

DELEGATED DECISION REPORT

SMD/2024/0493
Valid 14/11/2024

LADY GREEN FARM
HUNTLEY ROAD
DENFORD
LEEK

CHANGE OF USE OF
AGRICULTURAL BUILDING TO
FORM 1 DWELLING WITH
ANNEXE

(FULL - MINOR)

MAIN ISSUES

- Whether or not the proposal amounts to inappropriate development in the Green Belt
- The principle of the development
- The impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highway safety.
- Biodiversity

DESCRIPTION OF SITE

The site is in the open countryside about a mile to the south-west of Longsdon village and a mile to the west of Cheddleton in an area known as Denford. The site is also in the Green Belt. It comprises two modern portal-framed agricultural storage buildings sitting side by side. The site lies at the end of a long farm access road off Huntley Road, a country lane to the north. The access road also leads to two residential properties and also Ladygreen farmhouse which is adjacent to the site to the east. Open land and fields lie to the north, south and west. There are a number of trees on the site and it appears a number of trees adjacent to the buildings have also been removed (although these were not protected by TPOs).

The buildings have a typical modern farm storage barn design and materials comprising metal frames, a grey blockwork plinth base with single-skin grey corrugated fibre cement walls and roofing sheets above.

PROPOSAL

This is a full planning application for the conversion of the two barns into a dwelling (Barn 1 to the west) and an annex to the dwelling (Barn 2 to the east). The dwelling would have four bedrooms and the annex would have two. The annex would also have car garaging within the building. The annex is intended for the parents of the applicant who currently lives in Ladygreen Farm but would move into the proposed Barn 1 dwelling. The current access road loops around the buildings to the south and then west and leads to an existing hardstanding to the north, providing access to the buildings. The proposal would remove the loop in the access road which would be reconfigured to lead to a new hardstanding and parking area to the south. The

current hardstanding to the north would become garden space. The west part of the site would become a nature area with native planting and would be separated from the new residential curtilage to the east by new retaining walls and hedgerows. Sparrow, bat and owl boxes would be placed on the buildings to further add to the ecological gains.

The building conversion works would comprise the replacement of the fibre cement wall and roof cladding with new fibre cement cladding, the rendering of the concrete base walls, new black metal doors and windows inserted into the walls, black rainwater goods added, solar panels to the roof and grey metal “up and over” garage doors.

The proposal is regarded as a “self-build” scheme. The agent gives further justification of this as follows:

“The applicant will be living in the dwelling. As discussed at length in the submitted planning statement, the application is submitted on behalf of the Applicant who intends to live in the main dwelling, with his parents residing in the annexe. The dwelling and annexe have both been designed by the Applicant as he wishes to support his elderly Father, who has mobility issues. The proposal will provide accommodation that would allow him to support and care for his Father. As such, the dwelling has been designed with this at the forefront. The dwelling has also been designed in line with lifetime home standards, to cater to the Applicant's elderly Father's needs. More information on this matter is included throughout the submitted planning statement.”

This is a resubmission of a conversion scheme put forward for the conversion of the two barns into two separate 3-bed dwellings, as part of a Prior Approval application under Part 3 Class Q of the GPDO, which was refused on 23rd April 2024 for the following reasons, following a Planning Applications Committee decision:

1. The conversion and use of these plain and functional buildings and their curtilages at this location for two dwellings with all the trappings of domesticity that this would bring, together with altered external appearance of a compromised design with no place or linkage to the rural building tradition of the area and therefore wholly at odds with the rural location would result in an undesirable change to the character and appearance of the rural area and in accordance with the provisions of Class Q in particular Q.2 (1) (e) and (f) and section W of the Town and County Planning (General Permitted Development) Order (England) 2015 (as amended) is found contrary to Staffordshire Moorlands Local Plan 2020 policies SS1, SS10, DC1, DC3 and H1 and to the NPPF.

2. Based on the visible poor condition of the buildings and the structural report submitted with the application notwithstanding the applicant's clarifications of an intention to retain blockwork walling it is concluded that the proposed building works significantly exceed ‘conversion’ within the meaning of Class Q and amounting to rebuilding with substantial amounts of the existing buildings not being retained are therefore not permitted as defined at Q (b) and the proposal is refused in accordance with W(3) (a) - the proposed development does not comply with, limitations or restrictions specified in this Part as being applicable to the development in question.

