



Pewter House Farm, Commons Lane Balderstone Blackburn BB2 7LN

Application for Prior Approval: Change of use of three adjoining steel portal frame agricultural structures to five dwellings under Class Q (a) and (b) of the GPDO. Resubmission of application 3/2023/0725.

PLANNING STATEMENT

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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Pewter House Farm Developments Ltd ('the Applicants') to prepare and submit an application for Prior Approval under Class Q of the GPDO. The application proposes the change of use of three adjoining steel portal frame agricultural structures to five dwellings at Pewter House Farm, Commons Lane, Balderstone, Blackburn, BB2 7LN.
- 1.2. The application is made to Ribble Valley Borough Council ('the Council') under the prior approval procedure; Schedule 2, Part 3, Class Q (a) and (b) of The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015, as amended. This Planning Statement demonstrates that the proposal will be undertaken as permitted development in accordance with the GPDO.
- 1.3. This application is a resubmission of a previous scheme for a similar development made under Class Q; application ref. 3/2023/0725, for the change of use of the same building to 5no. dwellings. That application was refused by the Council on the 21 November 2023 and included three reasons for refusal. This planning application seeks to respond to these reasons for refusal and presents an application which is considered to be compliant with Class Q of the GDPO.
- 1.4. Alongside a review of the legislation, this Planning Statement provides a description of the proposed development, together with an appraisal of the scheme to demonstrate why Prior Approval should be granted. It should be read in conjunction with the following suite of supporting documents:
 - Application Form;
 - Drawn Information:
 - Location Plan (Ref: RBV-LP-01)
 - Existing Topographical Survey (Ref: RBV-PL-009)
 - Existing Site Layout (Ref: RBV-PL-007)
 - Plan as Existing (Ref: RBV-PL-005)
 - Existing Elevations (Ref: RBV-PL-002 Rev A)
 - Proposed Full Site Plan (Ref: RBV-PL-006)
 - Proposed Site Layout (Ref: RBV-PL-008)



- Plan as Proposed (Ref: RBV-PL-003)
- Elevations as Proposed (Ref: RBV-PL-004 Rev A)
- Visibility Splays (Ref: T4304-H-01 Rev P1)
- Structural Report
- Planning Statement (This document)
- Preliminary Bat Roost Assessment Report
- Transport Statement



/2 SITE DESCRIPTION

- 2.1. The site is comprised of 3 steel framed agricultural structures adjoining each other which were formally used as animal housing for the dairy farm on site. The site is situated off Carr Lane, which connects to Commons Lane to the west. The site extends To 1.6ha in size.
- 2.2. A Location Plan (Drawing no. Ref: RBV-LP-01) showing the site within its wider setting is submitted with this application and the site within its immediate context can be seen below in Figure 1.



Figure 1: Aerial photograph of the site (Google Earth)

- 2.3. Further buildings associated with Pewter House Farm are located to the west of the application site. These include an additional barn, outbuilding and a farmhouse. To the north of the site sits a pair of holiday cottages, with additional residential and holiday let properties located further to the southwest. The site is located approximately 1.2km to the northwest of Osbaldeston and approximately 6.29km to the northwest is Blackburn. The site is situated within an area of designated Open Countryside within the Council's Local Plan
- 2.4. The building subject to this application is a typical agricultural building, which is of a steel framed construction. The elevations consist of lower concrete block walls with timber and



corrugated metal cladding to the upper sections. The northern elevation of the building is largely open, with no openings to the remaining elevations. Internally, the building has concrete flooring. The pitched roof is covered with corrugated fibre cement panels, with rooflights also present. The existing building is served by guttering and downspouts.

- 2.5. The site is located wholly within Flood Zone 1 which means that it has a low probability of flooding. There are no listed buildings or heritage assets within the site or in the vicinity. An assessment of Ribble Valley Borough Council's database showed that there is a public right of way which runs through the site (FP0304048).
- 2.6. In regards to sustainability, Osbaldeston, the nearest settlement to the site, offers a range of local amenities. These include a primary school, several shops, a pub, and a place of worship. Additionally, there are bus services available in Osbaldeston village, situated off Osbaldeston Lane, which is approximately 2.7km away and provides connections to Blackburn. Furthermore, bus services from Osbaldeston Lane also link the area to Preston, with the site being around 10km away or a 20-minute drive from Preston City Centre.
- 2.7. Other sustainable modes of transport are also available, such as cycling to and from the site via the National Cycle Route 6, which connects the site to Preston. Additionally, there are cycle routes which connect the site to Blackburn.
- 2.8. Access to the proposed development will be facilitated through an existing track situated off Carr Lane. Carr Lane intersects with Commons Lane, which in turn provides access to the A59 as well as the M6, M61, and M65 motorways. These roads, amongst others and alongside the aforementioned cycle network can be used to access larger settlements which benefit from rail line connections, such as Blackburn and Preston where journeys can be made across the wider region and country.



