

DELEGATED DECISION REPORT

DET/2025/0035
Valid 12/09/2025

WILLOWSHAW FARM ,
CLOUDSIDE , CONGLETON,
STAFFORDSHIRE ,
CW12 3QQ

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
CONVERSION OF AN
AGRICULTURAL BUILDING
WITH ASSOCIATED BUILDING
OPERATIONS TO FORM 4
DWELLINGS

(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)

MAIN ISSUES

Whether or not the proposal can be determined under a “Class Q” Prior Notification application and if so:

- The transport and highways impacts of the development
- The noise impacts of the development
- The 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 residential use
- The design or external appearance of the building
- Whether or not the proposal would allow in sufficient light for the occupiers of the dwelling in the interests of their residential amenities

DESCRIPTION OF SITE

The site lies within the open countryside between Rushton Spencer, a couple of miles to the east and Congleton to the west and is a short distance to the south-east of “The Cloud” hill and a short distance to the north of Beat Lane, the main country road connecting the village to Congleton.

Willowshaw Farm comprises a complex of buildings forming part of a current working cattle farm and these lie adjacent to the fairly narrow country lane known as Cloudside which connects to Beat Lane a short distance to the south. The farm is on the east side of the lane and on land which slopes downwards towards the east. The south part of the farm comprises old traditional stone barns with modern blockwork pitched roof barns to the rear and a traditional stone farmhouse which directly faces the road. To the north side of the traditional stone barn lie large portal-framed modern farm storage buildings with corrugated fibre cement sheet walls and roof above concrete blockwork walls. The complex of farm buildings is surrounded by open land.

PROPOSAL

The application site comprises the part blockwork, part clad agricultural building. The building has been used to house livestock, with a portion used for the storage/maintenance of machinery.



This is a prior notification application under Part 3 Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015 (As Amended) for the change of use of an agricultural building to four dwellings with associated building operations.

The proposal would provide four self-contained and independent dwellinghouses of the following sizes:

- Unit 1 Ground floor 106 sq metres and first floor 40 sq metres total = 146sqm
- Unit 2 Ground floor 111 sq metres and first floor 38 sq metres total = 149sqm
- Unit 3 Ground floor 108 sq metres and first floor 41 sq metres total = 149sqm
- Unit 4 Ground floor 108 sq metres and first floor 41 sq metres total = 149sqm

The application buildings comprises of two modern farm buildings which lie to the north west of the farmhouse. The application buildings have dual pitched roofs and are of substantial and permanent construction. The larger steel portal frame comprises of 2 rows of central columns breaking the span of the frame in to 3 spans with a timber mezzanine deck either side of a central corridor. In situ concrete side walls are present between the external steel columns up to approx. 2m in height, timber purlins and side rails supported a corrugated cement board sheet cladding. The smaller portal frame building is clear span with similar timber purlins and side rails supporting a corrugated cement board sheet cladding.

As well as the change of use of the buildings the proposal seeks approval for the associated operational development, necessary to convert the building into four dwellings. Specifically, the proposals include: -

- Installation of new door and window openings within the exterior walls,
- A new blockwork leaf is to be formed internally around the perimeter creating a cavity which will be insulated.
- External concrete panels are to be retained.
- Wall and roof sheeting are to be retained.
- A new ceiling is to be installed over bedroom areas, the ceiling to the open plan kitchen areas to units 2 and 3 is to remain full height.

- New timber binders are to be fixed between steels, with the voids between infilled with insulation before a plasterboard lining is applied below new timbers and steel rafters.
- The existing concrete ground floor slab is to be replaced with new insulated floor.
- Electric and water supplies are currently on site and will be adapted to suit.
- New internal walls to create habitable rooms.
- The existing hardstanding surrounding the building is to be removed and replaced with garden curtilages and parking areas. The existing vehicular access is to be retained and used
- A 4m extension to the rear of unit 2.

