

Planning Statement

Class Q Conversion of
Agricultural building

at

The Haven,
Uttoxeter Rd,
Foston

July 2021

Document Control Sheet

Project Name	Agricultural building at The Haven, Uttoxeter Rd, Foston
Client	Miss J Carminke
Project Reference	3271
Project Lead	Richard Pigott (RP)
Project Team members	Lindsay Cruddas (LC)

Version	File Name	Description	Prepared	Checked	Date
01	3271_PS	Planning Statement	RP	JJ	30/7/21

Produced by:

Planning & Design Practice Ltd
3 Woburn House
Vernon Gate
Derby
DE1 1UL

www.planningdesign.co.uk

CONTENTS

1	INTRODUCTION	3
2	THE SITE AND PLANNING HISTORY	4
	The site	4
	Planning history	7
3	PROPOSED DEVELOPMENT	8
4	ASSESSMENT AGAINST CRITERIA IN CLASS Q.....	8
	Conditions of Class Q.....	10
5	CONCLUSIONS	11
6	APPENDIX A – SITE PHOTOGRAPHS.....	12

1 INTRODUCTION

1.1 Planning Design Practice is a town planning and design consultancy with chartered town planners and an architectural design team. The practice, established in 2002, operates throughout England and has an excellent track record of success.

1.2 This statement has been prepared to support an application for prior approval submitted under the provisions of Class Q of part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015, as amended, (GPDO) for the change of use of an agricultural barn to a dwellinghouse and for associated operational development at The Haven, Uttoxeter Rd, Foston.

1.3 This statement will provide an introduction to the site and its planning history; details of the proposed development; and an examination of the proposal against the Class Q legislation. In support of the application and to be read in conjunction with this statement, the following comprises the submission:

- Prior approvals forms, certificates and declaration;
- Site Location Plan;
- Existing and proposed site plans;
- Existing and proposed floor plans and elevations.

2 THE SITE AND PLANNING HISTORY

The site

- 2.1** The application site is located to the northeast of Uttoxeter Rd (the A511) which links Hatton and Foston in the South Derbyshire District. Hatton is located around 1.2km to the southeast of the site and Foston is around 1km to the northwest.