/3 PLANNING HISTORY

- 3.1. A search of the Council's online planning register has been carried out in order to understand the planning history relevant to the site and the proposed development. The relevant applications are discussed in turn below.

- 3.2. The following applications have been identified on the site and are considered relevant to the determination of this application:
 - **3/2023/0760:** Proposed second floor extension following demolition of buildings to rear. Removal of existing conservatory and replacement with new porch. Pending Consideration.
 - **3/2023/0725:** Change of use of three adjoining steel portal frame agricultural structures to five dwellings under Class Q (a) and (b) of the GPDO. Resubmission of applications 3/2022/0909 and 3/2022/1072. Refused, 21st November 2023.
 - **3/2022/1072:** Change of use of three adjoining steel portal frame agricultural structures to five dwellings under Class Q (a) and (b) of the GPDO. Refused, 3rd January 2023.
 - **3/2022/0909:** Change of use of three adjoining steel portal frame agricultural structures to five dwellings under Class Q (a) and (b) of the GPDO. Refused, 11th November 2022.
 - **3/2007/0734:** Replace disused tractor and cart house with a pair of semi-detached holiday cottages. Approved, 7th March 2008.
 - **3/2004/0653:** Erection of 2 no. holiday cottages on site of former barn. Amended application. Approved, 24th November 2004.
 - **3/2003/0505:** erect 2no. Holiday cottages; improvement to junction of carr lane and associated engineering works. Approved, 12th August 2003.

- 3.3. It is important to note that applications 3/2022/0909, 3/2022/1072 and 3/2023/0725 relate to the same proposal as this application.

- 3.4. In the most recent refusal (Ref: 3/2023/0725) there were three reasons for refusal, as follows:



1. *The building operations proposed as part of the development would go beyond what is "reasonably necessary" to change the use of the buildings and would include the construction of new structural elements for the buildings. The proposal therefore fails to satisfy Class Q.1 (i) and (ii) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.*
2. *The proposal would result in the creation of an overtly domestic development that would be largely incongruous with the agricultural character of the application site and rural vernacular of buildings within the immediate and surrounding area. The proposal therefore fails to satisfy Class Q.2 (f) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as it conflicts with Ribble Valley Core Strategy Policy DMG1 and the National Planning Policy Framework (2023) in respect of design and external appearance.*
3. *The proposal, if permitted, would lead to the intensification of use of an access and access track which lack the adequate visibility, width and provision of passing places deemed safe and suitable for such a proposal. The proposal therefore fails to satisfy Class Q.2(a) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as it conflicts with Ribble Valley Core Strategy Policy DMG1 and paragraphs 110 and 111 of the National Planning Policy Framework (2023) in respect of highway safety*

3.5. As a result of the above concerns, the proposals have been amended to respond comprehensively to each matter and presents a proposal which is compliant with the Class Q provisions of the GDPO.



/4 PROPOSED DEVELOPMENT

- 4.1 The development seeks prior approval for the change of use of three adjoining steel portal frame agricultural structures to five dwellings under Schedule 2, part 3, Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended).
- 4.2 As mentioned in Section 3, this proposal is a revised version of the previous refused applications on site. These applications were refused on structural, design and highways grounds.
- 4.3 The proposed development is shown on the accompanying Proposed Full Site Plan (Ref: RBV-PL-006) which demonstrates the arrangement of the conversion to form 5no.dwellings, the access arrangements, and the proposed curtilage areas, including parking spaces and garden areas. A schedule of the accommodation proposed is provided within the table below.

