

DELEGATED DECISION REPORT

DET/2026/0003
Valid 19/01/2026

BLYTHE LEA FARM
LEEK ROAD
WESTON COYNEY

**APPLICATION TO DETERMINE
IF PRIOR APPROVAL UNDER
SCHEDULE 2, PART 3, CLASS
Q(A) ONLY OF THE TOWN
AND COUNTRY PLANNING
(GENERAL PERMITTED
DEVELOPMENT) (ENGLAND)
ORDER 2015 IS REQUIRED
FOR A PROPOSED CHANGE
OF USE FROM AN
AGRICULTURAL BUILDING TO
2 DWELLINGHOUSES (USE
CLASS C3)**

**(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)**

MAIN ISSUES

- Compliance with the requirements of Class Q under Part 3 of Schedule 2 to the GPDO(2025)
- (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;
- (g) the provision of adequate natural light in all habitable rooms of the dwelling house;

DESCRIPTION OF SITE

Lone post-war roadside bungalow set back from the road behind broad verge, strong rural hedgerow and c.12m garden. There was no development in 1939 but the bungalow and outbuildings are shown named simply Blythe Lea on the 1963 OS map. There are few neighbours. Willowbrook Farm across the road opposite has arisen following a 1999 consent for a cattle shed followed by SMD/2000/0471 for an

agricultural worker bungalow. The address for those applications was given as *Willowbrook Farm (formerly land opposite Blythe Lea Farm)*.

The next nearest neighbour is Glendale, a similar but pre-war lone bungalow set back from the road in the adjacent field some 60m to the south west.

The property is accessed via a short rising and gated drive from the fast and busy A520 Leek Road. In addition to the existing bungalow dwelling which is behind the garden on the left of the drive, there are linked outbuildings to the right and rear forming an L plan. The drive leads to a modest yard area between the rear of the bungalow and the outbuildings. Surrounding fields butt up directly to the sides and rear of the outbuildings.

The location is within an area recorded by the Coal Authority as an area of development low risk. Staffordshire Moorlands local plan policy SS10 for the 'other rural areas' applies. It is also a location within the North Staffordshire Green Belt.

PROPOSAL

The proposal is for a change of use to a part of the rear outbuildings into two dwellings. The proposal is accompanied by a planning statement and by a structural engineer's report. Also submitted is an unsigned draft affidavit which makes reference to past use of the application building for farming purposes.

The submitted drawings are:

25-1386-001 P01 – 1:1500 site location plan marked with the proposal red edge;

25-1386-003 P01 – 1:200 proposed site / block plan, and

25-1386-005 P01 – 1:200 'Indicative layout'.

No building elevation drawings are submitted.

It is stated at 5.12 of the supporting statement that: *"The detailed works necessary to convert the buildings would be set out as part of a subsequent Class Q application to include Part (b)/(c) works"*.

From the application form the total combined floor space changing to dwelling house would amount to 231m². By scaling from the 1:200 indicative layout the total gross internal floor space to be created as dwelling would be c.202m².

Again by scaling from the 1:200 indicative layout the total site red edge comes to 462m².

The exterior red edge shows parking space for two vehicles. The plans show the remaining attached outbuildings as being retained.

There is no blue edged plan to show the extent of the ownership outside of the red edge.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

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

National Planning Policy Framework (Dec 2024)

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 8 – Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None on recent record.

CONSULTATIONS

Publicity

Site Notice expiry date: 03.02.2026
Neighbour consultation period ends: 09.02.2026
Press Advert: N/A

Public Comments

None

Town / Parish Comments

Werrington Parish Council - no comments received

Staffordshire County Council Highways

The property is located off Leek Road (Road No. A0520), an A classified road. Leek Road is a primary route that connects Stoke on Trent with Leek. The section of Leek Road fronting the site is subject to a 60mph speed limit, there are no streetlights or footways. There is currently vehicular access off A520. Access to the property is existing and provides regular access to Blythe Lea Farm.

The submitted plan DRAWING No. 25-1386-005 Rev P01 shows parking for 2 vehicles. This does not meet with the Parking Standards. The total number of parking spaces required for the 2 dwellings is 4.

A condition is recommended that:

No development shall be commenced until a revised plan showing 4 parking spaces (2.4m x 4.8m each space) has been submitted to and approved in writing by the Local Planning Authority: The parking shall thereafter be carried out in accordance with the approved details and be retained for the lifetime of the development.

The LPA notes there is no reference to the parking requirements of the existing bungalow which it is apparent will be retained. Any plan submitted by condition would therefore need to address the existing parking arrangements as well.