The front parking areas have been set back from the road behind visibility splays and remodelled and served by one shared access instead of two separate accesses off the lane. One of the rear parking areas has been repositioned to the other side of the proposed access road, on the side of the traditional barn to the south and parking bays have also been included next to it for a proposed barn conversion in the old stone barn, permission of which is sought under a separate concurrent application.

The application is accompanied by a Bat Activity Survey Report, Structural Survey Report and Planning, Design and Access Statement.

This application follows on from Prior Approval granted under ref DET/2021/0019 (4 dwellings and DET/2021/0019 that were allowed at co-joined appeal and has now lapsed.

This is a resubmission of the “Class Q” proposal allowed at appeal in September 2022 which sought approval of the same conversion into four dwellings. The layout is reconfigured changing the position of the stairwells, removing a lightwell in order to provide room for an upstairs bathroom instead of en-suites. A single storey 4m extension is proposed on the rear elevation of plot 2.

RELEVANT PLANNING LEGISLATION

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1985/0125 Erection of general purpose agricultural building – Approved
 SMD/2004/0406 Agricultural workers dwelling - Withdrawn
 SMD/2005/0903 Agricultural workers dwelling – Refused
 SMD/2021/0291 Change of use of redundant barn to form single dwelling with associated parking and amenity space – Approved (LAPSED PERMISSION)
 SMD/2021/0292 Alterations and two storey rear extension – Approved (LAPSED PERMISSION)
 DET/2021/0019 Change of use of agricultural buildings to 4 dwellinghouses – Refused – Appeal Allowed (LAPSED PERMISSION)

DET/2021/0019 Change of Use of Agricultural Buildings to 2 Dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion – Refused – Appeal Allowed (LAPSED PERMISSION)

SMD/2025/0393 Demolition of existing garage, store and outbuildings, single storey extension to dwelling, erection of detached garage and alterations and change of use of adjoining barn to form additional living accommodation – Pending Decision

CONSULTATIONS

Publicity

Site Notice expiry date: Notices put up on 3/10/2025 and replaced on 7/10/2025, expiry date 29/10/2025

Neighbour consultation period ends: 27/10/2025

Press Advert: N/A

Public Comments

2 Letters of objection referring to:

Increasing traffic on the lane, which is narrow and, in places, quite hazardous

The proposal requires the removal of the main access into the fields and the opening up of the existing gateway on the northwest corner. This access is, at present very narrow and inadequate and has fallen out of use.

Deliberate removal of site notices

Town / Parish Comments No comments received

SMDC Waste (Operational Services) No comments received

Staffordshire Wildlife Trust No comments received

Staffordshire County Council Highways No comments received

OFFICER COMMENTS - ISSUES AND ASSESSMENT

The change of use of agricultural buildings and any land within their curtilage to a use within Class C3 (dwellinghouses) can be granted prior approval under Class Q of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) if it complies with the conditions and limitations given.

The subject application seeks prior approval for the conversion of the buildings to four 3 bedroom dwellings.

Q.1 Assessment Criteria

Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for:

(a) a change of use of

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

i 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.

Agricultural Use – Part Q(a)

A location plan showing all the land owned by the applicant has been provided as part of the application. The majority of this land appears to be in agricultural use and there is no conclusive evidence to suggest that the site is not currently part of an established agricultural unit.

The area of curtilage shown on the drawings accord with the limitations listed in the interpretation of Class Q.

Extension – Part Q(b)

The 4m single storey extension to plot 2 shown on the drawings accord with the limitations listed in the interpretation of Class Q.

Building Operations – Part Q(c)

This matter was considered as part of application ref DET/2021/0019 with the building being found to be capable of conversion to residential use without the need for major structural repairs or alterations. A structural survey was provided as part of this application and there is no evidence to suggest that this conclusion should be revisited in the assessment of this application.

Q.1 Assessment Criteria

This is an established agricultural unit.

The proposed dwellings would have a floorspace of less than 150sqm as required by part Q1.(c) of the relevant legislation.

The number of dwellinghouses proposed would not exceed 10 or exceed a combined floorspace of 1000sqm.

No other buildings within the established agricultural unit have the benefit of prior approval under Class Q of the GPDO.