Unit	GIA (sqm)	Private Amenity (sqm)	Parking Spaces
1	95	41	2
2	178	76	2
3	94	41	2
4	95	44	2
5	180	77	3

- 4.4 As demonstrated by the accompanying Proposed Plans and Elevations (Ref: RBV-PL-003 and RBV-PL-004), the proposed development would provide 3no. three-bedroom dwellings and 2no. four-bedroom dwellings. The dwellings will be single storey in height. The steel frame and lower concrete blockwork plinth would be retained, with timber and corrugated metal cladding to the elevations as per the existing agricultural building. Timber cladding will also be used to screen the openings of the dwellings and allow the proposed development to retain an agricultural appearance. The existing corrugated cement roofing will be repaired where required, with rooflights also being retained. Openings will be introduced to the north and south elevation in the form of windows and doors. Whilst the smaller openings will remain fully open to allow natural light into the bedrooms, to respond to the Council's concern on 'residential appearance' the larger openings will be partially screened by hit and miss timber



cladding. This cladding will include gaps to allow light into the rooms, however, will limit the amount of fenestration on the main facades. In respect of the front façade, the wall with the openings will be set back to again limit the appearance of cladding but also creating a barnlike appearance. All new openings will be detailed in black aluminium. No new openings are proposed on the west and east elevations.

- 4.5 Further details in relation to the method of construction are contained within the supporting Structural Condition Survey. The survey concludes that the existing building is in good condition and is suitable for conversion to dwellings.
- 4.6 Vehicles would access the site using the existing access to the west of the site, which connects to Carr Lane and Commons Lane further to the west. To respond to the Council's concerns on the intensification of use regarding the access and access track, further surveys have been undertaken to confirm that there are suitable passing places on Carr Lane and that the visibility splays on Commons Lane are consistent with the speed data. Finally, a passing place will be added to the access track between the application site and Bowford Cottage to ensure cars can pass each other on this part of the access. This area of land is included within the client's ownership and therefore is suitable for a passing place addition. The majority of the dwellings will include two car parking places, with the largest dwelling having three parking spaces.



/5 PLANNING ASSESSMENT

5.1 The GPDO, as amended, provides that the following changes of use under Class Q and works are permitted development:

(a) *a change of use of a building and any land within its curtilage from 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.*

5.2 It is not considered that the proposal would conflict with any of the limitations highlighted within this Part of the GDPO, which is in turn discussed below.

5.3 Q.1 (a) states that development will not be permitted by Class Q if:

"The site was not solely used for an agricultural use as part of an established agricultural unit—

i) *On 20th March 2013, or*

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 site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins."*

5.4 In accordance with Q.1(a), the current use of the building is for agricultural purposes with the building being in use for this purpose on and prior to the 20th March 2013.

5.5 Q.1(b) – (d) states that:

(b) *in the case of—*

(i) *a larger dwellinghouse, within an established agricultural unit—*

(aa) *the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or*



(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

(ba) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres;

(c) in the case of—

(i) a smaller dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or

(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;

(d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

5.6 The development would create 2no. larger dwellinghouses and 3no.smaller dwellinghouses. The larger dwellinghouses would have a floorspace of 358 sqm gross and each of the smaller dwellinghouses would provide a floorspace between 94 and 95sqm gross. Therefore, the proposal does not exceed the threshold for the number of large dwellinghouses or cumulative floorspace for larger dwellinghouses in accordance with Q.1 (b).

5.7 In addition, the proposal does not exceed the threshold for the number of smaller dwellinghouses or maximum floorspace for smaller dwellinghouses in accordance with Q.1 (c). On the basis that there have been no other developments under Class Q within the established agricultural unit, the proposal is for 5no. dwellings in total and the floorspace of the larger dwellinghouse does not exceed 465sqm, the requirement of Q.1 (d) is met.



5.8 The site is not occupied under an agricultural tenancy, nor has it been less than 1 year ago, in accordance with Q.1 (e) and (f).

5.9 There have been no other developments under Class A or Class B of Part 6 of Schedule 2 of the GPDO on the agricultural unit since 2013 in accordance with Q.1 (g).

