

## **PLANNING STATEMENT**

A REQUEST AS TO WHETHER PRIOR APPROVAL IS REQUIRED, AND IF IT IS, IF IT IS GIVEN, IN RESPECT OF THE CHANGE OF USE OF ONE BUILDING FROM AGRICULTURE TO A USE FALLING WITHIN CLASS C3 (DWELLING HOUSES) UNDER CLASS Q OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

**Chesterton Mill Lodge, Chesterton Mill Farm, Chesterton, Bridgnorth,  
Shropshire, WV15 5NY**



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Husemann

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# CONTENTS

1.	INSTRUCTIONS	Page 3
2.	THE BUILDING & PROPOSED DEVELOPMENT	Page 3
3.	BRIEF PLANNING HISTORY	Page 4
4.	CONFORMITY WITH THE GPDO	Page 5
5.	HIGHWAYS, NOISE, CONTAMINATION, FLOODING, LOCATION, SITING & DESIGN	Page 8
6.	CONCLUSION	Page 11

## 1. INSTRUCTIONS

- 1.1. I am instructed on behalf of Mr & Mrs Husemann, herein referred to as the Applicants, to resubmit a request for prior approval for the change of use of one building and curtilages from use as one agricultural building to uses falling within class C3 (dwelling Houses), under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The site is to be known as Chesterton Mill Lodge at Chesterton Mill Farm, Chesterton, Bridgnorth, Shropshire, WV15 5NY.
- 1.2. This planning statement, with statutory declarations, structural survey, ecological survey and plans accompanies a submission to Shropshire Council.
- 1.3. A previous application 22/01769/PMBPA for conversion of the Granary Barn nearby was approved on 10 June 2022. Conversion of that building has been completed to a very high standard and the applicants have now occupied the Granary Barn (now known as Chesterton Mill Granary) and would like to apply for conversion of the adjacent barn previously known as the Mews Barn.
- 1.4. No pre application advice has been sought although this application follows on from a previous application (ref. 24/00261/PMBPA) which was refused on specific grounds which are now addressed.
- 1.5. The revised application is amended by removing the timber cladding, making adjustments to the fenestration and reducing the residential curtilage. This has necessitated some modest internal alterations although internal works are not part of the application and the layout plans are provided for information and explanation only.

## 2. THE BUILDING & PROPOSED DEVELOPMENT

- 2.1. The application is for conversion of one of a group of agricultural and residential buildings known as Chesterton Mill Farm. This is a small complex of brick and stone-built one and two storey structures. It is an attractive historic (but unlisted) farm complex, which was purchased by the current owners some three to four years ago. The applicants Mr & Mrs Husemann are very anxious to retain the character and appearance of the buildings and to protect the surrounding countryside.
- 2.2. The proposal is for the change of use of an agricultural building within the existing yard at Chesterton Mill Farm. The yard area was in use for the purposes of agriculture and part of an agricultural business on 20th March 2013 and remained as such thereafter. This continued until relatively recently as a building formerly known as the Mews Barn which has been used for the storage of seed, fertilisers and farm materials on the upper floor as well as farm vehicles such as a tractor and trailers and fencing materials at the lower level.
- 2.3. The building to be converted is a detached steel framed brick-built barn with an open end on the south east gable which is set behind the stone wall of an older barn structure.

### 3. BRIEF PLANNING HISTORY

3.1. An application was made in April 2018 (Planning Ref: 18/01901/FUL) for comprehensive development of the whole site but was refused 20th December 2018. The grounds centred on the following points:

The impact of redevelopment of other buildings on the site (specifically the Stone barn and Mill cottages) which would require extensive rebuilding works.

The proposed lengthening of all the windows in the building known as the Granary which would not adequately respect the existing character of the existing building; and

The submission of insufficient information to allow the full potential impact of the development on ecology to be fully and properly assessed.

3.2. A subsequent application the same year for conversion of the barn to residential use (Ref. 18/05899/FUL) was withdrawn for reasons unknown.

3.3. The Conservation Officer's report in the withdrawn application was published however which included the following statement:

Overall it is considered that whilst the buildings identified as the Granary and the Mews are not in themselves historic assets they are considered to be of permanent and substantial construction and their conversion, with amendments, could involve relatively minimal alteration/ rebuilding to achieve development which would respect the setting and the local landscape character.

The Conservation Officer therefore considered that the subject building was suitable for conversion.

