

DELEGATED DECISION REPORT

DET/2025/0003
Valid 18/02/2025

SHEEPHOUSE COTTAGE
CHEDDLETON ROAD
LEEK

**APPLICATION TO DETERMINE IF
PRIOR APPROVAL IS REQUIRED
FOR A PROPOSED CHANGE OF
USE OF AN AGRICULTURAL
BUILDING INTO TWO
DWELLINGS**

**(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

Sheephouse Cottage sits on the eastern side of the A520 Cheddleton Road and on the southern side of the residential area of Birchall. The site consists of a farmhouse, an attached shippon building (the subject of this application) and a range of detached agricultural buildings, including an 'L' shaped brick and tile building at the edge of the courtyard and a range of more modern, portal-framed style buildings to the north-east. Access to the application site is directly off the A520 and into the large and open courtyard. Land levels within the site are relatively flat and there are open fields surrounding the site.

PROPOSAL

This is a Class Q prior notification application for the change of use of an agricultural building into two dwellings with associated building operations. Unit 1 would have an open-plan kitchen/living room, utility and WC at ground floor, with one bedroom and an ensuite at first floor level. Unit 2 would have a lounge, kitchen, utility, wc and study on the ground floor, with two bedrooms and a shower room at first floor level. The buildings are constructed using a mix of brick and stone work. The proposed works include the construction of a single-storey, lean-to extension, spanning the full width of the building on the western (roadside facing

elevation). A path would run along the rear of the lean-to extension to allow pedestrian access to both properties. On the other side of the properties (farmyard side), two parking spaces and an area labelled 'private yard' are proposed for each dwelling.

The application is accompanied by elevation/floor/site and block plans, a Planning Statement, Bat Activity survey and Structural Appraisal Report.

For the purposes of clarification, the plans being considered are 2024-2889-01; 2024-2889-02 Rev E; and 2024-2889-03 Rev C. These are amended plans which were submitted following consideration of the initial submission. The architect was made aware of concerns relating to NDSS compliance, the size of the curtilage area and originally proposed gardens being close to the busy main road. Officers have not previously indicated any support for the amendments.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1	Development Principles
SS10	Other Rural Areas Area Strategy
SD4	Pollution and Watter Quality
H1	New Housing Development
DC1	Design Considerations
DC3	Landscape and Settlement Setting
NE1	Biodiversity and Geological Resources
NE2	Trees, Woodland and Hedgerows
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 places |
| 15 | Conserving and enhancing the natural environment |

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant to this scheme.

CONSULTATIONS

Publicity

Site Notice. Expired.

Neighbour consultation period. Expired.

Public Comments

None received within the statutory consultation period.

Leek Town Council

Thank you for consulting the Town Council Planning committee on this application. It was resolved to ask for the officers to follow policy on the rules of conversion of agricultural buildings into residential. The town council felt this was outside the scope of their planning knowledge and so the expertise of the District officers to be requested to make the right decision.

Environmental Health

No objections subject to conditions.

General Comments relating to amended scheme:

- Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>
- Contamination: The site has historically been used as an agricultural out building / hardstanding and may have some associated contamination (chemicals / asbestos from old buildings). 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.
- Noise and sound insulation: The proposed site appears to be adjacent to a working farm and so there is potential for noise disturbance if suitable sound insulation is not installed. It is not clear if the proposed dwelling will be ancillary to the farm operation, remain in the ownership of the farm or be used by a third party not involved in the farm. We would advise this is clarified. If the property is to be sold to any third party then farm noise should be assessed and appropriate mitigation installed in conjunction with the advice below (ref, road traffic noise). Note: Amenity spaces include all internal and external living areas of a property i.e bedrooms, living rooms, gardens and terraces, excluding driveways, kitchens, utility rooms.

Further to previous comment it is noted these properties would be adjacent to a busy A road and so suitable sound insulation should be installed in compliance with BS8233:2014 and PROPG: New Residential development to address expected high levels of road traffic noise. The previously recommended condition is amended to allow an increase external noise levels in line with BS8233:2014. It should be made a condition of development rather than an advisory given road traffic noise concerns.

Waste Services (SMDC)

No issues regarding waste collections.

Severn Trent Water

No representations received during the statutory consultation period.

Staffordshire County Council Highways

Recommendation Summary: Conditional

Site Visit Conducted on: 26-Feb-2025

1. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:

To comply with NPPF Paragraph 116, 117; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

Notes to Planning Officer.

Application is effectively for barn conversion to two dwellings. Access is existing and proposal will not affect access. Access is on outside of a bend, is in current and regular use, visibility is good. A520 is street lit. There is a footway, but on opposite side of A520. There is no footway on the east of A520 for over 1km. Site is approx. 2km from Leek town centre, though only 250m from Leekbrook. Closest bus stop is approx. 350m away. Current records show that there were no Personal Injury Collisions on A520 Cheddleton Road within 120m either side of the property access between 30/12/2019 and 29/12/2022.