5.10 Q.1 (h) and (i) deal with the physical conversion of the building:

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

(i) 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);

5.11 In accordance with Q.1 (h), the conversion will take place within the frame of the existing building, with no extensions beyond the external dimensions of the existing building and comprising the same building footprint as existing. In addition, the proposed development will comprise of operations solely outlined within Q.1 (i). The building operations to facilitate the conversion would involve the following:

- Retention of the steel frame of the building, the concrete blockwork plinth and the timber and corrugated metal cladding to the upper parts of the elevations;
- New timber and corrugated metal cladding to the north elevation which is open sided, including timber screening features extending down from the existing upper elevation;
- Creation of new openings and installation of aluminium framed glazed openings, with full length openings partially screened by timber; and
- Repair and retention of corrugated cement render roof.



5.12 All other works are internal and include:

- A layer of insulated flooring laid on top of the existing floor slab which is to be retained.
- An inner skin created on the inside of the existing external blockwork / cladding to form an insulated cavity and made up of masonry loadbearing internal walls. These would be built off the existing slab, without need for any external alterations, a matter which is fully covered in the structural engineer's report. No works outside of the envelope of the existing building are required.

5.13 The level of works proposed are as per those involved in the previous scheme, with the changes in this new application relating to amendments to the design and appearance of the north and south elevations. Furthermore, the Structural Report submitted with this application has been updated to add more detail on why the building is suitable for conversion and provides a confident indication that significant reconstruction works would not be required.

5.14 Within the Officer's Report for the previous refusal (Ref: 3/2023/0725) reference was made to Planning Practice Guidance Paragraph: 105 Reference ID: 13-105-20180615 which states:

"that building works are allowed under the right permitting agricultural buildings to change to residential use. The right (Class Q) permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right"



5.15 The Officer's Report further went on to state:

"It is noted that paragraph 105 above was revised on 15 June 2018 resulting in the removal of the earlier assertion that it is not the intention of the permitted development right to include the construction of new structural elements of the building and the guidance no longer asserts that it is only where the existing building is structurally strong enough to take the loading which comes from the external works that the building would be considered to have the permitted development right.

Paragraph 105 still states, however, that it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use, so that it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right. This is derived from the basic principle that the PD right is for the conversion of the building to residential use, and not for its substantial reconstruction."

5.16 As noted previously within this report, the existing building comprises a steel portal frame with longitudinal blockwork and timber infills at the ground floor level. The elevations of the buildings consist of blockwork, timber cladding and corrugated metal panels, with the roof space of the buildings comprising a timber purlin framework layered with corrugated fibre cement panels. The proposed works would involve the infilling of the predominantly open front profile of the buildings with black painted timber walls and corrugated metal, punctuated with door and window openings. The rear elevation of the building would comprise of a similar design.

5.17 The previous refusal also questioned the validity of the works being proposed within the application, stating:

"The application's proposed elevation drawings indicate that the existing upper sections of the building's elevations (denoted as 'existing timber cladding') are to be repaired and replaced with new timber cladding where necessary. In addition, the proposed elevation drawings show that the existing roof of the building is to be 'repaired where required'. Notwithstanding this, all of the building's upper elevational



sections appear to be currently comprised of corrugated metal panels, as evidenced in case officer site visit photos and additional commentaries and photographs within the application's structural and ecological surveys. Furthermore, the existing roof of the building consists of corrugated fibre cement panels, many of which have a somewhat worn external appearance. Taking account of the above, it remains likely that works beyond mere retention and repair of the building's existing upper elevations and roof structure would be required to achieve an acceptable habitable standard"

5.18 For clarity, it is confirmed that the existing buildings upper elevations comprise a mix of both timber cladding and corrugated metal panels. Whilst it is noted that some sections of the upper elevations are worn in appearance, as noted within the Structural Survey, following some repair works, they will be of a condition which would be suitable for conversion. As part of the proposals within this application, both the existing timber cladding and corrugated panel panels will be retained and repaired in the same locations as they currently sit on the buildings. Furthermore, the structural survey confirms that the existing roof "*is in good condition with no evidence of rot or infestation to the timber and no excessive movement or deflection*" and "*The frames and roof are fully braced*". It is therefore considered that the existing upper elevations and roof structure can be retained and repaired where required and would not amount to substantial works over and above that of a conversion.

5.19 The PPG (2018 update, Paragraph: 105 Reference ID: 13-105-20180615) also provides clarification that internal alterations not prohibited under Class Q, provided the building is suitable for conversion:

"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."

5.20 With the above in mind and given the scale of works proposed, it is considered that the resultant dwellings would be consistent with the operations reasonably necessary for the buildings conversion to function as residential units under Class Q.



