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Project:
PRIOR APPROVAL APPLCIATION AT
STANLEY HOUSE FARM
BLACKBROOK
ST HELENS
WA11 0AE

By:
MCC

Date:
20/12/2023
Revision:

**PRIOR APPROVAL APPLICATION STATEMENT ATTACHED TO THE CHANGE OF USE OF AN AGRICULTURAL BUILDING
TO A SINGLE DWELLINGHOUSE AT STANLEY HOUSE FARM.**

STATEMENT PREPARED BY: MR MIKE CARR MSc MRTPI FOR LAWRENSEN ASSOCIATES

ON BEHALF OF: BARROW & COOK SOLICITORS

DATE: DECEMBER 2023

1. INTRODUCTION

Use Class Q of the most up to date General Permitted Development Order sets out that it is a permitted form of development to

(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.

This legislation took effect from 1st August 2021 and this application statement takes account of the provisions of this legislation, along with the limitations of the permitted development rights and the conditions that developers need to meet, to achieve a positive determination to the prior approval application process.

2. THE APPLICATION SITE

The application site is an agricultural building that is set in the wider Stanley House Farm site that is located to the east of Stanley Bank Way, Blackbrook, St Helens. The site is former farm that includes the main farmhouse building, along with various buildings and structures that stretch across the site. Details of the site buildings are shown on the site location plan that is submitted with this application, which also identifies the building (edged red) that is the subject of this application. In terms of access to and from the site, this is taken via an unadopted link road onto Stanley Bank Way.

3. PERMITTED DEVELOPMENT LIMITATIONS

Class Q.1 sets out the following limitations to the permitted development rights, which we have assessed and commented on below:

Development is not permitted by Class Q if:

(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.



Stanley Bank Farm 2000



Stanley Bank Farm 2005

The application site is known as Stanley Bank Farm, which was in use for agriculture before that date (20/3/2013) but was not in use on that date, when it was last in use.

The 2 aerial images above show that the site was in use before that date. As such, this submission should be considered positively against Class Q.1(a).

(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.

The cumulative floor space of the building changing use is 124m² as shown on plan 01 - OUTBUILDING No. 11

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

Only 1 dwellinghouse will be formed as part of this application.

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

The site is not under an agricultural tenancy agreement.

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

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

No agricultural tenancy agreement has been terminated in the past 12 months before the date of this application.

(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.

No agricultural tenancy agreement has been terminated in the past 12 months before the date of this application.

(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.

No development has been carried out under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) since 20th March 2013.

(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.

No extensions are proposed to the building. Please see plan 01 - OUTBUILDING No. 11.

(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.

There have been no previous developments under Class Q and this development would provide 124m2 of development under Class Q.

(l) 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.

There are no other building operations proposed, other than this set out in (aa) and (bb) above.

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

There would be no demolition works at the site.

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

The application site is not on article 2(3) land.

(k) the site is, or forms part of –

(i) a site of special scientific interest.

Not applicable in this case.

(ii) a safety hazard area.

Not applicable in this case.

(iii) a military explosives storage area.

Not applicable in this case.

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

Not applicable in this case.

(m) the building is a listed building.

Not applicable in this case.

Permitted Development Conditions

Class Q.2 (1) 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.

Access to and from the site would be taken via the existing access route onto Stanley Bank Way, meaning that there would not be an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network would be severe.

(b) noise impacts of the development.

There are no noisy uses associated with Stanley House Farm site, nor are there any industrial or noise generating uses around the site.

(c) contamination risks on the site.

Given the sites agricultural use, there are no known contamination risks on or around the site, nor is there any industrial legacy associated with the site that may have resulted in any form of contamination.

(d) flooding risks on the site.

The building to be changed under Class Q lies within Flood Zone 1 as shown on the Environment Agency Flood Risk Mapping Portal.

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.

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The siting of the building for use as a dwellinghouse, would not result in any adverse impacts to surrounding amenities, through noise, disturbance or overlooking.

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

The external appearance of the building would be improved through the reopening of the bricked-up archway doors with windows. Other than that, the buildings external appearance would remain unchanged.

The provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(2) Where the development proposed is development under Class Q(a) only, 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 the items referred to in sub-paragraphs (1)(a) to (e) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

The application for prior approval is made under Class Q(a) and the application is made before beginning the development.

(3) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

Any permission permitted under Class Q would be completed within a period of 3 years starting with the prior approval date. The LPA are at liberty to attach such a condition.

4. PLANNING ASSESSMENT AND CONCLUSIONS

This prior approval application is made under the provisions of Class Q of the current legislative framework, in that the proposed development falls within the parameters and relevant conditions that are set out in Class Q.

As such, and taking all the relevant information and material considerations into account, we would ask that the Local Planning Authority approves this prior approval application.