3.4. In 2010 consent was granted but not implemented for renewal of an extant permission reference 05/0563.

3.5. On 4<sup>th</sup> March 2024 an application for Prior Notification Reference 24/00261/PMBPA was refused on the following grounds:

1. The proposal does not fall within the scope of 'Permitted Development' as set out in the Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), in that the proposal would result in the installation of external timber cladding, insertion of two full height windows resulting in a fully glazed southeast elevation and the deletion of the barn doors to the northwest elevation are works to the building not considered to be limited to those reasonably necessary for the building to function as a dwellinghouse. Therefore, the proposal fails to comply with Schedule 2, Part 3, Class Q.1(i) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

2. The proposal does not fall within the scope of 'Permitted Development' as set out in the Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) in that the proposal would result in the installation of external cladding which would see the external dimensions of the building increase contrary to Schedule 2, Part 3, Class Q(h) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. The extent of the proposed residential curtilage would exceed the footprint occupied by the building, as such, the scheme would not be compliant with Schedule 2, Part 3, Paragraph X of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3.6. The current application is a further prior notification application which addresses the above issues.

3.7. The current proposal is for a single dwelling house. The breakdown of the floor area is as follows:

- Existing unconverted internal floor area 177.1 sq. m.
  
- Converted single two storey dwelling house providing floorspace of 182.4 sq. m.

#### 4. CONFORMITY WITH THE GPDO

##### 4.1. Whether prior approval is required

4.1.1. Section Q.2 of Class Q sets out details of the prior approval process. It outlines that the prior approval submission should determine whether the Council's prior approval is required.

4.1.2. Given the rural location of the building, the history of the surrounding land and adjacent buildings, its access, and the importance placed by the NPPF on ensuring good design, it is considered that prior approval may be required of the:

- Transport and highways impacts of the development
- Noise impacts of the development
- Contamination risks on site
- Flooding risks on site
- Location or siting of the building
- Design or external appearance of the building would have been required.

Each of these is considered in turn.

4.1.3 The table below highlights how the proposed development conforms to the criteria of the GPDO.

Criteria	Conformity
<p>(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;</p>	<p>The site was in agricultural use on the key date. Statutory declarations are provided that confirm this to be the case.</p>
<p>(b) in the case of — (i) a larger dwelling house, within an established unit (aa) the cumulative number of separate dwelling houses developed under Class Q exceeds 3; or (bb) The cumulative floor space of the existing building or buildings changing use to a larger dwelling house or dwelling houses under Class Q exceed 465 square metres;</p>	<p>The change of use is only for one dwelling.</p>
<p>(c) In the case of – (i) A smaller dwelling house, within an agricultural unit- (aa) The cumulative number of a separate smaller dwelling houses developed under Class Q exceeds 5; or bb) The floor space of any one separate smaller dwelling house having a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order exceeds 100 square metres.</p>	<p>The dwelling house will have a floorspace of 182.4 sq. m. The Granary had a floor area of 100.2 sq. m. so the total of the two will total 282.4 sq. m. which does not exceed the 465 sq. m. permitted under the regulations.</p>
<p>(e) The site is occupied by an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained</p>	<p>The site is not occupied under an agricultural tenancy, the applicants own the site.</p>

<p>(f) 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 purposes of carrying out the 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;</p>	<p>N/A as the site is owned by the applicants.</p>
<p>(g) Development under Class A(a) or Class B(b) of part 6 of this schedule (agricultural buildings and operations) has been carried out on the established agricultural unit- (i) Since 20th March 2013; (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;</p>	<p>No buildings have been erected on the unit since 20th March 2013.</p>
<p>(h) The development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at even given point;</p>	<p>The elevation plans indicate that the proposed development would not result in any alterations extending beyond the external dimensions of the existing building at any given point. <u>Note: No cladding has been added</u></p>
<p>(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 dwelling house; and (ii) Partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);</p>	<p>The plans show the installation of windows and doors, and replacement roof (<u>see comments below relating to windows and doors at Para. 5.6</u>). The buildings already have the benefit of mains electricity and water. Electricity and water supplies already serve the building. The existing septic tank/treatment plant will be adapted for use with the house. Surface water will connect into the existing tank and then follow the existing route into the ponds.</p>

<p>(j) the site is on article 2(3) land; (a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of the conservation areas); (b) an area of outstanding natural beauty; (c) an area specified by the Secretary of State for the purposes of section 41 (3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside); (d) the Broads; (e) a National Park; or (f) a World Heritage Site</p>	<p>The site is not located within any of these areas.</p>
<p>(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;</p>	<p>The site is not located within any of these areas.</p>
<p>(l) the site is, or contains, a scheduled monument; or</p>	<p>The agricultural building and its curtilage do not contain a scheduled monument</p>
<p>(m) the building is a listed building.</p>	<p>The agricultural building and its curtilage do not contain a listed building.</p>

## 5. HIGHWAYS, NOISE, CONTAMINATION, FLOODING, LOCATION, SITING & DESIGN

### 5.1. Transport and highways impacts of the development

5.1.1. The application will facilitate a change of use of one agricultural barn into a single dwelling. There is existing space to park at least 2 vehicles on the application site.