This new full planning application includes a Structural Calculations Report (dated 2021) with conclusions, the same as which was submitted with the Class Q application last year but with a new covering letter from the Structural Engineer with corrections to the conclusions. It also includes a Preliminary Bat Roost Assessment (dated Aug 2023) and a Planning Statement.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS10 Other Rural Areas Strategy
H1 New Housing
DC1 Design Considerations
NE1 Biodiversity
NE2 Trees, Hedges and Woodland
T1 Sustainable Transport

National Planning Policy Framework (Dec 2024)

Section 5 (Housing), 12 (Design), 13 (Green Belts) and 15 (Natural Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET 2023 0044: Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Buildings to 2 Dwellinghouses. Refused on 30.4.24.

PAD/2024/0015: Pre-application planning advice submission for the current application. Advice provided in August 2024.

CONSULTATIONS

Publicity

Site Notice expiry date: 10.1.25
Neighbour consultation period ends: 10.1.25
Press Advert: 28.11.24 (Affecting a Public Right of Way).

Public Comments

None.

Town / Parish Comments

Cheddleton Parish Council: No Objection in principle but no mention of footpaths on the plans which should be noted on the application. Some are concerned with design if it conforms to SMDC Design regulations.

Local Highways Authority

No objection.

Environmental Health

No objection subject to standard conditions normally applied to the conversion of farm buildings.

Staffordshire Wildlife Trust

SWT initially queried if Biodiversity Net Gain (BNG) should be required on the basis that the actual application site area appeared to exceed 0.5ha.

The formal consultation response is as follows:

*We recommend a **holding objection** pending the receipt of further information and its assessment. We require the following:*

- A PEA including habitat mapping of the whole site assessing the value of the habitats and potential for protected species, recommending suitable mitigation measures and ensuring that the mitigation hierarchy has been applied. This is to ensure compliance with BS 42020:2013, the NPPF and Policy NE1 of the local plan.*

Further Detail on Habitats and Protected Species

There is no evidence of consideration of habitats and protected species, delivery of a net gain (as per policy NE1 of the Local Plan) and application of the mitigation hierarchy within the whole of the applicant red line boundary. The plans propose that the site will be enhanced for biodiversity and we welcome this.

Section 3.2.1 of the Preliminary Bat Roost Assessment states 'The site consists of two agricultural structures accompanied by an access track, all situated within an area where vegetation has been cleared.'. The PEA assessment and mapping should take into account any limitations imposed by recent site clearance, and recent habitat removal should be clearly identified with Target Notes and photographs.

Further information is required to be able to make a lawful determination with regards Ecology of the whole site. The application needs to demonstrate compliance with BS 42020:2013, the NPPF and Policy NE1 of the local plan.

Bats and Bird Report

It is not clear whether GLTAs have been carried out on trees in the vicinity of the proposed development, clarification is sought on this.

Planning Conditions

Recommendations set out in the Preliminary Bat Roost Assessment relating to bats and birds should be secured with appropriate planning conditions. These include:

Removal of roof and cladding by hand. If bats are found, work should cease and a suitably qualified Ecologist contacted for advice.

Demolition and vegetation clearance works to be undertaken outside of bird breeding season. If not, buildings and vegetation should be checked by a suitably qualified Ecologist immediately prior to works. If breeding birds discovered, restrictions will be put in place until successful fledging.

A suitably qualified Ecologist should inspect buildings for nesting Barn Owls prior to dismantling the building and appropriate measures taken to avoid disturbance until fledging.

Include Sparrow boxes, Barn Swallow Boxes and one pole mounted Barn Owl box cited in a south/east facing position overlooking the neighbouring agricultural land. The number, type and citing of bird boxes should be secured through a pre-commencement planning condition.

The number, type and citing of bat boxes should be secured through a pre-commencement planning condition.

The provision of the habitat enhancements should be secured through a planning condition, this includes wildflower grassland, shrub, native hedgerow, native trees as per the plan provided or future plans supplied after consultation with an Ecologist. Any plants and trees planted should be native species of local provenance.

