

**2024/0781**

Mrs R Shelton

Prior approval application for change of use of agricultural buildings to 2no. residential dwellings

Manse Farm, 275 Barnsley Road, Cudworth, Barnsley, S72 8TE

### **Planning History**

No planning history

### **Description**

The site currently consists of agricultural barns within the Manse Farm complex. The site is located to the north of Cudworth centre and the access is taken from Barnsley Road. The complex of buildings are arranged around a central courtyard. The application relates to the redevelopment of the barn within the north of the complex and corn chamber within the west of the complex.

The barn is a two storey building constructed from local stone with York stone slate roof which includes traditional style dormer openings to the roof slope. The corn chamber is a three storey structure, it is also constructed from stone with a stone slate roof and includes a lean-to structure on its rear elevation.

The agent states that 'the applicant owns and resides at properties at 271 to 277 Barnsley Road, the rear boundaries of these properties share the courtyard with the barn and corn chamber. Whilst the farm complex is in active use it is located within an established residential area, properties which overlook the complex within Manse Mews are an example of a modern residential development.'

### **Proposed Development**

The application is a Prior Approval application and involves the change of use of the agricultural buildings (Barn & Corn Chamber) to 2 residential units (Class C3 use) under Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Manse Farm.

The applicant states that the buildings have been solely used for agriculture, which has included general agricultural storage.

- The barn would be converted to a 2 bedroom dwelling across 2 floors. The accommodation to be created would measure 84sqm, it would include a minimum of 2sqm of built in storage.
- The corn Chamber would also be converted to a 2 bedroom dwelling but with accommodation spread across 3 floors and 121sqm in floor area.

The agent states that the footprint and external dimensions of the building would be unaltered by the proposals, the conversion would work to the established parameters of the building with no extensions required. Each dwelling would be served with 2 parking spaces within the communal courtyard. Each property would also have dedicated private amenity space as well as access to the communal space across the courtyard complex.

The proposed external works are itemised as follows:

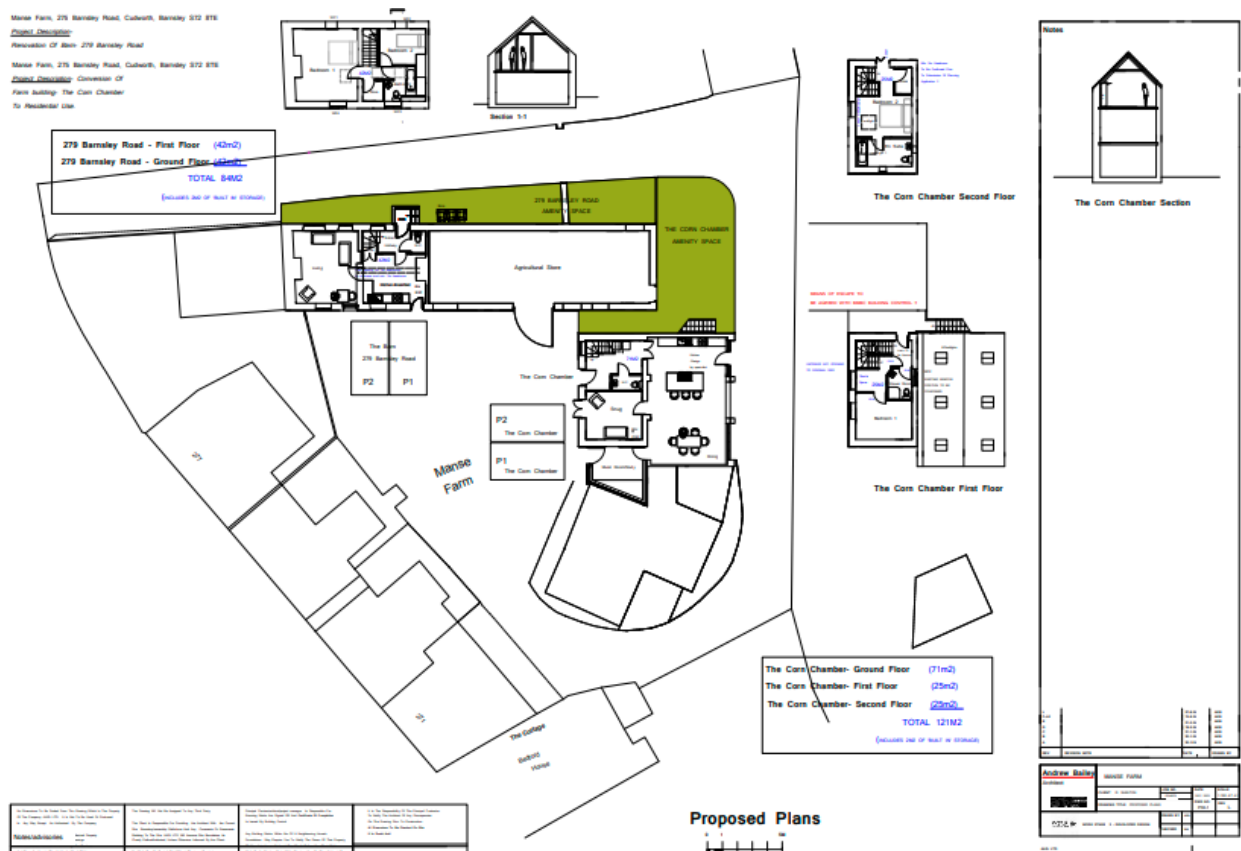
## Barn:

