

Simpatico

Town Planning



Disused barn at Eaglespur House, Bridgnorth Road, Arley,
Bewdley, Worcestershire, DY12 1SZ

Application for Prior Approval under Part 3 Class Q of the Town
and Country Planning (General Permitted Development) (England)
Order 2015 (as amended)

[Supporting Statement](#)

Statement prepared on 5th January 2022 by Richard Jewkes, Simpatico Town Planning Limited:

simpaticotownplanning@mail.com

All contents of this document are intellectual property of Simpatico Town Planning Limited and protected by copyright.

Introduction

1. This statement is submitted alongside an application which seeks the grant of prior approval by Wyre Forest District Council ('the LPA') confirming that the conversion of a disused barn at the property at Eaglespur House, Bridgnorth Road, Arley, Bewdley, Worcestershire, DY12 1SZ ('the application site'), being compliant with the Regulations set out in Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2019 (as amended) ('the GPDO'), would constitute 'permitted development' and, as such, would not require the grant of planning permission.
2. Part 3 Class Q of the GPDO provides for the lawful conversion of agricultural buildings to dwellinghouses under permitted development, subject to certain prescribed criteria being met. The development which is permissible under Part 3 Class Q is defined in the Order as follows:

Class Q – agricultural buildings to dwellinghouses

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; and*
- (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.*

3. This statement will present background information regarding the application site and its history, and in the context of that information will address the criteria set out in Part 3 Class Q of the GPDO. It is considered that the proposed conversion of the barn to a single dwellinghouse would comply with both the spirit and the detail of those criteria and that, as such, prior approval should be granted by the LPA in order that the development may proceed as per the Regulations.
4. The implementation of this proposal would require building operations in order to make the barn habitable and to ensure compliance with the Building Regulations. The application is therefore

supported by full planning drawings, which detail the proposed works to the barn. These will be referred to by drawing number at the appropriate junctures within this statement.

Application site and planning history

- The application site is a disused barn which forms part of the grounds of Eaglespur House, which is set within a smallholding. Figure 1, below, is an extract from the submitted location plan which indicates the location of the barn and its relationship with Eaglespur House, which lies to the north.

Figure 1 – Location plan showing application site and its surroundings



- The barn building, which is pictured overleaf in Figure 2, comprises a steel framed 'portal' structure with a pitched roof over. The roof is currently clad with corrugated metal sheeting. The sides of the building are constructed of blockwork up a height of approximately 2 metres, with the raised sections of the facades, between the blockwork and the building's eaves, being constructed of timber cladding. The front of the building has been designed to be left partially open, in order to ensure adequate ventilation when it was in agricultural use.

Figure 2 – Photograph of the application barn



7. It has not been possible to confirm precisely when the barn was most recently in use, however aerial images taken from Google Earth confirm that it was in situ at least as far back as 1st January 1999, as Figure 3, below, confirms.

Figure 3 – Aerial photograph of site taken on 1st January 1999



8. An inspection of the building confirms that it has lain disused for some time. It is in solid, but unkempt, condition, having not been upgraded, altered or maintained to any high standard in recent years. This again indicates that it has not been used for any alternative purpose, other than agricultural, since its erection. Figures 4 and 5, below, are photographs taken from inside the barn, which show its interior and the steelwork which supports its roof.

Figure 4 – Interior of the barn



Figure 5 – Structural steelwork supporting the barn roof



- The barn is accessed via an existing, established private driveway which branches off Bridgnorth Road to the north of the site, heading south and passing Eaglespur House. Figure 6 below shows location and route of the access drive.

Figure 6 – Access from Bridgnorth Road (path of driveway shown in orange)



- The driveway down to the application site is well established, and it would require no physical works in order to facilitate the implementation of the proposal. Figures 7 and 8, overleaf, are photographs of the driveway, taken firstly from the north looking south toward the site, and secondly from inside the site, looking northward.
- Additional photographs showing the front, side and rear elevations of the barn are included for reference at the end of this statement as Appendix 1.