5.1.2. The site will be accessed via the existing private roadway which also services the existing dwelling nearby and the agricultural yard and barn. Traffic on and off site will not have an adverse impact on highways safety and the access roads serving the site are lightly trafficked, with adequate capacity to accommodate the very limited additional flows arising from the development. No adverse highways impacts will arise.



## 5.2. Noise impacts of the development

5.2.1. Residential use is essentially quiet, compared to an agricultural use of the buildings as part of a busy working farm. Farm traffic can be noisy with unsocial working hours. The proposed use is consistent with the surrounding uses.

5.2.2 Conversion to residential use of the adjacent Granary Barn has recently been completed, but an additional detached residential property should not create significant additional noise and the two former barns are sufficiently separated to allow for a good level of residential amenity for each.

## 5.3. Contamination risks on the site

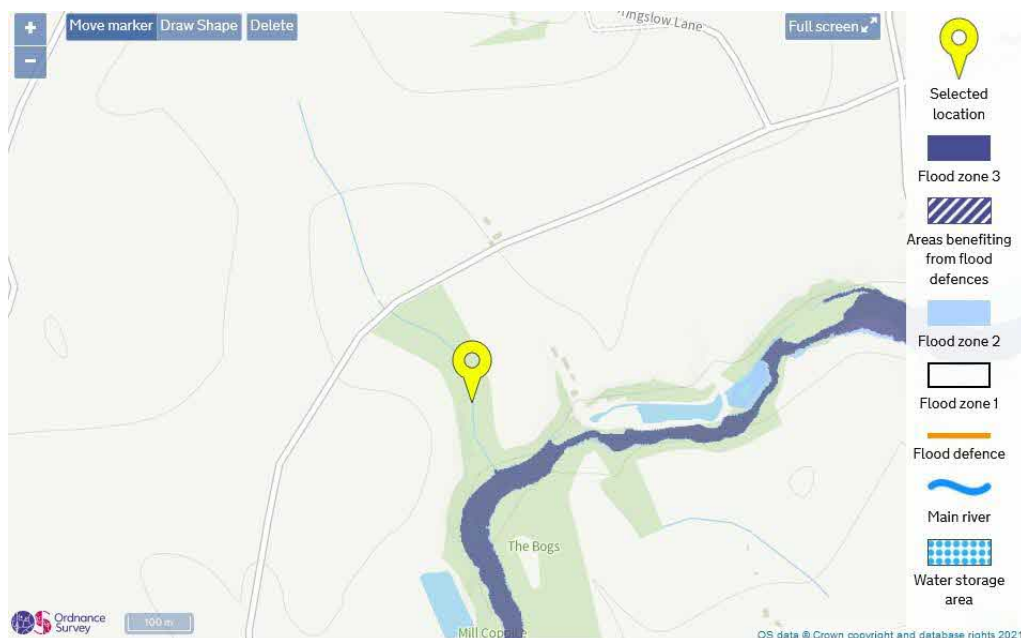
5.3.1. There are no contaminants in the building and due to the conversion, excavations will be minimal. Accordingly there are no risks.

## 5.4. Flooding risks on the site

5.4.1. The flood risks on the site planning map obtained from the EA confirms the site is within flood zone 1, within an area at low risk of flooding.

5.4.2. Flooding risks on the site from surface water – The planning map obtained from gov.uk confirms the site is at very low risk of flooding from surface water

5.4.3. Flooding risks on the site from rivers and seas – the planning map obtained from gov.uk confirms the site is also at very low risk of flooding from rivers and seas (see below).



5.4.4. Accordingly, the site is at very low risk of flooding from all identified sources.

## 5.5. Does the location or siting of the building make it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order

5.5.1. National Planning Practice Guidance states that permitted development rights

do not apply a test in relation to sustainability of location. The building is not impractical or undesirable due to its positioning around existing buildings and their shared access. Conversion improves the amenity of the site which is not in any event directly visible. Existing landscaping and topography screen the site from the road. The conversion would not result in a visually intrusive feature on the local landscape beyond that of the existing structures.