Any external nocturnal lighting both during and after construction should be designed in line with guidance from the [BCT on Bats and Artificial Lighting at Night](#). Lighting should include cowls / hoods or shields, operational timers and use a lighting spectrum ideally below 2700K. A sensitive nocturnal lighting scheme should be secured through a planning condition.

A reasonable avoidance statement should be provided for amphibians, reptiles, badgers and hedgehogs detailing Reasonable Avoidance Measures (RAMs) for these during any further ground clearance works and construction. This should include instructions detailing what should be done if a protected species is encountered and measures to avoid entrapment of mammals during construction works. This should be secured through a planning condition.

Following a PEA of the whole site, further conditions may be required.

SMDC Waste Collection Service

No issues regarding waste collections.

SCC Public Rights of Way

Although the application documents do not acknowledge the footpaths, from the information submitted, it does not appear they will be directly impacted by the proposed development.

Ramblers

P.R.O.W Cheddleton 1 runs close to where the proposed development will take place. This must not affect the public from using this path.

Peak & Northern Footpaths Society

Use of the PROWs, and the safety of users must not be affected by the development, nor during the work taking place.

OFFICER COMMENTS

The site is in the Green Belt. The strategy for the countryside, Policy SS10 states there will be strict control over inappropriate development in the Green Belt. Paras 154 and 155 of the NPPF list the forms of development which are exceptionally, not inappropriate in the Green Belt. This includes the re-use of buildings where they are “permanent” and “substantial”. I consider the buildings, due to their size and solid form with metal frames and concrete base walls would fall into this category and therefore a proposed change of use for residential purposes would be deemed to not be inappropriate development in the Green Belt.

Policy SS10 also allows the conversion of rural buildings into residential uses, in accordance with Policy H1 ‘New Housing’ of the Local Plan which requires such buildings to be, *inter alia*, “*suitable and worthy in physical, architectural and character terms for conversion*”.

It is not considered the buildings are suitable or worthy in this respect. The buildings are purely functional, modern, typical grey blockwork and corrugated fibre-cement agricultural storage buildings and are unattractive bulky buildings and untidy. Although such buildings are not uncommon in rural areas in the District they do not contribute positively to the overall historic and rural character and appearance of the area and their removal would be a benefit to the landscape. They have no architectural or character merit. With regard to whether they are physically suitable and worthy, although solid and substantial in appearance and clearly have concrete foundations and a plinth, typical of modern farm storage buildings, the elevations and roofing materials appear to be largely single-skin corrugated fibre-cement sheets/boards. The previous application to convert the buildings into residential uses, under Class Q of the GPDO was refused due to the buildings being regarded as incapable of a residential conversion without significant re-building i.e. a “rebuild” rather than a

“conversion”, therefore suggesting the buildings are not “physically suitable” of a residential re-use.

The officer report for the previous Class Q application states the following:

The structural assessment accompanying the application concludes:

- *Main frame calculations show that the primary steelwork is sufficient to bear proposed loadings.*
- *Small areas of steelwork where there is significant degradation and delamination should be cut out and re-plated. This is necessary only to the main portal frames – not to the doorposts and gable columns.*
- *Depth and extent of foundations has not been established, but there is no reason to suspect that they are not adequate.*
- *Plan and elevation bracing is adequate.*
- *Existing gable columns are adequate.*
- *Calculations have not been performed on the timber siderail system, since it is assumed that the cladding and low blockwork walls will be removed and a masonry cavity wall established at the building perimeter. It should be ensured that masonry wall panels are designed with sufficient restraint.*
- *Calculations have not been performed on the timber purlin system, since it is assumed that new cold-rolled steel purlins will be installed to suit new insulated cladding. Use new Metsec 172.Z.14 or equivalent butt-system purlins at 1800mm centres.*

It is notable that the assessment assumes that the “cladding and low blockwork walls will be removed and a masonry cavity wall established at the building perimeter”. To suggest anything less would not be credible – ie that someone would invest in forming a dwelling using the low-grade or deteriorate and degraded exterior of the building as it is currently.

This need to replace walls on all sides raises the issue of whether in fact the proposal amounts to a re-build rather than strictly a conversion.