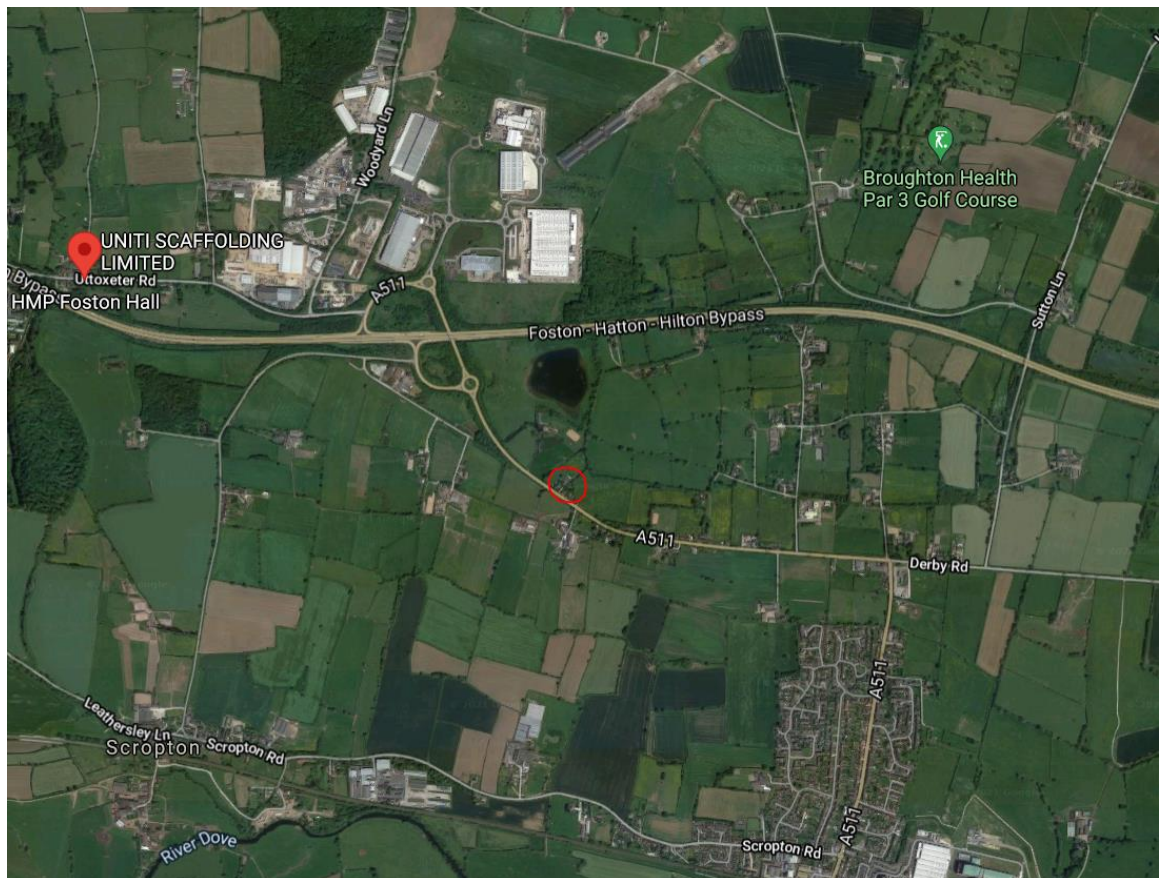


Figure 1 - Site location shown on aerial image denoted by red circle

- 2.2** The Haven site consists of a detached dwelling, a collection of closely associated residential outbuildings and a number of agricultural buildings. Farming on the land consists of yearly hay making and grazing for sheep.
- 2.3** The building the subject of the application is an agricultural building measuring approximately 10.1m x 5.7m. The building is used for the storage of farm machinery and as a farm workshop.
- 2.4** The building is located some 25 metres to the northeast of the dwelling on an agricultural holding that extends to 2 acres. It is visually separated from the dwelling by a row of trees/hedging

- 2.5** The building's primary structure consists of a steel frame with blockwork up to a height of approximately 1m. There is a timber roof structure. It is clad mainly in corrugated asbestos sheets with a short section of timber cladding on the northwest end. The building has modest openings on the northwest and southwest elevations but is otherwise well enclosed.



Figure 2 - Southwest elevation of building

- 2.6** There are two vehicular accesses serving the property. One serves the dwelling and is used for domestic purposes. A second access is a gated field access located to the west of the dwelling's curtilage which is used for farming purposes.