5.5.2 The curtilage of the application has been redrawn such that the amenity areas are of the same size as the building. This is consistent with Part 3 of the Second Schedule to the General Development Order 2015 where a restricted definition of curtilage for conversion of agricultural buildings is set out. This is defined as the piece of land, whether enclosed or unenclosed, immediately beside or around the building, closely associated with and serving the purposes of the building, or an area of land immediately beside or around the building no larger than the land area occupied by the building, whichever is the lesser. As stated, the curtilage is now no larger than that occupied by the footprint of the building.

5.6. The design and external appearance of the building and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

5.6.1. Based on the evidence and assessment presented, it is considered that the design and external appearance of the proposal will not have an adverse impact on the character of the area and is consistent with similar approved class Q applications and appeals (including the adjacent barn). Indeed, it is specifically designed to blend in with Chesterton Mill Granary (the former Granary Barn) which was previously approved.

5.6.2. The building as it stands is capable of conversion and a structural survey has been provided to show this despite the fact that appeal decisions have made it clear that there is no requirement as such for such submissions.

5.6.3. Although it is considered that the previous elevational treatment did not go beyond what is reasonably necessary for the conversion of the building to residential use, a careful reappraisal of the design has been undertaken to address the concerns raised.

5.6.4. Additional larch cladding had been proposed which would have improved the aesthetics, and although this could have been implemented without increasing the volume or external dimensions of the building, this has now been omitted.

5.6.5. In regards to the south west gable where infilling the open gable with glass and brick was considered unacceptable, it should be noted that the gable is currently an open frame set behind a wall. This may not have been clear from the plans submitted with application 24/00261/PMBPA. Although the gable design will have negligible impact on views due to the site layout and topography, the ground floor windows have now been infilled with cladding to match the upper parts. No part of the building will increase beyond the existing frame and it will merely be infilled. Various planning appeals have been determined which accept the principle of such limited infilling.

5.6.6. The upper master bedroom has otherwise no natural daylight so a large 3 bay window which will also function as a secondary means of escape for Building

Regulation purposes has been provided. This makes up just over 10% in area of the gable so is not excessive in any way and is the sole source of natural light to the master bedroom as the low level south west elevation is simply an infill which will not provide any daylight. This is also considerably less in area than that previously approved on The Granary Barn.

5.6.7. The doors in the north west facing elevation have been retained as a design detail.

5.6.8. The applicant has limited the use of glass whilst providing a quality living environment for the occupiers to ensure it is sympathetic to the surroundings. The applicants have been anxious to retain the agricultural/industrial character of the building in converting it to a beneficial use whilst adding enough windows and skylights to make the interior amenity suitable. Wherever possible, existing apertures have been adapted for windows. The works permitted under Class Q (i)(i) specifically allows for "... the installation or replacement of ... windows, doors, roofs or exterior walls...". Such works permitted under Class Q(b) are restricted to what is reasonably necessary for the building to function as a dwelling house.

5.6.9. Materials have been chosen to be consistent with the recently converted barn now known as Chesterton Mill Granary adjacent. Metal sheeting is proposed for example for the roof which will be in sympathy with the existing material and design which was approved for Chesterton Mill Granary. The existing corrugated roofing sheets will be replaced by a fully insulated metal roofing system consistent with agricultural structures.

5.6.10. Insulation will be added internally to improve the thermal efficiency of the converted barn to improve living conditions for the applicant. The existing concrete floor will be adapted to add insulation and underfloor heating under a screeded finish to residential standards installed with footings for new internal walls incorporated if required.

5.6.11. The use of natural materials to maintain the agricultural feel of the building, whilst at the same time limiting additional openings so as to protect the original built form is consistent with English Heritage guidance which states that 'There is a balance to be struck between incorporating the practical requirements and protecting the special character and significance of the farm building and its setting'.

## 6. CONCLUSION

6.1. The building that is to be retained to be known as Chesterton Mill Lodge (formerly The Mews Barn) is of sound construction and capable of conversion without the need for major re-building. No alterations or additions will be undertaken to the primary structure of the building. Under Part Q the fact that the building is not a non-designated heritage asset is not an issue.

6.2. The existing building will be adapted and the design retains the scale and shape whilst enhancing the character of the agricultural building. Appropriate materials for a rural agricultural area which have previously been accepted on the adjacent building conversion have been employed.

6.3. It has been demonstrated that the building satisfies the requirements of Class Q (a) and

(b) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

**6.4.** Accordingly, the application satisfies all of the legislative criteria relevant to determine this application and it is respectfully requested that prior approval is confirmed. If any element remains of concern we would respectfully ask that a dialogue is entered into



Bryan Youlden

YCS LLP

23 April 2024