The site is not occupied under an agricultural tenancy.

No development under Part 6 of the General Permitted Development Order (2015) As Amended appears to have been carried out within the previous 10 years.

The rear 4m extension permissible under Class Q(b) would not result in an extension that is more than one storey and meets all the limitations listed, including being on hardstanding that has been in situ for a period of at least 10 years.

The external dimensions of the building would not be extended beyond the external dimensions of the existing building at any given point, other than:

- protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1 (j)(i)

The development proposed under Class Q(c) would not consist of building operations other than –

- Windows, doors, roofs or exterior walls, or
- Water, drainage, electricity, gas or other services
- Partial demolition to the extent reasonably necessary

To the extent reasonably necessary for the buildings to function as dwellinghouses.

The site is not located in a conservation area, site of special scientific interest, safety hazard area or military explosives area and does not contain any listed buildings or scheduled monuments.

The proposal complies with nationally described space standards and has suitable access to a public highway.

The scheme therefore complies with all the conditions, limitations and restrictions specified in Q.1 of Class 3.

Q.2 - Prior Approval Requirements

The prior approval requirements under Q.2 are now considered.

By virtue of its scale, the use of an existing agricultural access to Cloudside would not result in any unacceptable additional impact upon the surrounding highway network. The inspector on the Appeal proposal recommended conditions relating to access / parking and bin storage arrangements. However, these are not considered necessary as the details are shown on the approved plans which the applicant is required to implement.

It is not considered that the level of noise likely to be generated by the proposal would result in significant harm to residential amenity.

The site does not have a history of identifiable problematic land use and there is no indication that the site would be considered as contaminated land as defined by the Environmental Protection Act.

The site is located within Flood Zone 1 (an area with a low probability of flooding) and is not identified as having critical drainage problems which require consideration under this type of application.

In terms of the location of the building, the farmhouse to the south is noted. Additional residential dwellings in this location is not considered to be impractical or undesirable.

The proposal does include external alterations to accommodate the new use, but these remain the same as those details allowed at appeal under the 2021 application. This results in a scheme that is relatively sympathetic.

Notwithstanding the removal of the lightwells originally proposed in the lapsed approval, the rooms are bathed in natural light and adequate natural light is considered provided to all habitable rooms of the dwellinghouses.

The scheme also complies with the other parts of Part 3 of the GPDO (relating to changes of use) and the guidance for Class Q development in that the total residential curtilage areas (i.e. the areas used for outdoor private garden use and car parking) would not exceed the size of the footprint of the building.

It is considered that the proposals would be acceptable in respect the prior approval requirements under Part Q.2

CONCLUSION / PLANNING BALANCE

I quote the inspector's conclusion when allowing the appeal for the now lapse permission:

"...appeal proposals would involve relatively simple intervention with the retention of the existing cladding materials and principally the addition of glazing. Overall, the proposed changes would see a smartening up of the buildings that would not harm the character and appearance of the area."

"I find that the design and external appearance of both appeal proposals would be acceptable and there would be no significant harm to the character and appearance of the area, and would comply with paragraph Q.2.(1)(f)."

The proposed development would convert an agricultural building to four dwellings and would appear to comply with the conditions, limitations and restrictions specified in Part Q.1 of Class 3 (a - p).

The proposed residential conversion of the subject building is acceptable in respect to highways, noise, flooding, contamination, the location and siting of the building and provision of natural light. The prior approval of the Local Planning Authority is required in respect to the design and external appearance of the building.

In respect of design it is considered that the proposals would be acceptable in respect the prior approval requirements under Part Q.2 (1).

Whilst comments of residents are noted, particularly in respect of highway access, given the previous appeal decision and lack of objection from the highway authority a refusal on access grounds would not be sustainable.

For the above reasons, it is recommended that Prior Approval of the Local Planning Authority is granted in line with the decision of the inspector when determining the lapsed appeal for the same conversion into 4 dwellings.

OFFICER RECOMMENDATION: Prior Approval granted

Case Officer: Pet Twigg

Recommendation Date: 07.11.2025

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council