- Existing openings to be retained and glazed with hardwood fittings.
- Addition of 1 ground floor, 2 first floor windows and 1 additional roof light to the southern elevation/roof slope.
- Repair to stonework & pointing
- Comprehensive internal refurbishment up to modern building control requirements.

## Corn Chamber:

- Western elevation infill to stable entrance, additional 1st and 2nd floor window and roof light.
- East elevation to include ground floor infill to support new entrance and 3no. windows
- Comprehensive internal refurbishment up to modern building control

The floor plans show that all rooms would be served with windows providing natural light and ventilation.





## Development not permitted

**Q1.** Development is not permitted by Class Q if—

(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit—

(i) on 24th July 2023, or

(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,

(b) in the case of a site that was (but is no longer) part of an established agricultural unit—

(i) the site was part of an established agricultural unit on 24th July 2023,

(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,

(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres,

(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—

(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or

(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,

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

(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 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,

(g) 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 during the period which is 10 years before the date development under Class Q begins,

(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, other than—

(i) extension of the building allowed by paragraph Q.1(i);

(ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph

Q.1(j)(i),

(i) the development under Class Q(b) would result in an extension that—

(i) has more than one storey,

(ii) is sited anywhere other than to the rear of the existing building,

(iii) extends beyond the rear wall of the existing building by more than 4 metres,

(iv) has eaves the height of which exceed the height of the eaves of the existing building,

(v) is higher than whichever is the lower of—

(aa) the highest part of the roof of the existing building, or

(bb) a height of 4 metres above the ground,

(vi) extends beyond a wall that forms a side or principal elevation of the existing building, or

(vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—

(aa) the hard surface was not provided on the land on or before 24th July 2023, or

(bb)where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,

(j)the development under Class Q(c) 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(j)(i),

(k)the site is on article 2(3) land,

(l)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,

(m)the site is, or contains, a scheduled monument,

(n)the building is a listed building,

(o)the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it, or

(p)the building does not have suitable existing access to a public highway.

## Conditions

**Q2.**—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a)transport and highways impacts of the development,

(b)noise impacts of the development,

(c)contamination risks on the site,

(d)flooding risks on the site,

(e)whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

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

(g)the provision of adequate natural light in all habitable rooms of the dwellinghouses, and 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 (g), and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(3) Where the development proposed includes development under Class Q(b), the developer must also apply, as part of the application under sub-paragraph (1) or (2) (as the case may be), for a determination as to whether the prior approval of the authority will be required as to the impact of the proposed extension on the amenity of any adjoining premises.

