

Appeal Statement

Conversion of agricultural buildings to two dwellings under Class Q of the General Permitted Development Order

Far Lakes Farm, Shaw Wall Lane, Whiston

January 2026

Far Lakes Farm

Project	Far Lakes Farm
Client	Mr A Byatt
Reference	2683
Project Team	Jon Imber
Version	1.0

Document Produced by:

JMI Planning Limited
62 Carter Street
Uttoxeter
Staffs
ST14 8EU

Phone: 01889 566107
Email: enquiries@jmiplanning.com

www.jmiplanning.com

Contents

1	Introduction.....	3
2	Site and Planning History	3
3	The Proposed Development.....	4
4	Reasons for Refusal	5
5	The Appellant’s Case	6
	Visual Impact	6
	Amenity.....	9
6	Conclusions.....	11

1 Introduction

- 1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.
- 1.2 The author of this appraisal, Jon Imber, has worked as both a development control and forward planning officer in local government, and more recently as a senior planning consultant in the private sector. He has extensive knowledge of the planning system and experience of the appeals process. He is a member of the Royal Town Planning Institute.
- 1.3 This statement accompanies an appeal against Staffordshire Moorlands District Council's refusal of Prior Approval reference DET/2025/0041.

2 Site and Planning History

- 2.1 The appeal site consists of a portal framed agricultural building at Far Lakes Farm, which lies in a rural area approximately one kilometre north-east of the village of Foxt.
- 2.2 Surrounding uses include agricultural land to the south-east, the applicant's farmyard to the south-west and north-west and an agricultural building to the north-east. There are also residential properties and an art gallery within the nearby area.
- 2.3 The farmyard is accessed via a gated entrance off Shaw Wall Lane.
- 2.4 The site slopes downwards from north-east to south-west. It sits within a wider landscape context of gently undulating countryside.

2.5 Planning Permission SMD/2009/0683, which was granted in August 2009, authorised the erection of a stock and implement shed at the site. In April 2019 planning permission was granted for a cattle shed and an extension to the hay store (LPA reference SMD/2019/0051. There have also been applications for an agricultural workers' dwelling at the site, the most recent of which (SMD/2023/0595) sought the retention of a temporary mobile home for an agricultural worker which was refused in August 2024.

2.5 The site and surroundings are shown on the following aerial image.



Figure 1 - Aerial Image of Site

3 The Proposed Development

3.1 It is proposed to convert the building into two dwellings, together with associated external alterations, including overcladding with timber boarding and the installation

of new windows and doors reasonably necessary to facilitate residential use. A first floor is to be installed. Since this affects only the interior of the building this component of the scheme does not constitute development as defined by Section 55 of the Town and Country Planning Act 1990.

- 3.2 The proposed dwellings are two bedroomed properties, each with a floor area of approximately 106m².
- 3.3 The proposed dwellings would be accessed via the existing entrance off Shaw Wall Lane.
- 3.4 The Local Planning Authority does not dispute that the proposals accord with the various requirements of Class Q.1.
- 3.5 The applicant intends to occupy one of the proposed dwellings. The second could be occupied by a carer should it be required as he grows older.

4 Reasons for Refusal

- 4.1 The Council refused the application for the following reasons:-

- 1. *The conversion and use of this plain and functional building to two dwellings would result in a compromised design appearance with no place or linkage to the rural building tradition of the area and therefore wholly at odds with the rural location resulting in turn in a highly conflicting design appearance for the character and appearance of the rural area and therefore 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. *The location and siting make it impractical or undesirable for residential use of the two dwellings proposed due to their proximity to active working farm yard and buildings which would give rise to unacceptable risk of adverse impacts on the living conditions of occupiers in particular as a result of potential for noise disturbance and mal-odours likely to arise from active use of the adjacent farm yard and buildings all contrary to Local Plan policies SD4, DC1 and the NPPF.*

5 The Appellant's Case

- 5.1 The Council's two refusal reasons are considered in turn below.
- 5.2 Both refusal reasons refer to policies within the Staffordshire Moorlands Local Plan. Paragraph W(10)(b) makes it clear that in determining applications for prior approval it is policies within the National Planning Policy Framework that are relevant as opposed to policies within the Development Plan. Both refusal reasons do refer to the Framework, but neither refer to specific paragraphs within it.

Visual Impact

- 5.3 The appeal site consists of a relatively modern portal framed agricultural building, which it is accepted has a plain, functional and utilitarian design, typical of structures on farms and in rural areas. The permitted development right granted by Class Q of the GPDO does not distinguish between traditional, vernacular buildings and their modern counterparts, however. The rights apply to buildings constructed prior to 2023, and it is therefore likely that the Government envisages they will be utilised to convert utilitarian structures such as that occupying the appeal site. It is extremely

likely that the conversion of a modern agricultural building will result in a building of different character and appearance from a traditional vernacular cottage.

