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Planning Statement

Oakley's Farm, Blakeley Lane, Dilhorne, Stoke-On-Trent ST10 2PT

Change of use of an agricultural building to a farm shop/kitchen/farm office under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class R – agricultural buildings to a flexible commercial use

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Table of Contents

1	Introduction.....	3
2	Site Description and Planning History	4
	Site Location	4
	Relevant Planning History	5
3	The Proposed Development.....	6
4	Assessment against Class R – agricultural buildings to a flexible commercial use	7
5	Conclusions.....	11

1 Introduction

- 1.1 Planning & Design Practice is a multidisciplinary practice consisting of chartered town planners, architects and heritage specialists. The practice operates across England and Wales and has an exemplary track record of submitting successful planning applications and in facilitating sustainable development.
- 1.2 This statement identifies the context for the proposed development and includes an assessment of how the proposed development accords with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class R – agricultural buildings to a flexible commercial use.
- 1.3 Also submitted to accompany the application are the following:
- A Full set of Drawing comprising:
 - 001 – Site Location Plan
 - 002 – Site Plan identifying the building to change use

2 Site Description and Planning History

Site Location

- 2.1 Oakleys farm formerly known as Little Blakely Lane Farm, is accessed off Leek Road and is associated with in excess of a 101 acres of farmland (owned and rented). The farmstead is situated on land between Leek Road and Kingsley Road within the Open Countryside and is bound by Leek Road to the north and east with agricultural land associated with the farmstead to the south and west.



Figure 1 – Aerial Image of Oakleys Farm

- 2.2 After submission of a notification to the council on the 31st of July 2026 for a 150sq/m building under the Class R permitted development legislation, this prior approval application has been submitted to use the whole of the former agricultural building as a farm shop/kitchen/farm office.
- 2.3 This revised submission will include the internal construction of a second storey element which will mean the floor area will measure approximately 420sq/m. A Class R notification for the first 150 metres has been submitted; this is to secure a commercial use on this site. This proposal to use the whole agricultural building has been submitted to ensure the commercial uses proposed can continue to function effectively from a premises of adequate proportions.

Relevant Planning History

- 2.4 The only application relevant to the proposed development, present on the council's planning application portal was an application to demolish and replace an existing agricultural building with a more suitable building to the immediate south-east. This permission was never implemented. The details of this application are provided below:

12/01346/FUL | Replacement agricultural building, extension to yard area and additional planting adjacent to the building to provide screening. | Granted with conditions 10/01/2013

- 2.5 From this application it is evident that the council considered the existing and proposed buildings to be agricultural at the time of this proposal in December 2012.
- 2.6 The building subject to this proposal was erected on the site with a small canopy structure to the eastern elevation first evident on the site from 2017 onwards as per the below Google Earth aerial image.



Figure 2 – Google Earth aerial image from 26/05/2017

3 The Proposed Development

- 3.1 The proposed development is for the change of use of an agricultural building to a farm shop/kitchen/farm office under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class R – agricultural buildings to a flexible commercial use.
- 3.2 The proposed will make use of the whole existing agricultural building which on the balance of probabilities has been on the site and used for agriculture for in excess of a decade.

4 Assessment against Class R – agricultural buildings to a flexible commercial use

4.1 The proposed development as described above has been assessed against the requirements the Class R legislation below.

***“Permitted Development R.** Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use—*

(a) falling within one of the following provisions of the Use Classes Order—

(i) Class B2 (general industrial) of Schedule 1;

(ii) Class B8 (storage or distribution) of Schedule 1;

(iii) Class C1 (hotels) of Schedule 1;

(iv) Class E (commercial, business or service) of Schedule 2; or

(v) Class F.2(c) (outdoor sport or recreation) of Schedule 2; or

(b) for the provision of agricultural training.”

4.2 The agricultural building is to be converted into a use as a farm shop/kitchen/farm office. This use falls within Class E of The Town and Country Planning (Use Classes) Order 1987 (as amended). The proposal is therefore compliant with this criterion.

***“Development not permitted R.1** Development is not permitted by Class R if—*

(a) the building was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 3rd July 2012;

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

“(iii)in the case of a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;”

4.3 The building subject to this proposal is evidenced in figure 2 to have been on site since before 2017. The building and its canopy section have likely been on site for a period of 10 years. The proposal is therefore compliant with criterion (a) (iii).

4.4 Furthermore, whilst farming practices have been existing on the site for several hundred years, it is evident that in recent times our client has been farming a herd of buffalo across the various areas of farmland associated with the farmstead. This is clearly an agricultural use.