5.21 The application site is not located on article 2(3) land, does not form part of an area of special scientific interest, a safety hazard area, or a military explosives storage area. Nor is the site within the proximity of any scheduled ancient monuments and the buildings are not listed buildings. Consequently, the proposal is consistent with the provisions of Q.1 (j) – (m).

5.22 Part 3 X provides interpretation of some of the terminology used under Part 3. Under this section, it is stated that:

"curtilage" means, for the purposes of Class Q, R or S only—

- (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or
- (b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser;

5.23 As stated earlier, Class Q allows for:

"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."*

5.24 In compliance with the above, the size of the garden area is no greater than the area occupied by the building itself and totals an area of 279sqm, with the building footprint totalling 642sqm.

5.25 Having assessed the proposals against the provisions of Class Q, it is considered that as a matter of principle the proposed change of use would represent permitted development.

5.26 The following criteria (listed in Schedule 2 Part 3 Q2) can be assessed by the Council to determine whether prior approval is required:



Transport and Highways Impacts

5.27 The application is accompanied by a Transport Statement which thoroughly evaluates the potential effects of the proposed development on the local highway network and overall highway safety.

5.28 As part of previous refusal the following transport assessment was provided:

The proposed development has been reviewed by Lancashire County Council Highways who have raised a number of concerns with respect to highway safety as previously conveyed within the formal consultation process for refused applications 3/2022/0909 and 3/2022/1072. The LHA have raised concerns in relation to the visibility splays at the junction of Commons Lane and Carr Lane overlooking third party land which have been deemed as unacceptable by virtue of the applicant being unable to prevent obstructions being implemented within the splays which would impact upon visibility and in turn highway safety. Additional concerns have also been raised with respect to the substandard access width in place and the limited provision of formal passing places on Carr Lane which is a single track road with numerous blind corners. Further concerns have also been raised with respect to the accuracy of the traffic data provided in support of the application. As such, the LHA have recommended refusal of the proposal on the grounds that the proposed development would result in the intensification of a substandard vehicle access track which in turn would be of detriment to highway safety. Prior approval is therefore required and refused in respect of this matter.

5.29 Following the above, further surveys have been undertaken to respond to each of Lancashire County Council Highways (LCC Highways) concerns.

5.30 Firstly, as set out within the submitted Transport Statement, the LCC Highway objections are predicated on the incorrect assumption that the proposals would lead to an intensification of use of Carr Lane and its junction within Commons Lane. As set out within the Transport Statement (referencing both the existing uses and proposed development trip generation), it clearly shows that there would be a significant reduction in use when compared to the existing agricultural use. This would fundamentally result in a less intensive use of Carr Lane and the Commons Lane junction. It should also be noted that the trips associated with the 5



residential units will be cars and light goods vehicles rather than the larger HGVs and tractors associated with the agricultural use which will cease.

- 5.31 The second point to respond on relates to inadequate width and lack of passing facilities on Carr Lane. As shown within Annex 6 of the Transport Statement, there are a series of informal widenings which enable vehicles to pass. Moreover, there is no evidence of a safety or operational issue associated with the narrow nature of Carr Lane, the less intensive use as a result of the proposals would have a beneficial impact on the operation along the access road. Furthermore, the cessation of the agricultural use would remove the presence of larger vehicles which would provide additional benefits over the existing situation.
- 5.32 Thirdly, LCC Highways had concerns over the lack of adequate visibility at Carr Lane/Commons Lane Junction. The less intensive use as a result of the proposals would clearly have a beneficial impact on the risk of accidents at this location. Nevertheless, to respond to the LCC Highway concerns, a 7-day automatic traffic count survey of traffic speed and volume was instructed on Commons Lane close to the Carr Lane junction. As set out within the Transport Statement (in reference to the Manual for Streets and the stopping distance required) it is considered that suitable sightlines exist on the Carr Lane/Commons Lane junction and following a topographical survey have been plotted on a plan showing the visibility splays are achievable within the extents of the adopted highway.
- 5.33 Finally, whilst it is not a formal requirement to provide mitigation measures, the proposals will include a formal passing place (minimum length 8m) on Carr Lane between the site and Bowford Cottage. This passing place would complement those already in place and would provide additional benefits to the existing operation of Carr Lane.
- 5.34 As part of the proposals, car parking spaces will be provided in front of each dwelling. The majority of the dwellings will have two parking spaces, whilst the largest dwelling will have three allocated car parking spaces.
- 5.35 Overall, it is considered that this application has responded to all the highway concerns highlighted by LCC Highways and therefore prior approval in respect of transport and highways is not required.