The Highway Authority comments that this is not a sustainable location for residential development noting: *"there are no amenities such as a local shop or access to any medical or educational facilities. All trips to such facilities are more than likely to be made via a private car. There is no footway provision and would require any resident to walk within an unlit road should they wish to walk within the immediate neighbourhood."*

It is also noted that the application red edge does not connect with the adopted highway.

SMDC Conservation Officer

Having reviewed the application it is concluded no technical conservation heritage advice is required in this case.

OFFICER COMMENTS

Principle of Development

Primary requirements

1. Fundamentally the proposal building has to be capable of conversion to a dwelling. Whilst building operations reasonably necessary to enable the conversion to take place can be permitted subject to prior approval by reference to Paragraph Q(c), the works must not amount to a rebuilding.

2. Paragraph W of Part 3 headed **Procedure for applications for prior approval under Part 3** states at W(2) that:

The application must be accompanied by—

- (a) a written description of the proposed development, which, in relation to development proposed under Class M, N or Q of this Part, must in the same application include any building or other operations.

In the application form the written description states under the details of the design and external appearance of the buildings:

The existing character of the building will be retained through the use of the existing external materials of the building interspersed with new windows 'punched' into the elevations. The building is proposed with a modest range of simple windows and doors to facilitate the use whilst retaining the original character of the simple agricultural barn.

This is very general and unspecific and there is little more that can be gleaned from this summary than that: (i) the existing external materials will be used – the implication appears to be that the existing materials will be used in situ as currently existing; (ii) a modest range of simple windows and doors will be interspersed. Having examined the current building as existing it has to be questioned whether this is a credible and viable option and consequently it is concluded that the information is inadequate to meet the requirement to include in the description “any building or other operations”.

3. W(3) states that:

The local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions* limitations or restrictions specified in this part as being applicable to the development in question.

*except for conditions in paragraph G.1(d)(iv), paragraph M.2(1)(f), paragraph MA.2(2)(f), paragraph N.2(1)(e), paragraph O.2(1)(e), paragraph PA.2(1)(v), or paragraph Q.2(1)(g) [relating to daylight to habitable rooms].

4. Class Q(a) provides for the change of use of “buildings on agricultural units and former agricultural buildings to dwelling houses”. Paragraph Q(a) is divided into (i) which deals with buildings that are in current existing use and (ii) which deals with buildings and land that were formerly agricultural but are no longer. The application building and land in this case is put forward in the latter category as a former ‘agricultural building’.

5. Paragraph X, headed 'Interpretation of Part 3' (Changes of Use) provides the following definitions:

"agricultural building" means a building (excluding a dwellinghouse) used for agriculture and which is so used for the purposes of a trade or business; and

"agricultural use" refers to such uses;

"established agricultural unit" means agricultural land occupied as a unit for the purposes of agriculture

[(a) not applicable as this relates to Class R]

(b) for the purposes of Class Q or S, on or before 20th March 2013 or for 10 years before the date the development begins;

6. The applicant in this case appears to recognise that the claimed former agricultural use needs to be verified as they have submitted draft wording of an affidavit which it appears is intended to be completed by a former farming user of the building and land. There is however little or no weight that can be given by the LPA to this unsigned draft statement. The fact that the draft statement has been submitted *unsigned* only adds to the uncertainty. The LPA visited the building and land in late January 2026 and found no indications whatsoever to suggest past agricultural use. For example there were no signs of manure or manure staining on any of the walls and no traces of hay, straw or other remains as might typically be expected. Whilst this of itself does not mean the building's last use was not agricultural it nevertheless leaves a complete lack of evidence that it may have been. In the circumstances it must be concluded that there is currently insufficient information to demonstrate adequately to the LPA that GPDO(2015) Schedule 2 Part 3 Class Q qualifying requirements are met with regard to its previous last use.

7. In summary there is no express information submitted to the LPA to show that the building was last used for agriculture and there is nothing to show that this use, if it occurred, was *"for the purposes of a trade or business"*.

8. Moreover, in addition to confirming a farming use for the purposes of a trade or business, it needs to be shown that the use of the building and the land in these terms was taking place as *part of an agricultural unit*.

9. The agent's statement refers at 1.7 to the ownership having changed to the current applicant as of 31st January 2025 and implies that agricultural use had continued up to that date. There is reference to the unit having extended to some 80 acres [32ha] but no map or plan details of this land are provided. This matters because one of the eligibility criteria to be confirmed – Q.1(g) – is whether or not *"development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins"*. In the absence of any submissions on this point the LPA has no means of verifying the criterion.