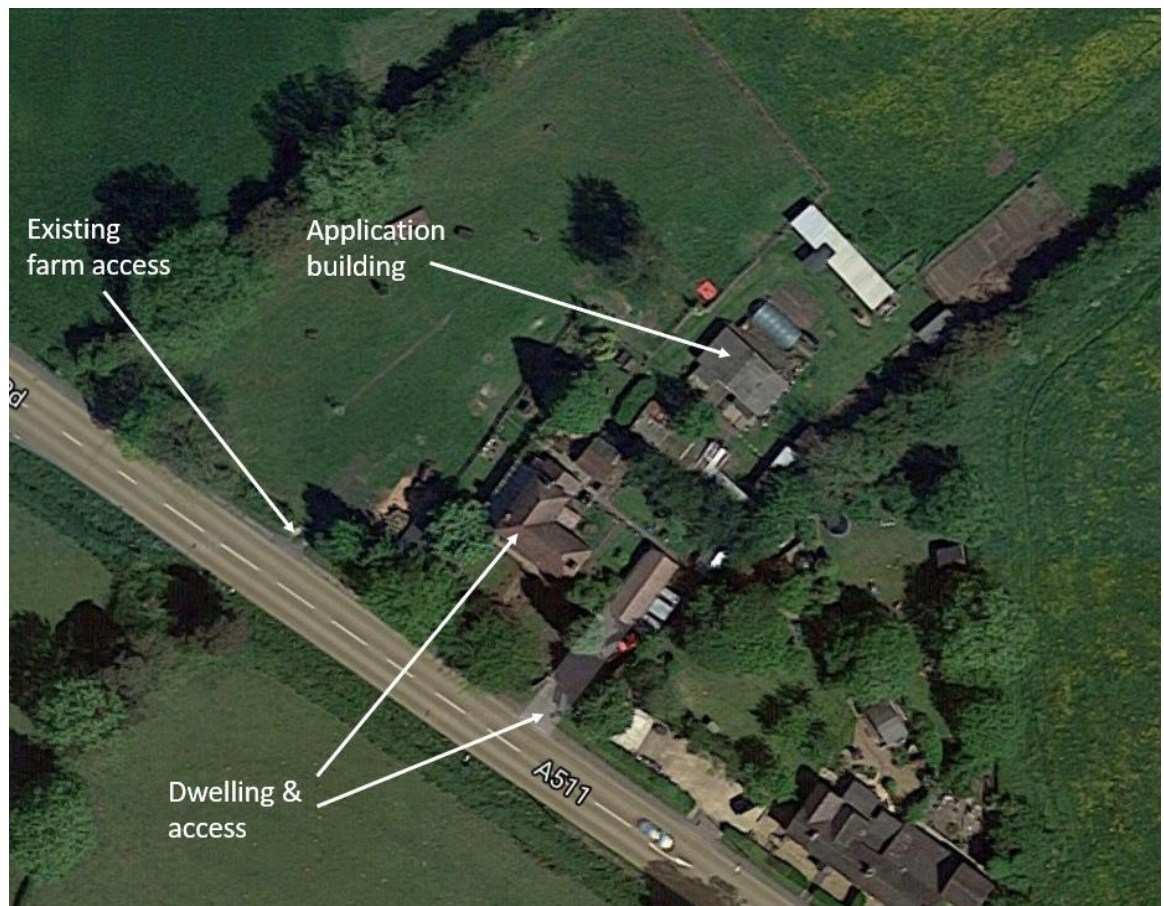


Figure 3 - The site as existing

- 2.7** The application site sits within a wider landscape context of essentially flat countryside. There are no other residential properties within close proximity to the site.

Planning history

Planning ref	Proposal	Decision
9/2008/1190	The change of use to include the creation of hardstanding areas for the siting of sectional buildings / garden shed	Refused February 2009

2.8 Further photographs of the site are included at Appendix A.

3 PROPOSED DEVELOPMENT

- 3.1** Schedule 2 of the GPDO sets out the forms of development that benefit from the general grant of permission and do not require express permission. Class Q(b) of Part 3 of the Schedule allows a change of use of a building and land within its curtilage to use as a class C3 dwellinghouse together with building operations reasonably necessary to convert the building to a dwelling.
- 3.2** It is proposed to convert the building to a 1-bedroom, 2 person dwelling with a gross internal floor area of around 50 sq.m. No extensions to the building are proposed and the external envelope of the building will not increase. A domestic curtilage for the Class Q conversion of no more than this area is proposed, forming the garden and parking area. Parking for the dwelling would be located to the west of the building and the main amenity area would be located adjacent to the northwest end of the building.
- 3.3** In relation to design, the dwelling has been designed to retain a simple utilitarian appearance with new openings kept to a minimum and the use of sympathetic materials consisting of standing seam metal cladding.