Highways comments relating to the amended plans:-

Recommendation Summary: Conditional

Site Visit Conducted on: 28-May-2025

1. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-

To comply with NPPF Paragraph 116, 117; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

Notes to Planning Officer

Application is effectively for barn conversion to two dwellings. Revised drawings were received 28th May 2025. Access is existing and proposal will not affect access. Access is on outside of a bend, is in current and regular use, visibility is good. A520 is street lit. There is a footway, but on opposite side of A520. There is no footway on the east of A520 for over 1km. Site is approx. 2km from Leek town centre, though only 250m from Leekbrook. Closest bus stop is approx. 350m away. Current records show that there were no Personal Injury Collisions on A520 Cheddleton Road within 120m either side of the property access between 30/12/2019 and 29/12/2022.

Staffordshire Wildlife Trust

Class Q are exempt from BNG and planning permission. Therefore Staffordshire Wildlife Trust have restricted comments to those relating to wildlife legislation.

OFFICER COMMENTS

The Town and County Planning (General Permitted Development) (England) Order 2015 (As amended) allows, within Class Q, for

(a) 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.

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

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 Local Planning Authority are informed of the following;

- This is an established agricultural unit which extends to some 645 acres. 525 acres are owned, 120 acres farmed on summer grazing agreements.
- Applicant is the fourth generation of his family to farm at the site.
- 400 dairy cattle (with followers) and 200 beef cattle.
- Site registered with DEFRA and has a holding number 37/053/0029.
- Building the subject of this application was clearly built/intended for agricultural use and has been for all of its time.
- Due to building's modest openings, its use for current modern day farming practices is limited (although it is still used for agricultural purposes).
- Building has historically been used for cattle with the traditional boskins (or booses) remaining intact
- Also used for the storage of agricultural feed stuffs and miscellaneous agricultural items.

The Planning Statement contends that *'the site is an established agricultural unit which has been occupied for the purposes of agriculture and was in such use on the 24th July 2023. The application building forms part of the established agricultural holding of the farm and is being used for agricultural purposes and as such is considered to accord with criterion (a).'*

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.

Q.1(c) Complies. The floorspace within both units are below the 150 square metres allowance.

Q.1(d) (i) Complies. Proposal is for two dwellings. Planning history does not show any previous Class Q dwellings on this site therefore the cumulative number of dwellinghouses is less than the 10 permitted within this part.

Q.1(d) (ii) Complies. Cumulative floorspace does not exceed the 1000 square metres permitted.

Q.1 (e) and (f). Not applicable, the site is not subject to agricultural tenancy. The application form confirms this and no representations have been received to suggest otherwise.

Q.1 (g). Complies. No evidence found of any Part 6 developments within the last 10 years. Applicant has confirmed this within the Planning Statement and no planning records can be found to suggest this is the case.

Q.1 (h). Development would result in the external dimensions of the building being enlarged. However there is allowance under section Q.1(h)(i) allows for extensions. The extensions details are assessed as part of Q.1(i).

Q.1 (i)

(i) Complies. Proposed extension would not have more than one storey.

(ii). Officer's advised that the original plans did not comply with this provision. The initial extension was proposed to be on the elevation of the building facing the farmyard area. The LPA advised that this part of the building was in fact the front and therefore an extension at the front would not comply. The amended plans have provided an extension to the rear of the building (roadside facing elevation). The proposed location of the extension now ensures that this part of Class Q is satisfied.

(iii) Complies. Extension does not extend beyond the rear wall by more than 4.0m.

(iv) Complies in that the eaves height of the extension is not any higher than the eaves of the existing building.

(v) aa) Complies in that it is not higher than the highest part of the roof building.

bb) Complies in that it is not higher than 4.0m.

(vi) Complies in that the extension would not be a front or side extension.

(vii) Complies. The extension would be upon an existing area of hardstanding which was in situ prior to July 2023.

Q.1 (j) Not applicable. The agent refers to this section within the Planning Statement, however as the application proposes an extension, the application is not being considered under Class Q(c).

Q.1 (k) Complies. The site is not on Article 2(3) land.

Q.1 (l) Complies. Site is not a SSSI, a safety hazard area or a military explosives storage area.

Q.1 (m) Site is not/does not contain a scheduled monument.

Q.1 (n) Complies. Not a listed building.

Q.1 (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 NDSS standards require consideration of the following:-

- a. The dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1.
- b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
- c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide
- d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²
- e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
- f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the Gross Internal Area)
- g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
- h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement
- i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

The application assessment below follows the letter order of the standards referenced above.