Figure 7 – Photograph of site access, viewed from the north



Figure 8 – Photograph from within the site, looking northward up the driveway



Proposal

12. It is proposed to change the use of the barn, under part (a) of Class Q, to a single dwellinghouse to be occupied under Class C3 of the Use Classes Order. Building operations are also proposed, under part (b) of Class Q, in order to convert the building for that use.
13. The submitted plans indicate that the proposed new dwelling would be of three bedroom design, with the proposed layout also including a combined living/dining/kitchen area, bathroom, boot room, living/cinema/dining room and snug at ground floor.
14. The dwelling would also feature two small areas of mezzanine floor. The first, accessed via a staircase in the open plan living area and sitting above the boot room and bathroom, would create a study space. The second, accessed from the Master bedroom and sitting above bedroom 1, would create an en-suite and wardrobe area associated with that bedroom. The proposed internal layout is detailed in the submitted plans, in drawing reference ESBR/0331/301.
15. Aside from the internal works which would be required to convert the building to a habitable dwellinghouse, a programme of external works are proposed, as provided for under part (b) of Class Q, in order to facilitate the conversion. These can be broadly summarised as follows, and are detailed in the submitted proposed plans which accompany the application.
16. **Replacement roof cladding:** The existing corrugated metal roof cladding would be removed and replaced with composite metal cladding. The existing steel frame of the building, including the roof trusses, would be retained, and therefore the new roof would only require the installation of new, insulated cladding which would be fixed to the existing steelwork.
17. **Timber cladding:** The existing timber cladding would be taken down, restored and reinstated using the same 'slatted' effect.
18. **Rendered blockwork:** The existing low level blockwork would be retained and rendered an appropriate colour and with an appropriate material. The submitted plans indicate that some of the blockwork would be demolished in order to create openings for new windows, and also that some additional, new blockwork would be laid and rendered in order to partially enclose the large opening to the front elevation of the barn.

19. **Installation of new glazing:** In the interests of occupier amenity and to ensure a good flow of natural light to all habitable spaces, it is proposed to create new window openings in various positions within the elevations of the existing building. Details of the proposed fenestration following conversion are illustrated in the submitted plans, on drawing reference SBR/0331/302.

20. Under the proposal a small, gravelled area would be created to the front of the building, in order to provide a parking area for vehicles associated with the new dwelling. This would not require any excavation or other engineering works, and as such would not require planning consent. In any event, the provision of a small parking area would be considered to constitute a minor operation which would be reasonably necessary in order to facilitate the use of the building for a purpose within use class C3 of the Use Classes Order, so would be consistent with the requirements of part (b) of Class Q.

GPDO criteria for conversions under Part 3 Class Q

21. This section of the statement will list the criteria which are required to be met under Class Q, and will demonstrate that the proposed development would comply with each of them, therefore qualifying for prior approval.

Criterion (a) – Most recent use of the building

22. The Regulations preclude conversion under Class Q, where:

(a) the site was not used solely 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;

23. It is understood that the barn was in use for agricultural purposes on 20th March 2013. It was certainly in use for agricultural purposes at some point prior to that date, and has never been used for any other purpose. The building therefore qualifies for conversion and complies with criterion (a).

Criterion (b) – Maximum existing cumulative floorspace of 450 square metres

24. Criterion (b), which was amended under the 2019 updates to the GPDO, excludes from Class Q rights buildings where:

(b) the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 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;

25. The existing barn has a floor area of 392 square metres, thereby falling within the permissible parameters for conversion under Class Q. The completed development would have a gross floor space of 433 square metres, which would also be compliant with criterion (ba).

Criterion (c) – No more than three new dwellings to be created

26. Criterion (c) precludes development where:

(c) the cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds 3;

27. This proposal would result in the creation of one single dwellinghouse. Criterion (c) would therefore be satisfied.

Criteria (d) and (e) – Agricultural tenancy

28. Criteria (d) and (e) preclude development under Class Q where:

(d) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

(e) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

29. The site is not the subject of an agricultural tenancy. The applicant is the sole owner/occupier, and has been for a period exceeding one year. These criteria are therefore satisfied.

Criterion (f) -

30. Criterion (f) restricts development under Class Q where previous development has occurred under agricultural permitted development (Part 6 of the GPDO). It precludes development where:

(f) 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—

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

31. As has been noted in Paragraph 7 above, the barn building has been in situ since at least 1999, and has not been extended or otherwise altered under Part 6 permitted development rights since that time. There is therefore no conflict between the proposal and criterion (f).

Criterion (g) – No enlargement of building permitted

32. Criterion (g) precludes development under Class Q, where:

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

33. As the submitted plans indicate, this proposal would not result in the enlargement of the footprint of the existing building, nor would there be any extension to, or remodelling of, its roof. The external dimensions of the building would therefore be unchanged following development. As such, the proposal accords with criterion (g).

Criterion (h) – Maximum cumulative floor space under C3 use

34. Criterion (h) limits the amount of cumulative floor space which may be created in any given building or buildings, under Class Q. It excludes buildings where:

(h) the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

35. The total gross cumulative floor space to be created under the proposed scheme, including the additional floor space created in the two areas of mezzanine floor, would measure 433 square

metres. No previous development has taken place under Class Q. The maximum cumulative floor space of 450 square metres would not, therefore, be exceeded.