4 ASSESSMENT AGAINST CRITERIA IN CLASS Q

- 4.1** *Class Q – agricultural buildings to dwellinghouses* of the GPDO outlines the following forms of permitted development:

Q. Development consisting of—

(a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or

(b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

- 4.2** Paragraph Q.1 of the GPDO details all the circumstances in which development is not permitted by Class Q. These are listed in 13 sub-sections from a) to m). Sub-section (i) states that

(Development is not permitted by Class Q if) *“the development under Class Q(b) would consist of building operations other than—*

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

4.3 Class Q (b) of the GPDO, together with the change of use of the building, allows building works reasonably necessary to convert the building to residential use. The nature of agricultural buildings will invariably mean that they will not have all of the necessary elements of a residential dwelling, or have them to the necessary standard or condition, hence the provisions of paragraph Q.1.(i). Paragraph 105 of the National Planning Practice Guidance (ID: 13-105-20180615) is titled *“What works are permitted under the Class Q permitted development right for change of use from an agricultural building to residential use?”* This paragraph makes it clear that there is a distinction between ‘conversion’ and ‘rebuild’ and that if a development does not amount to a “conversion” then it cannot be permitted development under Class Q. With regards internal works, Paragraph 105 states: *“Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.”*

4.4 The existing structural elements will be retained, including the metal frame and the 1m high blockwork. The asbestos sheet cladding will be replaced by standing seam metal cladding. Some new window and door openings are proposed but only to the extent that they are reasonably necessary. Door openings on the northwest and southwest elevations will utilise existing openings, with 4 additional small windows on the northeast and southeast elevations. The existing roof covering is made of asbestos so this will be replaced in its entirety. All of these works are clearly allowed under Paragraph Q.1(i).

- 4.5** Internally, the roof will be insulated and lined; internal blockwork walls will be erected and the cavity between these and the outer cladding will be insulated; internal stud walls will be inserted and a new concrete floor will be created including new damp proofing, insulation, heating and flooring. All of these elements fall within the scope of the internal works described in Paragraph 105 of the PPG and within the category of reasonably necessary for the building to function as a dwellinghouse.
- 4.6** In summary, it is considered that the proposed building operations fall within the definition set out in Class Q.1 (i) and that they will not go beyond what would be reasonably necessary for the building to function as a dwellinghouse.

Conditions of Class Q

- 4.7** Paragraph Q.2 (1) of the GPDO states that *“Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition 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,

(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 (dwellinghouses) of the Schedule to the Use Classes Order,

(f) the design or external appearance of the building, and

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

- 4.8** With regards transport and highway impacts, it is proposed to utilise the existing field access point onto Uttoxeter Road to the northwest of the dwelling. This access provides adequate exit visibility in each direction and does not raise any other highway safety concerns.
- 4.9** The proposal should not raise concerns with regards any of the other conditions of Class Q.

5 CONCLUSIONS

- 5.1** The application building is in agricultural use and the proposed building operations would fall within the definition set out in Class Q.1 (i) and would not go beyond what would be reasonably necessary for the building to function as a dwellinghouse.
- 5.2** The proposed development therefore constitutes permitted development in respect of Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596.

6 APPENDIX A – SITE PHOTOGRAPHS



Figure 4 - Southwest elevation of building



Figure 5 - The northeast (left) and northwest (right) elevations of the building. The dwelling can be seen in the right of the picture



Figure 6 - The southwest (left) and southeast (right) elevations of the building



Figure 7 – Existing field access which will be used by the new dwelling



Figure 8 - View from application building towards site access



PLANNING | ARCHITECTURE | URBAN DESIGN

Planning & Design Practice Ltd

www.planningdesign.co.uk

info@planningdesign.co.uk

Tel: 01332 347371

Derby

3 Woburn House
Vernon Gate
Derby
Derbyshire
DE1 1UL

Matlock

Cromford Creative,
Cromford Mills, Mill
Lane, Cromford,
Matlock, DE4 3RQ

Macclesfield

Waters Green House
Waters Green
Macclesfield
Cheshire
SK11 6LF

Sheffield

The Workstation
15 Paternoster Row
Sheffield
South Yorkshire
S1 2BX