- a. Unit 1 is a one bedroom, two person dwelling. Nationally Described Space Standards (NDSS) requires 58 square metres of floor space for a two -storey dwelling. The Class Q requirements are that the building can comply with the NDSS standard prior to any extension being built. Unit 1 measures at approximately 60 square metres prior to extension, and therefore complies. Unit 2 is shown on plan as a two bedroom, three person dwelling. The NDSS standards therefore require 70 square metres prior to extension. Unit 2 (minus the extension) measures at approximately 75 square metres, and therefore complies.
- b. Application plans show that both dwellings would have a double bedroom.
- c. Unit 1 does not proposed any single bedrooms. Unit 2 proposes one single bedroom an complies with the specified room standard.
- d. The double bedrooms in both units comply with the required floor area of 11.5 square metres.
- e. Both double bedrooms comply with the minimum 2.75m width.
- f. No areas other than underneath part of the staircase would have a headroom of less than 1.5m, however the spaces underneath the staircases are not shown as being crucial to the living accommodation provision.

g. Not applicable. Plans do not show any areas that are to be used as storage with headroom of 900 – 1500mm.

h. No built-in wardrobes are shown on the plans.

i. Complies. The minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area.

Q.1(p) Complies. There is suitable, existing access to a public highway.

Q.2 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 proposed dwellings would be accessed directly off Cheddleton Road using the existing farm access. The application does not proposed any alterations to the access. Parking for each of the proposed dwellings would be at the front of the properties, 2 spaces per dwelling which complies with the Local Plan adopted parking standards. The Highways officer comments that '*Access is existing and proposal will not affect access. Access is on outside of a bend, is in current and regular use, visibility is good.*' A condition is recommended to secure the parking and turning areas prior to first use of the development.

Noise Impacts

The application building sits within an existing farmstead and close to Cheddleton Road (main link between Cheddleton and Leek). Cheddleton Road is an extremely busy, A class road. The Environmental Health officer has considered noise and sound insulation, identifying the potential for noise disturbance. A sound insulation condition is recommended.

Contamination

The Environmental Health (EH) officer has stated *the site has historically been used as an agricultural out building / hardstanding and may have some associated contamination (chemicals / asbestos from old buildings)*. Environmental Health comment that '*a full contamination assessment would appear too 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.*'

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 and design of the building

This point allows for consideration of whether the location, siting or design 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 and the County Highways officer raises no objections relating to parking provision or access from Cheddleton 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, it would be modest/subordinate in size, and appropriate bricks, tiles and windows details could be conditioned.

Although the application site is not within the confines of a defined settlement, it is on the outskirts of Leek and Leek Brook. A regular bus service allows links with areas further afield, including Leek, Buxton, Hanley and Stoke on Trent and a bus station in Leek allows for transfers.

However, there is concern about the location of the building (close to the main road and within the farmyard) in terms of amenity impact upon potential future occupants. Due to the orientation of the building (front of building facing towards the farm yard), the proposed extension has been positioned on the western elevation (roadside) which has resulted in the parking and only amenity space being provided at the front. The plans show the amenity space as a 'Private Yard.' The boundaries of the yards are shown as a mix of brick walls and timber post and rail fencing. The photograph below shows the application/subject building and the yard area in front of it. Use of this area as amenity space is unacceptable. The amenity area serving unit 1 would measure approximately 7m x 3m, the amenity area for unit 2 would measure approximately 8.5m x 3m. The yard areas are too small to be considered acceptable amenity spaces for new dwellings. Adopted garden area standards require garden areas of at least 65 square metres or 85 square metres depending on whether permitted development rights have been removed. The proposed yard areas fall significantly short of what could be considered a reasonably sized amenity area. Notwithstanding the fact that the yard areas are small, they do not offer any private space, and the fact that they face directly into the farm yard further reduces any meaningful use. Vehicles and people will pass through the farm yard, which will result in disturbance and overlooking. It is not considered a solution to have the garden areas on the western (roadside) side of the building due to the proximity of the busy A road and associated noise. Planning policies seek to secure developments that are well designed, the NPPF (para 131) stipulating that 'Good design is a key aspect of sustainable development,' and should promote a 'high standard of amenity for existing and future users.'



Adequate light

The plans show windows and doors providing light to all rooms apart from the small, ground floor WC. There are no objections to the application in respect of matters of natural light levels.

Ecology

Staffordshire Wildlife Trust (SWT) have confirmed that Class Q applications are exempt from BNG consideration. SWT query the dates on which the surveys were undertaken. Whilst not a reason for refusing this application, any subsequent submission must provide up to date surveys.

CONCLUSION / PLANNING BALANCE

It is recommended that the application is refused on the basis that the location of the building renders it unable to offer acceptable, outdoor amenity space to potential future occupants.

OFFICER RECOMMENDATION : Refuse.

Case Officer: Lisa Jackson

Recommendation Date: 11.06.2025.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council