related solely to agricultural buildings, the current allowances provide the potential for non-agricultural buildings to be converted, provided that they are on an agricultural site and comply with other, relevant Class Q criteria.

The Planning Statement contends that the building does qualify for change of use consideration under the Class Q allowances, the reasons can be summarised as follows;

- The application site has been in the applicant's family since the 1967 and is registered with DEFRA under holding number 37/065/0107.
- Holding has been reduced in size over the years due to parcels of land being sold off but the remaining (blue edged) land is used for agricultural purposes with the applicant's having sheep, goats and chickens.
- Statement confirms that the animals are kept for the production of food.
- The application building was clearly built and intended for agricultural use and has been in use as such for all of its time.
- Modern day farming practices are limited due to the modest sized openings but is still used for food storage such as hay, corn, straw, smaller farming implements as well as providing shelter and isolation pens for animals during periods of illness or lambing etc. timber lean-to provides storage for agricultural vehicles including (but not limited to) a tractor, topper and chain harrows.

The Planning Statement claims established agricultural use of the site and that it was in this use on 24th July 2023, that the 'application building forms part of the established agricultural holding of the farm and is being used for agricultural purposes.'

The proposal is considered to comply with Q.1(a). The information supplied, together with the site visit findings demonstrate that the provisions of Q.1(a) are satisfied.

Q.1(b) is not applicable as this scheme does not relate to a building which was formally part of an established agricultural unit.

(c) Complies. The floorspace equates to approximately 70 square metres, well below the 150 square metres allowance.

(d) (i) Complies. This is a single dwelling therefore less than the 10 permitted.

(d) (ii) Complies. Cumulative floorspace does not exceed the 1000 square metres permitted.

(e and f) Complies. Site is not occupied under agricultural tenancy. This information is provided by the applicant (confirmed on the application form and within the Planning Statement) and no representations or other information has been received to state otherwise.

(g) Complies. No evidence found of any Part 6 developments within the last 10 years. Applicant has confirmed this and no planning records can be found to suggest this is the case.

(h). Proposal does include the enlargement of the existing building therefore consideration is given to Q.1(i) and Q.1 (j) (i).

- (i)
 - (i) Complies. Only proposes a single storey rear extension.
 - (ii) Complies. Proposed extension is at the rear of the building.
 - (iii) Complies. Does not extend beyond the rear of the building by more than 4.0m.
 - (iv) Complies. Eaves height of the proposed extension match those of the existing building.
 - (v) (a). Is not higher than the existing roof and (b) is not higher than 4.0m above the ground.
 - (vi) Complies. Does not extend beyond a side or principal elevation of the building.
 - (vii) Complies. The site is covered by a hard surface and was in situ before 24th July 2023. Aerial photographs show the building and the section of it to be removed to make way for the extension, in existence before 24th July 2023. It is clear from the site visit that there has been a hard surface underneath the canopy structure at the back of the brick building for the sufficient period of time.

(j) states that 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).

The application is accompanied by a Structural Report which confirms the building was assessed on 30th August 2023. Although this report is nearly 12 months old, it does contain photographs of the building at that time. When compared with the photographs taken during the officer site visit, there does not appear to be any significant change in the building. The report deals with each of the four elevations and the internal space, concluding that the stable is 'in a good condition with no integral structural elements requiring any structural upgrades, it would be deemed suitable to convert into a habitable space.' The report also provides the following details:

'The proposed stable for conversion is in a good condition structurally, and doesn't require any major repair work to strengthen the buildings. The roof structure is in a good condition, therefore suitable for the proposed conversion. Providing the proposed roof materials don't exceed the load of the existing materials, no further structural checks would be required. The section of wall plate to the north elevation should be replaced. The walls are generally in a good condition, with minor repairs required to one corner where the stonework meets the brickwork, and the west elevation that has become weathered. The discharge of water out this elevation should be prevented. The timber lintels will need to be addressed during the construction stage, ensuring that the lintels meet current standards, the lintels aren't currently causing any issues with the structure. The stable concrete slab, which is not an integral part of the structure, would not meet modern standards. This would require insulation and a dpm. This individual element will need to be taken out or upgraded. Foundations and ground conditions were not exposed, but the proposed loads would not be an increase on the existing loads, therefore, underpinning would not be expected.'

In reading the entire report it is clear to see that the required works are generally those that are reasonably required to allow for the conversion. The plans show that many of the existing openings are to be reused, the most notable change being that the to the rear elevation where the extension would be added and openings added to serve the living/kitchen space. The brick walls are to be retained and the building would retain a tiled roof. The works are generally within the spirit of barn conversion design policies.

(k) Complies. The site is not on Article 2(3) land.

(l) Complies. Site is not a SSSI, a safety hazard area or a military explosives storage area.

(m) Site is not/does not contain a scheduled monument.

(n) Complies. Not a listed building.

(o) This sections requires consideration of the Nationally Described Space Standards. Development is not permitted if '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.'

The plans show a one bedroom property. The previous application (DET/2024/0022) proposed a two bedroom dwelling which failed to demonstrate compliance with the Nationally Described Space Standards (NDSS). The current scheme now proposes a one bedroom dwelling. The Planning Statement informs that the building would be a one bedroom, one person unit and that NDSS standards requires a minimum of 39 sq metres of gross internal floor area. The Planning Statement also informs that *'The existing building has a gross internal floor area of 43 sq metres with a further 14 sq metres being provided through the proposed extension. The resultant gross internal floor area of the building would therefore be 57 sq metres. The*

proposed bedroom would have a gross internal floor area of 12 sq metres (2.75m x 4.4m) and would therefore be in excess of the minimum requirements which are 7.5 sq metres with a width of 2.15m. The ceiling would be vaulted with a minimum height of 3.1m which again exceeds the 2.3m requirement under the NDSS requirements. The proposed development therefore complies with criteria (o) in this regard.'