Noise Impacts

5.36 The Officer's Report within the previous refusal (Ref: 3/2023/0725) included the following assessment on noise:

"In relation to this particular consideration, it is considered that the use of the buildings in question would not result in significant detrimental impact on neighbouring dwellings over and above that caused by an agricultural use. Therefore prior approval is not required in respect of this matter."

5.37 Given that the proposals within this application are for the same residential use and not increased in size or nature, it is considered that the same conclusion on noise impacts can be attached to this application.

Contamination

5.38 The Officer's Report within the previous refusal (Ref: 3/2023/0725) included the following assessment on contamination risk:

"The application's supporting information states that there are no known contamination risks on site and that no excavations are expected to take place during the proposed conversion however the applicant has proposed a full remediation strategy in the event of discovering contamination. Notwithstanding this, it remains unclear as to whether contaminants are present within or around the proposal site therefore further investigation of the site would be required. Prior approval is required and approved on this matter subject to a condition securing appropriate site investigation and remediation (if required)."

5.39 As part of this planning application, the applicant has confirmed that they wish to propose the same contamination strategy as above.

Flooding Risk

5.40 The site is located within Flood Zone 1 as confirmed by the Environment Agency Flood Risk Maps, and accordingly is at low risk of flooding. Furthermore, within the Officer's Report of the previous refusal (Ref: 3/2023/0725) the following assessment was included on flood risk:



"With regards to the matter of flooding, the Environment Agency flood map shows the application site to be located within Flood Zone 1 and there are no known local flooding issues. Prior approval is required and approved on this matter subject to a condition securing an appropriate drainage strategy."

5.41 As part of this planning application, the applicant has confirmed that they wish to propose the same flood and drainage strategy as above.

Location

5.42 Local Planning Authorities are also required to consider whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwelling(s). Planning Practice Guidance clarifies the manner in which the Government expects local planning authorities to consider this matter. It confirms that in particular, there is no sustainability test associated with the condition (Paragraph: 108 Reference ID: 13-108-20150305):

""The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house."

5.43 Furthermore, as part of the Officer's Report of the previous refusal (Ref: 3/2023/0725), the following assessment was included on location:

"The buildings to be converted are located within a small cluster of existing residential dwellings and holiday let cottages sited at the Eastern end of Carr Lane. The separation distances between the application buildings and the nearest neighbouring properties of Pewter House Farm, Beacon Cottage and Bowford Cottage would be sufficient enough to allow adequate levels of privacy to be maintained between the existing and proposed dwellings. As such, the proposed dwellings would share an acceptable relationship with the existing dwellings in the area with respect to residential amenity. No information has been provided with respect to foul or surface water disposal however Pewter House Farm and the aforementioned neighbouring



dwellings and holiday let cottages on Carr Lane are served by existing utilities (water / electricity) therefore it is not anticipated that conversion of the buildings to dwellings would warrant any unnecessary expenditure by public authorities or utilities on the provision of additional infrastructure. Therefore prior approval is required and is acceptable on this matter”

5.44 Given that the proposals within this application are of the same residential use and not increased in size or nature, it is considered that the same conclusion on location can be attached to this application.

Other Matters

5.45 Although not a requirement of the Class Q legislation, the applicant has provided a Preliminary Bat Roost Assessment for the building. This confirms that no presence of any bat or bird related activity was evident within or around the buildings to be converted to residential use with the buildings in question considered to be of negligible potential for roosting bats. The proposed development is therefore considered to be acceptable in relation to this consideration.

Design and External Appearance

5.46 As part of the previous refusal (Ref: 3/2023/0725) Officers had concerns with the design and external appearance of the proposals, which would result in an overly domestic development. In more detail, the Officer's report provided the below assessment:

"On farm buildings, windows and doors are commonly small and insignificant. Farm buildings are operational structures with a functional simplicity which is an essential part of their character. In order to protect the character and setting of the surrounding countryside any additional openings should be kept to a minimum to avoid a clearly domestic appearance.