- 5.4 The proposals involve overcladding the existing profile sheet walls with a more sensitive timber boarding. This finish is typical of more modern agricultural buildings, albeit usually with gaps for ventilation, and would not look out of keeping. New windows and doors reasonably necessary to facilitate residential use are proposed. These include glazing the existing opening on the south-western elevation of the building as well as new openings to allow natural daylight into habitable rooms. Care has been taken not to overly domesticate the building whilst providing a good level of amenity for future occupiers.
- 5.5 The alterations are sensitive to the character and appearance of the buildings and keep its agricultural origins legible. Whilst it is accepted that its character and appearance differs from that of a traditional Staffordshire Moorlands cottage, it will nonetheless therefore not appear alien or out of keeping with its rural setting.
- 5.6 It is almost inevitable that a change from an agricultural building to a dwelling will introduce a more domestic appearance in the form of windows and doors. The existing opening on the south-west elevation has been fully utilised, with new windows and doors on the remaining elevations arranged in a regular pattern which does not contradict with the utilitarian character of the existing building.
- 5.7 The building is of permanent and substantial construction and is likely to remain a feature in the landscape for a considerable period of time, regardless of whether it is converted to residential use.
- 5.8 The local planning authority's refusal reason does not dispute that the proposed alterations are reasonably necessary to facilitate the residential use of the building. It follows that their case is not that the changes to the building go beyond what is allowed for under the permitted development right granted by Class Q.

5.9 Whilst it is appreciated that each decision is made on its own merit, there are examples of similar modern barn conversions within the Staffordshire Moorlands. Prior approval was granted on appeal for the conversion of a wide span portal framed agricultural building into a dwelling at Star Bank, Cotton in October 2018 (PINS reference APP/B3438/W/18/3202031), and a separate prior approval was granted for the conversion of a Dutch barn at Rue Hill, Cauldon Low in 2016 (LPA reference DET/2016/0029). Both dwellings lie within a similar landscape context, and both lie within 5km of the appeal site. The dwellings have both now been completed, and although neither is reflective of a traditional Staffordshire Moorlands residential property in terms of scale, massing, design or materials of construction, both are harmonious with the character and appearance of their rural surroundings, as shown in the following photographs. These show that a sensitively designed Class Q conversion which respects the agricultural origins of the host building can contribute positively towards the character and appearance of the Staffordshire Moorlands countryside.



Figure 2 - Star Bank, Cotton



Figure 3 - Rue Hill, Cauldon Low

- 5.10 On balance it is not considered that the proposals will unacceptably harm the character of the building or its rural surroundings.

Amenity

- 5.11 The appeal site forms part of a working farmyard operated by the appellant.
- 5.12 The Council considers that noise and odour from agricultural activities from nearby buildings which would remain in agricultural use would have an unacceptable impact upon the amenities of future occupiers.
- 5.13 Whilst it is accepted that the wider site would remain in use as a working farm, it is not unusual for converted agricultural buildings to be set in such a context. This does not necessarily mean that residential use cannot be satisfactorily accommodated. Occupants of converted agricultural buildings could reasonably be expected to understand that they may experience a degree of noise and disturbance from neighbouring agricultural use.

- 5.14 Planning Practice Guidance (PPG) states that for the purposes of Paragraph Q2.(1)(e) “undesirable” means “harmful or objectionable”, and that the location of the building whose use would change may be undesirable if it is adjacent to other uses, such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals. None of these are applicable to the appeal scheme. Whilst it is appreciated that this is not a closed list, it gives an indication as to the level of activity that may give rise to harmful or objectionable effects. The agricultural activity at the appeal site is of a far less intensive nature and it is respectively suggested that it falls beneath this threshold.
- 5.15 The appellant is now of retirement age, and agricultural activity on the site is winding down. The local planning authority refused an application to retain a temporary agricultural workers’ dwelling on the site and has recently served an Enforcement Notice requiring its removal. Without a permanent presence on the site, it is not particularly well suited to rearing livestock and it is unlikely that the buildings will return to intensive use.
- 5.16 The proposed dwellings would be compliant with the Nationally Described Space Standards, and all habitable rooms benefit from windows allowing natural light to permeate. The dwellings are both provided with private amenity space. Whilst this falls short of the Council’s standards, these are not relevant to applications for prior approval as set out in Paragraph 5.2 above, and in any event are restricted in scale by the GPDO.
- 5.17 The proposed dwellings are sufficiently distant from other residential properties to avoid any unacceptable loss of daylight or overlooking.
- 5.18 The proposed dwellings would therefore deliver good living conditions for future occupants whilst safeguarding the amenities enjoyed by the occupiers of nearby residential properties.

6 Conclusions

- 6.1 The proposals are sympathetic to the character and appearance of the existing building and respect its agricultural origins. The GPDO allows for the conversion of modern agricultural buildings which are typically somewhat utilitarian and it is inevitable given the constraints set by that legislation that resulting dwellings will not tend to be reflective of the local vernacular. However, the proposed dwelling would not appear out of keeping with its rural context and would not harm the character or appearance of the countryside.
- 6.2 The proposed dwellings would therefore deliver good living conditions for future occupants whilst safeguarding the amenities enjoyed by the occupiers of nearby residential properties.
- 6.3 The Local Planning Authority does not dispute that the proposals accord with the various requirements of Class Q.1, and the refusal reasons raise no issues with regard to other matters to be considered as part of the prior approval process.
- 6.4 It is therefore respectfully requested that this appeal be allowed.