In addition to the structural calculations report, is a covering letter from the structural engineer submitted with this new application which states the following:

Further to my revised calculations of October 2023 (A5896 calcs Ladygreen Farm Rev A.pdf), I am writing to clarify a statement in my conclusions. I had assumed that the existing timber siderail system did not warrant having calculations performed since it would likely be replaced. My incorrect assumption was that the existing perimeter masonry wall would be replaced with a cavity wall; the actual proposal to retain the existing 215mm-thick masonry up to its current height, and to supplement this with a timber-framed wall system to eaves and verge level (provided that sufficient structural restraint is designed into the system), is equally viable.

It is clear that in order for the buildings to be effectively re-used as residential accommodation, that the works would have to involve new, thick insulated walls (perhaps cavity walls like on standard modern houses) above the concrete base walls up to the eaves and verge level. Although it is not disputed that the existing concrete walls and steel framework would be able to structurally support this, the application

does not appear to include any proposals in the documents and drawings to provide this.

Furthermore, the conclusions in the structural calculations report also appear to suggest that the roof supports, described as a timber purlin system, would have to be replaced by new cold-rolled steel purlins to suit new insulated cladding. This further suggests that the works required to provide residential uses in the dwellings, would involve significant structural work amounting to a “rebuild” and therefore further emphasise that, overall, the buildings are not deemed to be physically “suitable” and “worthy” for a residential conversion or change of use.

With regard solely to design and appearance and the impact on the visual amenities of the area, the proposed elevational drawings do not demonstrate any significant enhancements to the extent that the resultant buildings would be in keeping with the more historic and rural qualities of the area. The buildings are clearly limited by their particular form and functional design. The above Class Q application was also refused approval for design reasons and the impact on the character and appearance of the area. The proposal would not comply with Policy DC1 ‘Design Considerations’ of the Local Plan or Section 12 of the NPPF.

The proposed works to the grounds, involving some additional hardstanding to provide parking areas to the south of the barns would not lead to any significant visual intrusion and would also not harm existing nearby mature trees to the south (with the safeguard of a condition requiring details of a suitable construction method to avoid harm to tree roots and also for standard tree protection conditions during construction works). The outdoor amenity areas would be in the form of the existing yard area to the north of the barns which would be contained and partly screened by perimeter walls.

There would no harms to either the residential amenities of existing nearby adjacent dwellings or the amenities of the proposed residents. The nearest dwelling outside of the site, is the farmhouse, owned by the applicant, which lies at least 30m to the north-east of the buildings.

With regard to highway safety, there would be no impact on the road network. The amount of vehicular movements generated by the scheme would not be significantly higher than the continued use of the buildings for agricultural purposes.

Finally, with regard to ecological impacts, a bat and bird survey report reveals the barns to have negligible impact for bat use. There was found to be evidence of barn owls using one of the buildings, but the conversion of the buildings would not harm the owls with the safeguard of standard conditions to avoid harm during the conversion works and also to ensure that bird and owl boxes are installed at the site. The application includes such proposals.

SWT has issued a holding objection because an overall ecology survey report has not been submitted to assess the overall impact on habitats. It is considered this is necessary as although ecological enhancements are proposed as part of the scheme, it cannot be established if these would lead to the overall ecological value of the site being protected and enhanced. There has been some significant recent removal of

scrub and grassland and the lopping of the mature trees adjacent to the buildings, resulting in the loss of potential habitat. I therefore consider that due to the insufficient information to determine the impact on the ecological value of the site, this is contrary to Policy NE1 and the application should form an additional reason for the refusal of the application.

There is no requirement for the development to deliver a Net Biodiversity Gain as it is a “self-build” scheme with a site area of less than 0.5ha, although in the event of approval, an occupancy condition would be required to ensure that the dwelling complied with the definition of “custom and self build”

CONCLUSION / PLANNING BALANCE

The proposal does not amount to inappropriate development in the Green Belt but the principle of the conversion scheme to provide a dwelling and annex in this unsustainable remote rural location is unacceptable due to the buildings not being considered to physically, architecturally and in character terms suitable for a residential conversion, contrary to policies SS10 and H1 of the Local Plan. There is also insufficient information to demonstrate that the ecological value of the site would not be harmed. The proposal would not comply with the Local Plan or the NPPF and therefore should be refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston

Recommendation Date: 14.1.25

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council