

DELEGATED DECISION REPORT

DET/2025/0018
Valid 01/05/2025

HOLLY DALE FARM DOUSE
LANE
BRADNOP

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
CHANGE OF USE OF FORMER
AGRICULTURAL BUILDING TO
ONE DWELLINGHOUSE
(CLASS C3), WHICH MAY
INCLUDE EXTENSION OF THE
BUILDING AND/OR BUILDING
OPERATIONS REASONABLY
NECESSARY FOR THE
CONVERSION

(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)

MAIN ISSUES

Applicant seeks a determination as to whether the prior approval is required for details relating to the change of use of a building to a dwellinghouse, and if so, the prior approval of those details, relevant to Class Q, Part 3, Schedule 2 of the GPDO. As a starting point there must be consideration for whether the development would comply with the limitations and conditions at Class Q and whether the development would be permitted at all.

DESCRIPTION OF SITE

The application concerns a building that has the external appearance of a timber 'lodge' with domestically appointed windows and doors within timber clad elevations. Internally, the building provides a games room (pool table, air hockey, piano, and table tennis) with what appears to be a private bar.

The building is built against, and backs onto, a retaining wall to the east, that supports the higher ground of the former Holly Dale farmstead, where farm sheds were removed and stone barns converted to dwellings.

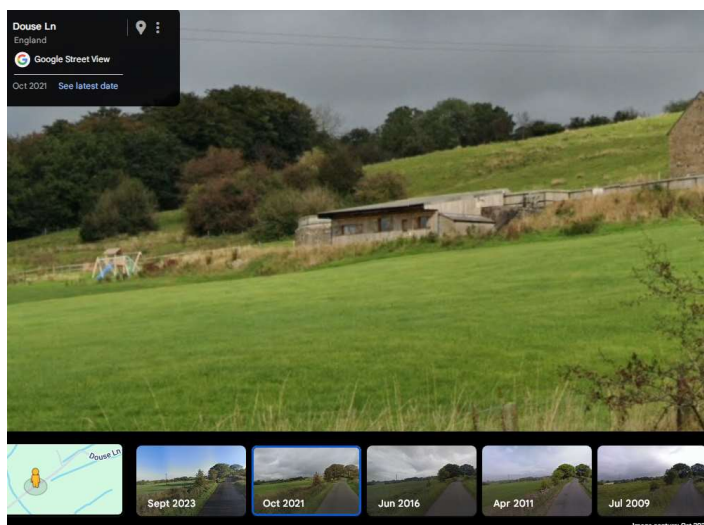
The front of the building, at the west, is to the edge of an unmade agricultural field track that was granted a planning permission retrospectively in 2019. The track was built to provide field access around the converted Holly Dale Farm, in relation to the farming activities of Longshaw Farm in Bradnop.

Background

In 2016 (street view photographs confirm) there was a farm shed provided on the application site as part of the agricultural unit at Holly Dale Farm. The shed was positioned adjacent to a cylindrical slurry tank.



By October 2021, the large cattle sheds and the slurry tank had been removed from Holly Dale Farm. The stone barns had been converted, with prior approval granted 2017, to dwellings, and the farm shed on the application site had been converted or replaced with a timber cabin or lodge. The building was no longer part of an agricultural unit, it was no longer an agricultural building and was used to provide a games room and private bar (presumably an ancillary facility to the dwellings at Holly Dale Farm that are all available online as holiday cottages).





PROPOSAL

The development is described on the application form as a “*change of use of a former agricultural building, being purpose-built cattle shed with cubicles to a single storey dwelling house with some minor alterations to the external walls and roof coverings*”

Proposed operations are described as: “*The existing external walls are to be retained in situ but with new window openings to facilitate natural light and ventilation and ventilation to the proposed internal room disposition. The existing roof coverings are to be replaced with profiled fibre cement sheeting coloured dark slate blue*”

Drawings provided with the application confirm that existing openings would coincide with those shown on the proposed elevations as being necessary to provide the proposed dwellinghouse. The dwelling would be of a small, single storey, timber cabin style. It would provide two bedrooms across the front, making use of existing front facing windows. Much of the living space – dining area, kitchen and bathroom, would be provided behind the bedrooms at the back of the building, relying on roof lights for natural light.

The provisions at Class Q, Part 3, Sched 2 of the GPDO 2015 were revised and updated on the 21st May 2024. A form has been completed with the application confirming that the applicant intends to rely on the old Class Q provisions, under the transitional arrangements made for submissions made before 21st May 2025 (the application was received on the 1st May).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Area Strategy
- H1 Housing
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2017/0015 Change of use agricultural building into three residential dwellings. APPROVED.

SMD/2019/0247 Retrospective application for retention of an agricultural field track. APPROVED.

SMD/2023/0569 Certificate of lawfulness confirming change of use to two dwellings rather than three was lawful. APPROVED.

SMD/2024/0490 Erection of a portal framed agricultural building to house young cattle. REFUSED.

CONSULTATIONS

Publicity

Site Notice expiry date: 3rd June 2025

Neighbour consultation period ends: 3rd June 2025

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Bradnop PC: Support the proposal

Environmental Health

No objection subject to standard conditions relative to the discovery of unexpected contamination.

Staffordshire County Council Highways

Conditional. The dwelling will have 2 bedrooms. Parking for 2 vehicles is shown on the submitted Drawing No. HDBQ O3 (Floor Plans) and therefore meets with Staffordshire Moorlands Parking Standards which 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. The access to the proposed dwelling will be via the existing vehicular access which serves Holly Dale Farm, Pastures Barn and Parlour Barn. I hereby have no objection to the proposal (DET/2025/0018) subject to the condition that the proposed parking areas be provided and retained.