10. At the heart of the permitted development regulations under Class Q is that the proposal, where it involves 'building operations' must be one of 'conversion' (see Q(c)). The permitted development right does not provide for a replacement building to be

created. It stands to reason that Q.a cannot be granted if the change of use would necessitate works that would go beyond conversion, for example by necessitating a 're-build'. Presumably it is for this reason that the applicant has submitted a structural building survey report.

11. The submitted structural survey report gives as its brief (at section 1.2): *"...to confirm the current structural condition and report on any defects with conclusions and recommendations to confirm the ability of the existing building to be repurposed without significant rebuild or replacement of the existing structure"*. The assessment is described (at section 1.4) as a "visual survey". It notes at 2.3: *"The buildings are a brick-built barn with steel clad roof throughout"* and at 2.4, *"Roof construction varies throughout the different buildings"*. Whilst the steelwork frame internally and the roof structure along with other elements are described as being *"in good condition"*, this is in the context of their current state and function. The existing metal framework is noticeably lightweight in form. There is no discussion or confirmation as to the ability of this existing structure to support conversion to a dwelling. For example there is no discussion about the additional loading implications of installing the essential insulation that inevitably would be necessary for use as a dwelling.

12. The report simply states at 4.1 that: *"Although no drawings of the proposed alterations were reviewed, we confirm that conversion to residential dwellings is a viable option, subject to detailed design between the Architect and Structural Engineer, noting any recommendations that follow"*. It is therefore concluded that the developer has provided insufficient information to enable the authority to establish that the building is capable of conversion. Leaving matters subject to further detailed design work leaves the feasibility of conversion very open to additional analysis and is therefore inconclusive at this stage.

Conclusion to the 'principle' of the development

13. There is significant lack of evidence as identified at (6) and (9) above that the building was last in use for agriculture and the LPA cannot be satisfied that the development meets requirements to be acceptable 'in principle' under the terms of Class Q.

Design

14. As the application is solely about the proposed change of use, design considerations are not for determination in this application.

Amenity

15. Whether the sighting of the conversion would have implications for privacy and overlooking in relation to the existing dwelling is going to be subject to the design details if and when submitted. The separation distance between the rear of the existing dwelling and front southeast elevation of the proposed conversion is about 16 metres. Parking space for two vehicles which would be sufficient to serve one of the converted

dwelling is shown in an indicative layout as being Within about 5 metres of the rear of the current existing dwelling. There is no information as to the parking for the second of the two dwellings nor for the parking of the existing dwelling. There is no clear information as to how the adjacent attached buildings might be used. It is likely that in planning terms these benefit from consent for agricultural use and that alternative uses would need planning permission. The proximity of these buildings to the proposed new dwellings leaves open to question as to how the occupiers could be shielded from continuing agricultural use. With no blue edged plan submitted it is not clear whether the applicant has retained any agricultural land beyond the barns and whether ongoing agricultural activities are likely or not.

Highway Safety

16. The consultation response from the Staffordshire County Highways Authority indicates that there are no objections to the proposal on Highway safety grounds subject to additional information being provided. The highways authority evidently anticipates that the site is capable of meeting the requirements for parking and turning. Nevertheless this remains a matter to be ascertained.

Other matters

17. It is to be noted that article 5 of the GPDO(2015) states:

(5) The permission granted by Schedule 2 does not apply if—

(a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;

18. Whilst no record of a planning consent for the existing building has been traced it has to be noted that the building has been in situ for in excess of 4 / 10 years. It has therefore become immune from enforcement action in terms at least of operational development by passage of time.

19. As this is not a Planning Application in the terms defined, there are no statutory Biodiversity Net Gain requirements to meet.

CONCLUSION / PLANNING BALANCE

The application fails and must be recommended for refusal due to not meeting the requirements laid out for a determination of Class Q(a). The written description provided does not sufficiently or adequately established the nature of any building or other operations involved. The past agricultural use of the buildings which is a fundamental requirement to eligibility under Class Q has not been established. The nature and extent of the agricultural unit of which the buildings are alleged to have been part has also not been provided. The LPA is therefore unable to establish whether other Class Q developments have taken place and/or whether developments under Part 6 have taken place elsewhere within the unit in the last 10 years. Similarly the physical capacity of the buildings for conversion to dwellings has also not been adequately or sufficiently demonstrated. As these all amount to failings covered by W(3)(a) and/or (b) it is not necessary for the authority to consider other matters at this

stage but it can be noted from the report that there are significant uncertainties in terms of the spatial separation of in effect three dwellings at this location and parking arrangements. These would need to be resolved in any subsequent re-submissions.

OFFICER RECOMMENDATION : **Prior approval refused**

Case Officer: Arne Swithenbank
Recommendation Date: 16.03.2026

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council