Upon reviewing the submitted plans the floor space area is calculated at approximately 40.5 square metres, this is a different figure than submitted by the applicant, however the building (prior to any extension in accordance with part (o)) is large enough to comply with the NDSS floor space standards for a one bed, one person unit. The proposed bedroom has a floor area measuring approximately 4.4m x 2.7m, this complies with the NDSS requirements for the size of a single bedroom. The cross-section plan shows the ceiling to be vaulted, therefore complying with the NDSS standard.

(p) Complies. the building does have suitable, existing access to a public highway.

Part of the Class Q allowance is for land within the curtilage of the building to change its use to domestic. Section Q.3 defines curtilage as the lesser of :-

- (a) The piece of land, whether enclosed or unenclosed, immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be), closely associated with and serving the purposes of that building, and
- (b) An area of land immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be) no larger than the land area occupied by that building.

The plans show that the area currently occupied by the muck store would be returned to grassland/field. The proposed Class Q domestic curtilage is to be marked by a new drystone wall. The proposed dwelling would have a footprint of approximately 70 square metres, the external amenity space (garden/patio and parking space) equates to approximately 51 square metres therefore complying with the Class Q requirements.

Condition Q2 of Class Q requires the Local Planning Authority to determine whether Prior Approval is required in respect of;

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (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 use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order,
- (f) the design or external appearance of the building, and
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses

and the provisions of paragraph W (Prior approval) of this Part apply in relation to that application.

Transport/Highways

The application subject building would be accessed via an existing driveway which links directly to Cheadle Road Cheddleton (an A class road). Parking would be provided at the side of the converted building, the plans showing one parking space. No alterations to the access or the driveway are proposed and it is intended to continue to share the drive with the existing dwelling 'Holly House.' The County Highways officer comments that parking for a single vehicle does not meet with the Local Plan parking standards but comment that '*having scaled*

from the plan there is sufficient space to accommodate parking and turning for 2 vehicles, it is also considered given the distance of the proposed dwelling from the adopted highway parking will be managed within the site.' The County Highways officer confirms no objections to the application subject to a condition to secure the parking and turning space (and ensure it remains unobstructed) prior to first use of the development.

Noise Impacts

There are no objections to the application in terms of noise impacts. There are residential dwellings in the area so this scheme is not proposing a development which is out of keeping with its surroundings. There will be noise from the nearby A road but it is not so significant to warrant rejection of the application, there are many other dwellings situated in much closer proximity to the same A road. Environmental Health officers recommend a condition to restrict the times/days in which noisy construction works can take place, in the interests of protecting neighbouring dwellings from noise during unsocial hours.

Contamination

The Environmental Health (EH) officer has stated that *'the site has historically been used as an agricultural out building / hardstanding and may have some associated contamination (chemicals / asbestos from old buildings).'* They (EH) comment that *'a full contamination assessment would appear to onerous, however, it would be advisable that all soft landscaped /garden areas are tested for contaminants (including Asbestos screen) to ensure suitability of use areas conditions are recommended.'* Conditions relating to unexpected contamination and soil tests are considered reasonable.

It is considered that the Class Q proposal is acceptable in terms of contamination considerations.

Flooding

No information has been found to suggest the site is within an area prone to flooding.

Location/siting of the building

This point allows for consideration of whether the location or siting of the building makes it impractical or undesirable for the building to be used for domestic accommodation. The application site can easily be accessed by vehicles due to the existing driveway serving the Holly House site and the County Highways officer raises no objections relating to parking provision or access from Cheadle Road. The building is simple in its form and appearance, it is also modest in size. The proposed rear extension would not detract from the simplicity of the building and appropriate bricks and tiles could be conditioned. The application site is in close proximity to the main built up area of Cheddleton, with a number of services being within walking distance (pavements are present) or a short bus journey away. A regular bus service allows links with other areas including Leek, Buxton, Hanley and Stoke on Trent and a bus station in Leek allows for transfers. For these reasons there are no objections to the application in terms of the location and/or siting of the building.

Ecology

The application is accompanied by a Bat Activity Report which is dated August 2023. Although over a year old, paragraph 5.1 of the Bat report states that no further surveys are considered necessary unless the development has not commenced within 2 years. The survey outlines a number of mitigation measures, including (but not necessarily limited to) the direction of artificial lighting, inclusion of bat boxes, native tree and shrub planting and the inclusion of bird nesting boxes, appropriately worded conditions can be added to secure these details. The Bat Activity Report requires 2 No. Wren nest boxes and 4 x Schwegler No. 10 Swallow Nests. The report does recommend bat boxes are installed. The number of boxes is not specified therefore it is considered reasonable to seek 2 boxes as the report refers to them in plural but does not give any further details. In the absence of any objection from Staffordshire Wildlife

Trust the conclusions of the applicants report are accepted and there are no reasons to withhold consent on ecology grounds.

CONCLUSION / PLANNING BALANCE

The report outlines how the proposal complies/meets the provisions of Part 3, Class Q of the GPDO, the application is therefore recommended for conditional approval.

OFFICER RECOMMENDATION : Conditional approval

Case Officer: Lisa Jackson

Recommendation Date: 07.11.2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council