Criterion (i) – Limitations on ‘building operations’

36. Criterion (i) limits the extent of building operations which will be permissible under Class Q(b) in order to implement the proposed conversion of the building. It prescribes those works as follows:

(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);

37. The details of the proposed building operations associated with the proposal are discussed elsewhere in this statement and also illustrated in the submitted plans. It is considered that the extent of those works is reasonable and necessary, in order to make the proposed new dwelling functional and to provide a high level of amenity for future occupiers.

Criteria (j) and (k) – Designations on land or buildings

38. Criteria (j) and (k) preclude the undertaking of development, under Class Q, on land which is the subject of any of the following designations:

(j) the site is on article 2(3) land;

(k) the site is, or forms part of—

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area;

(l) the site is, or contains, a scheduled monument; or

(m) the building is a listed building.

39. The application site is not the subject of any of these designations, and therefore the proposal does not conflict with criteria (j) and (k).

40. On the basis of the above analysis, the proposal is considered to qualify for prior approval, subject to the conditions of Class Q also being satisfied. Those conditions will therefore now also be considered further.

Conditions of development under Part 3 Class Q

41. In addition to the criteria set out above, the conditions of Part 3 Class Q require the proposed development to be judged by the LPA to be acceptable in terms of the following considerations, each of which will be considered here:

(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, and

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

42. **Transport and highways:** Matters pertaining to access and parking have been discussed previously in this statement, with reference to the submitted plans. The proposed dwelling would be accessed via an existing and established private driveway, which already leads all the way down to the existing barn. The proposed plans show the creation of a modest, gravelled parking area to the front of the building, which would provide sufficient parking and turning space for any vehicles associated with the new dwelling. It is not therefore considered that the proposal would result in any detrimental impact upon highway safety, nor to the amenity of existing neighbouring occupiers.

43. **Noise:** The conversion of this existing barn to a single dwellinghouse would not give rise to any noise disturbance above and beyond that which would be expected in a location where there are existing occupied dwellings. The new dwelling would be appropriately distanced from Eaglespur House itself, and from the other nearby dwellings, to prevent any noise from its occupiers being audible at those properties. It must also be noted that any noise emanating from a dwellinghouse in this location would be negligible compared to that which would likely be created by machinery and vehicles associated with the established agricultural use of the building. The proposed development would therefore result in a substantial comparative reduction in the potential for noise disturbance emanating from the site.

44. **Contamination:** To the best of the applicant's knowledge, there is no record of any industrial processes historically being undertaken on the application site, nor of any other activity which could give rise to the potential for ground contamination. It is understood that the site has only ever been used for agricultural purposes and, as such, risk of contamination should not present any concern.
45. **Flood risk:** Again, there is no evidence available that the site presents any risk in terms of the potential for flooding. This should not therefore form an obstacle to the grant of prior approval.
46. **Location and siting of the building:** The application is relatively secluded and topographically lies in a hollow. As such, it does not form part of any street scene, nor does it constitute a valuable feature of the surrounding rural landscape. The building is currently disused and unsightly and it is considered that it is of an appropriate location for conversion.
47. **The design or external appearance of the building:** The application building has lain disused for several years and, as such, has not been maintained in a manner which would result in it making a positive contribution to the landscape. It is considered that the submitted design strikes an appropriate balance between respecting the form and massing of the existing building, whilst improving its appearance and also providing internal accommodation which would be appropriate for residential habitation and which would provide a high level of amenity for incoming occupiers.
48. The rendering of the existing blockwork would represent a visual improvement on the existing bare walls. The restoration and reinstatement of the timber cladding would revitalise a presently tired feature of the building. The recladding of the roof with a dark grey composite material would also represent a significant visual improvement in comparison with the existing, aged corrugated sheeting. The creation of new window openings would ensure a high flow of natural light into habitable room spaces, and would prove an attractive feature when viewed from the exterior. It is therefore considered that the external appearance of the site would be greatly improved as a result of the proposal, and that, following development, the building would represent a highly attractive, yet subtle, feature in the locality.

Summary and conclusions

49. This application seeks confirmation from the LPA that this development proposal would qualify for prior approval, under the terms of Part 3 Class Q of the General Permitted Development Order, and that as such the development may proceed without the grant of planning permission being required.

50. This statement has demonstrated that the proposal complies with all of the relevant criteria which are set out in the Order, and such is eligible for the grant of prior approval. It has also sought to demonstrate that the proposal would be appropriate, in planning terms, in the context of the issues which the LPA is permitted, in accordance with the conditions of Class Q, to assess in relation to this application. This development proposal would breathe new life into a building which has lain disused for several years, and for which there is no longer any demand in terms of future agricultural use. Into the bargain, it would also create an attractive new family home.

51. On this basis, the LPA is requested to offer its support to this proposal, and to issue a decision confirming that prior approval is granted.