OFFICER COMMENTS

Is the proposed development permitted?

The applicant confirms that he relies on the transitional arrangements.

The old (pre 21st May 2024) Class Q provisions (*agricultural buildings to dwellinghouse*) permits development consisting of - a change of use from a use as an agricultural building to a dwellinghouse; and building operations necessary to convert the building to a dwelling. It is a condition of the provision that *before* beginning the

development, the development must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required.

There are two plain and obvious reasons that mean that the change of use to a dwellinghouse, proposed in this case, is not permitted by the old Class Q provisions of the GPDO:

- Objectively, the application concerns a building that is not an agricultural building. Where a farm shed once occupied this, or similar, location - the shed has already been replaced with, or converted to, a cabin or lodge that provides a games room. As stated above, the old provision only permits change of use from an agricultural building, it does not permit a change of use from any other type of building.
- The former farm shed has already been changed to a timber cabin or lodge type building, with the works, detailed in the submitted plans, as necessary to convert the building to a dwelling, already carried out, before a prior approval application had been submitted or determined. The applicant has not and cannot comply with the condition of the provision.

While the application confirms that they rely on old provisions, it is of note that in some regard the new provision makes broader provision. Specifically of note, under new and current provisions, the development permitted is not restricted to a change of use from an agricultural building, but, instead, it permits the change of use from “a building that is part of an established agricultural unit” or “a former agricultural building that was (but is no longer) part of an established agricultural unit” to a dwellinghouse. The current provision also permits “building operations necessary to convert the building to a dwelling” and it remains a condition of the provision that “before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required”.

Considered in respect of the updated Class Q provisions, there are reasons that mean that the change of use to a dwellinghouse, proposed in this case, is not permitted by the updated Class Q provisions of the GPDO:

- A farm shed was provided in this location, some years ago, as part of the agricultural unit at Holly Dale Farm. However, sometime before October 2021, the agricultural sheds were removed from the Holly Dale farmstead, stone barns were converted to dwellings, and the application building had been converted to, or replaced by, the games lodge. The building, therefore, is no longer part of an established agricultural unit. In respect of a former agricultural building that was (but is no longer) part of an established agricultural unit, the change of use is not permitted if - since ceasing to be part of an established agricultural unit, the building (“the site”) has been used for any non-agricultural purpose (Q.1(b)(iii)). In this case, the building (“the site”) has been used as a games room, a non-agricultural purpose.
- The former farm shed has already been changed to a timber cabin or lodge type building, with the works necessary to convert the building to a dwelling, already carried out, before a prior approval application had been submitted or

determined. The applicant has not and cannot comply with the condition of the provision.

The proposed change of use therefore, is not permitted by either old or updated Class Q provisions.

Consideration of the Issues

While it is concluded that the development is not permitted. It is a condition of both old and updated Class Q provisions that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development – no issues arise
- (b) noise impacts of the development – no issues arise
- (c) contamination risks on the site – discussed below
- (d) flooding risks on the site – no issues arise
- (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 – discussed below
- (f) the design or external appearance of the building – no issues arise
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses – no issues arise

(c) contamination risks on the site

Environmental Health officers note 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 consider a full contamination assessment to be too onerous a requirement. However, they advise that all soft landscaped / garden areas are tested for contaminants (including Asbestos screen) to ensure suitability of use. Prior approval is required as to contamination risks on the site and could be granted subject to such conditions recommended by the Environmental Health officer.

(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change to a dwellinghouse

The building is located and sited pushed with its rear elevation backed up against a retaining wall and to that extent it has no rear outlook or amenity space. Within that context the building does not have any containment or enclosure that separates or affords any discrete appointment against the surrounding land to the west.

Moreover, the building has a front elevation immediately adjacent to the edge of a working agricultural field access track that serves Longshaw Farm in Bradnop. There is no forecourt area or garth that sets it apart or gives protection from that track or the passage of moving vehicles.

The land to the side of the building that might reasonably be considered part of its curtilage is limited to a small patch of hardstanding. What this means is that the location or siting of the building makes it impractical and undesirable for the building to be changed to a dwellinghouse. The location and siting of the building makes it impractical or impossible to provide a dwelling with any acceptable standard of outdoor

amenity space or outlook from the windows serving habitable rooms either at the front or rear of the building.

The land to the side of the building, within curtilage, only wide enough to provide pull on parking space. The windowed outlook at the front from bedrooms would be within immediate proximity to the edge of the field access track. Overall the dwelling would have limited available amenity space and be surrounded by and exposed to agricultural uses or movements – an undesirable form of development and poor quality contribution to the housing stock. The arrangement and proximity between existing and proposed development and activity would result in a substandard or poor level of amenity and living conditions for the future residents of a dwelling in this location.

Prior approval is required as to whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change to a dwellinghouse, and should be REFUSED.

(g)the provision of adequate natural light in all habitable rooms of the dwellinghouses

The proposed dining area, kitchen and bathroom would all be provided to the rear of the floor space, behind the bedrooms that would occupy the front of the building and use the existing front facing windows. The living areas at the rear of the building would be provided with a row of small roof lights and a large area of living space would be unacceptably dark and be afforded inadequate natural light. Prior approval is required as to the provision of adequate natural light in all habitable rooms of the dwellinghouses, and should be REFUSED.

CONCLUSION / PLANNING BALANCE

The proposed development is not permitted by either the old or the updated provisions at Part 3 Class Q of the GPDO. Prior approval is otherwise required and should be refused particularly because the location and siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse.

OFFICER RECOMMENDATION : **Development not Permitted. Prior Approval Required and REFUSED.**

Case Officer: Ben Hurst

Recommendation Date: 26/06/2025

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council