In addition, Historic England guidance states: 'New features added to a building are less likely to have an impact on the significance if they follow the character of the building. Thus in a barn conversion new doors and windows are more likely to be acceptable if they are agricultural rather than domestic in character'.



The proposed development of the buildings includes the installation of numerous full length openings to both the front and rear elevations of the buildings in the form of windows, sliding doors and patio doors. The doors and windows proposed would be detailed in black aluminium with black painted timber walls also proposed for the lower elevational sections of the buildings.

As such, the resultant dwellings would appear overtly domestic in appearance which in turn would be predominantly at odds with the agricultural character of the application site and rural character of the stone and slate based dwellings within the immediate and surrounding area. Accordingly, prior approval is required and refused on this matter.

- 5.47 To respond to the above concerns the design has been amended to lessen the domestic appearance and reduce the amount of fenestration on both the main facades. On the front elevation, the full length doors and windows will be partially screened by hit and miss timber cladding to reduce the fenestration on this façade. The sitting of the openings on the front elevation will also be slightly set back from the front of the building to further reduce their appearance, whilst external cladding will extend down from the upper elevations to provide further screening and create a barnlike appearance to the front elevation.
- 5.48 In respect of the rear elevation, the amount of openings have reduced significantly from what was previously proposed to lessen the domestic appearance of the proposals. Furthermore, similar to the front elevation, hit and miss timber cladding has been added to the rear elevation, ensuring that light and outlook is retained, whilst reducing the appearance of fenestration.
- 5.49 The materiality of timber and metal walls and timber cladding is consistent with the existing barn construction and is not considered to be at odds with the agricultural character of the site. The addition of aluminium windows and doors have been proposed to ensure that the dwellings will be highly efficient and insulated for future occupants.
- 5.50 As set out previously within the report, the existing roof will be retained and repaired where required. Furthermore, as noted previously, the building structure is in good condition, and this is confirmed within the Structural Condition Survey supporting this application. Therefore, it is suitable for conversion and works will be limited to repairs and those shown on the plans.



5.51 In summary, the design and external appearance of the building are considered acceptable in the context of Class Q. The 5no. proposed dwellings would be located within the existing steel framed structure of the agricultural building. The timber and metal cladded elevations are reflective of the existing building and will complement the character of the rural location, whilst the roof will be retained and repaired where required. The appearance of the amount of full-length openings has been significantly reduced from the previous refusal and is considered to present a building which does not have a domestic appearance and sits comfortably within the agricultural context.

The Provision of Adequate Natural Light in All Habitable Rooms

5.52 As demonstrated by the Plan as Proposed (Ref: RBV-PL-003) each of the dwellinghouses would have adequate provision of natural light in all habitable rooms. The new openings at ground floor level would ensure that all dwellings have sufficient light primarily through the windows and doors on the north and south elevations. Whilst hit and miss timber screening will be included above some of the openings, this will still allow light into the rooms and has been included to respond to the domestic appearance concern. Furthermore, there are also a number of existing rooflights which will be retained within the roof and will provide further natural light to the habitable rooms.



/6 CONCLUSION

- 6.1 It is concluded that the proposed development represents permitted development and that, for the reasons highlighted within this statement, the proposals do not conflict with the limitations as set out in Class Q of the GPDO.
- 6.2 Whilst the proposals remain compliant with the majority of the criteria within Class Q, the proposals within this application have been focused on responding to the reasons for refusal included within the previous application (Ref: 3/2023/0725). In this respect the Structural Report has been updated to provide more detail to confirm that the works would not go significantly beyond conversion and beyond what is considered to be 'reasonable necessary' to change the use of the buildings. Furthermore, the design of the building has been amended to reduce the amount of fenestration on the front and rear facades, ensuring that the building would not appear overtly domestic in appearance and incongruous with the agricultural character of the application site. Finally, the proposed development is not considered to result in the intensification of the access point and track and has provided sufficient information to demonstrate that the development would not be of a detriment to highway safety.
- 6.3 It is considered that there should be no reason for the Local Planning Authority to require prior approval to any aspect of the development, or where such prior approval is required, that it should be granted.
- 6.4 For the reasons set out in this Statement and the supporting documents, it is considered that the proposed development fully complies with the requirements of Schedule 2, Part 3, Class Q (a) and (b) of The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015, as such should be approved without delay.



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