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

### **Interpretation of Class Q**

**Q3.**—(1) For the purposes of Class Q, “curtilage” means the lesser of—

- (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be), closely associated with and serving the purposes of that building, and
- (b) an area of land immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be) no larger than the land area occupied by that building.

(2) For the purposes of Class Q.1(d), “the original limits of an established agricultural unit” means—

(a) in the case of an established agricultural unit which ceased to exist prior to 24th July 2023, all the land which comprised the established agricultural unit at the time it came into existence;

(b) in the case of an established agricultural unit which exists on 24th July 2023, all the land which comprised the established agricultural unit at the time it came into existence;

(c) in any other case, all the land which comprises the established agricultural unit at the time it comes into existence.

### **Consultations**

Pollution Control – No objections

Highways – No objections subject to conditions

Drainage – Details to be checked by Building Control

Yorkshire Water – No comments received

Biodiversity Officer – No objections subject to conditions

Contaminated Land – No objections

### **Representations**

1 objection has been received which states the following:-

- Concerns regarding drainage and surface water and sewage
- Impact with large gate, entrance and refuse collection

### **Assessment**

The application is for the proposed change of use of existing agricultural buildings to 2no. dwellinghouses including building operations reasonably necessary for conversion.

The proposal complies with the requirements of Schedule 2, Part 3, Class Q of the Permitted Development Order (GPDO) in that the proposal includes the development of two dwellings under 150sqm. In addition, the cumulative number of separate dwellinghouses having a use

falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order does not exceed 10, and no other permitted development rights have been used on the farm in the last 10 years. The building was in agricultural use on and before 24th July 2023.

The site is not in an area at high risk of flooding and the drainage officer has confirmed that drainage can be dealt with by building control. The Pollution Control team have not raised any concerns with regard to contamination or noise issues, subject to a condition.

The site is not on article 2(3) land, is not part of a SSSI, safety hazard area or military explosives storage area and the building is not listed nor is there a scheduled ancient monument on the site.

With regards to the alterations proposed to the building and site, the regulations allow “*building operations reasonably necessary to convert the building*”. This includes the installation or replacement of windows and doors as proposed in this application. In addition, walls and roofs can be replaced so long as the works do not go beyond what could be reasonably considered a conversion. In this case the buildings appear to be in a good structural condition as indicated by the submitted structural report. The report concludes that ‘in general, the buildings are in relatively good condition given their age, and with generally minor repairs (such as repointing, replacement lintels, masonry reinforcement with helical steel bars, and making good) of the masonry accompanied with good design to ensure sufficient lateral stability of the covered area of The Corn Chamber, the buildings are capable of conversion and adaptation to become dwellings.’

The conversion utilises the existing envelope of the existing buildings and no extensions are proposed. The internal rooms will all have natural light and the location/siting of the buildings are not impractical or undesirable for a change of use to residential. In terms of the existing use on the site the farming operations are low key and there are other residential uses on the site, therefore there should not be any conflict between the residential and agricultural use. The properties would have sufficient amenity space and internal spacing.

In terms of transport and highways impacts of the development, the Highways Officer has stated: ‘The proposal would create two dwellings each containing two bedrooms. Both properties would be provided with two dedicated off-street parking spaces.’ “Highways DC officers would raise some concern regarding the retention of off-street parking provision for the existing dwellings fronting Barnsley Road, however, it must be acknowledged that the proposed properties would benefit for parking and bins storage commensurate with Barnsley Council’s guidance. As such, HDC would not wish to raise any objection to the scheme. No specific highway conditions are deemed necessary.’

It is therefore concluded that the proposed complies with Class Q.

## **Recommendation**

Based on the above it is recommended that Prior Approval is granted under Schedule 2 Part 3, Class Q.1 (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015.