“(b)the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1,000 square metres;”

4.5 There have not been any other buildings within the agricultural unit subject to change of use under Class R. this proposal is the first on the site which will measure under 150 square metres, significantly less than the 1,000 square metre limit.

“(c)the site is, or forms part of, a military explosives storage area;”

4.6 The site was not part of a military explosive storage area

“(d)the site is, or forms part of, a safety hazard area; or”

4.7 The site is not associated in any way with a safety hazard area

“(e)the building is a listed building or a scheduled monument.”

4.8 The building is not a listed building nor is it nearby to a listed building.

4.9 The proposal is therefore compliant with the Class R legislation and by result should be granted planning permission.

Other relevant planning issues

4.10 For proposals in excess of 150sq/m the prior approval of the local planning authority is required, the matters of highway safety, noise, contamination and flooding are to be considered as part of this prior approval application. these matters have been assessed, in turn, below.

Transport and highways impacts

- 4.11 The main access to Oakley s Farm is an existing established access off Leek Road. Approximately 170 metres south of the main access is Kingsley Road, a main A road connecting Stoke-on-Trent and Ashbourne.
- 4.12 Leek Road, which is national speed limit, has the access to Oakley's Farm on its southern aspect. The access is situated on the outside of a bend giving very good visibility in either direction. The access road into the site is tarmacked up to the highway edge.



Figure 2 – An image of the view southward out of the access junction towards the Leek Road/Kingsley Road junction



Figure 3 – An image facing northward out of the access junction

- 4.13 The site also benefits from a bus route which runs along Kingsley Road. The Cheadle Road is 0.2 miles from the proposed commercial use and is therefore accessible by means of public transportation. The site itself also benefits from a large yard which could be repurposed to create on-site vehicle parking.
- 4.14 With due regard for the site and its immediate surroundings it is considered that the proposed would have very limited highway impact which is evidenced by unlawful commercial use on site. The surrounding road network, nearby public-transport links and on-site parking mean that the proposed use could comfortably be introduced without any increased risk to users of the highway. In this regard, the proposed development is considered to have very limited highway or traffic impacts.
- 4.15 Notwithstanding the above, there is another access to the immediate east of the farmhouse which could be utilised to support vehicle movements from the premises.

Noise impacts

- 4.16 The development site is situated within an active farmstead known for farming a herd of 100 buffalo. It is considered that the proposed use would not generate a level of noise above or beyond the current agricultural use of the land.

- 4.17 The proposed use will be largely indoors with people coming and going from the subject building, the building is situated in a central position in the farmstead in excess of 80 metres away from any dwelling outside of the farmstead.
- 4.18 It is therefore considered that the proposed use would not generated a level of noise above and beyond the existing farming use, with any noise generate unlikely to impact those living nearby to the premises.

Contamination risks

- 4.19 The subject building is situated on land not known to be contaminated or polluted. The previous land uses on the site have been predominantly agricultural and do not present any contamination risks.
- 4.20 For this reason, there are not foreseen to be any contamination risks which would conflict with the Class R permitted development legislation.

Flood Risk

- 4.21 All of the land associated with Oakley's Farm is situated within Flood zone 1. The development site is therefore unlikely to be impacted by flooding or enhance flood risk for surrounding properties.
- 4.22 As well as these matters addressed above, it is worth noting that the buffalo are farmed on the land holdings associated with the farmstead. This building is not of an appropriate scale to farm a herd of buffalo which is steadily increasing. In this case, the building is no longer necessary for the agricultural activities taking place at the farm. The proximity of the barn subject to this application and the farmhouse also makes for a highly constrained location to farm buffalo.

5 Conclusions

- 5.1 Prior approval is sought for the change of use of an agricultural building to a farm shop/kitchen/farm office under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class R – agricultural buildings to a flexible commercial use at Oakleys Farm, Dilhorne, Stoke-on-Trent.

- 5.2 Though the GPDO it is the Government's clear intention to allow farmers the opportunity to diversify and support the local economy. Class R is a Permitted Development right. Permission should only be refused where there are clear, justifiable and evidential reasons why the development would give rise to highways, noise, contamination or flooding concerns. N this case, it is self-evident diversification of this type is a necessity and important part of the existing farming business and that the farming will continue and expand alongside the commercial uses. This proposal will allow the diversification to continue.
- 5.3 The proposed development has been assessed against the relevant legislative criteria associated with Schedule 2, Part 3, Class R and has been found to be compliant with this criterion.
- 5.4 The proposed development is also foreseen to have a very limited impact upon highway, traffic and noise concerns with the proposal introducing no contamination or flooding risks. Thereby, satisfying Class R criteria.



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