Planning Inspectorate

Appeal Decision

Site visit made on 23 July 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

Appeal Ref: APP/B3438/W/25/3361129
Lodgedale Farm, Main Road, Hollington, Staffordshire ST10 4HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1), Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr Rob Dale against the decision of Staffordshire Moorlands District Council.
- The application Ref is DET/2024/0050.
- The development proposed is change of use of buildings on agricultural units and former agricultural buildings to 7 dwellinghouses (Class C3), which may include extension of the building and/or building operations reasonably necessary for the conversion.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) for change of use of buildings on agricultural units and former agricultural buildings to 7 dwellinghouses (Class C3), which may include extension of the building and/or building operations reasonably necessary for the conversion at Lodgedale Farm, Main Road, Hollington, Staffordshire ST10 4HS in accordance with the terms of the application, Ref DET/2024/0050, subject to the condition that the development must be completed within a period of 3 years from the date of this decision in accordance with Paragraph Q.2(3) of the Order and the conditions in the attached schedule.

Preliminary Matters

2. The appellant's statement of case contains 3D viewpoint images (view from north east, view from public footpath, view from south east). which were not part of the original application. This does not represent an amendment to the scheme. The Council has had the opportunity to comment on these plans. On this basis, I do not consider that any party would be unfairly prejudiced. I therefore have had consideration to the submitted plans in determining this appeal.

3. It is clear from the submitted evidence that the proposal falls to be determined under Class Q(b) of Schedule 2, Part 3 of the GPDO. This permits 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, together with building operations reasonably necessary to convert the building to a dwellinghouse.

4. The Council confirms that the proposal constitutes permitted development in respect of the conditions set down in paragraph Q1. Development permitted under Class Q is subject to the conditions set out in paragraph Q2, which include matters

in respect of which the developer must apply to the local planning authority for prior approval set out in sub-sections (a) to (g). The Council refused to grant prior approval for (f) which relates to the design or external appearance of the building. I shall formulate the main issue accordingly.

Main Issue

5. The main issue is whether the design and external appearance of the building would be acceptable so as to comply with Paragraph Q.2.(1)(f) of the GPDO.

Reasons

6. The site comprises an open fronted hay shed of steel portal frame construction, with metal sheeting to the side and rear walls and roof. The building is set into the side of a slope and is at a lower level than the adjacent cluster of modern agricultural buildings. The building is a modern and functional agricultural building, typical of modern structures on farms and in rural areas.

7. The conversion of the building to form 7 dwellings would introduce new window and door openings and rooflights that would change the external appearance of the building, in particular the front elevation which would incorporate 7 regularly spaced glazing panels spanning the full height of the building. Nonetheless, the windows on the front elevations would be proportionate to the size of the building, sympathetic to the form of openings typical to agricultural buildings and would respect the utilitarian design of the building. The smaller openings to the side and rear elevations would be domestic in scale and proportion, and, given their positioning and size, would not appear prominent in distant views.

8. Glazing to the front elevation would be set back approximately 3.3 metres from the eaves of the building. Given this recess, the orientation of these windows, intervening vegetation and the siting of the barn relative to the surrounding land levels there is no evidence before me that the proposed glazing would result in harmful impacts through glint and glare or the creation of a ‘lantern effect’ including in views from public footpath No 54 to the east.

9. The building would be no greater in size and the overall simple built form would remain as would the external facing materials that would match the existing building in a material typically used in rural buildings. This would result in the proposal maintaining an appearance of a converted modern agricultural building, being sensitive to its form and integrity. As such the agricultural origins of the building, already well-established in the landscape, would still be apparent.

10. The building would continue to be seen in the context of the existing cluster of modern farm buildings, and, given the likely distance of public views, the proposal would not result in an unacceptably prominent or intrusive domestic feature. The proposal would be experienced within the context of the adjacent cluster of development and would not significantly alter the wider appearance of the surrounding landscape or appear as particularly incongruous or out of character. Thus, the design and external appearance of the proposed conversion would not be harmful to the character and appearance of the area.

11. For the reasons stated, the design and external appearance of the building would be acceptable. Given this, the proposed development would satisfy paragraph Q.2(1)(f) of the GPDO.

Other Matters

12. The Council raises no concerns in relation to the prior approval matters Q.2(1)(a) to (e) and (g) which relate to transport and highways, noise, contamination, flooding risks, location or siting and the provision of adequate natural light in all habitable rooms. Based on my observations on site and the information before me, I have no concerns in respect of the above matters. Therefore, the proposal would comply with these other matters considered under Class Q.2.

Conditions

13. Paragraph Q.2.(3) of the GPDO stipulates that development under Class Q must be completed within a period of 3 years from the prior approval date. Paragraph W(12) requires the development to be carried out in accordance with the approved details, which I have listed in the interests of clarity.

14. Paragraph W(13) enables additional conditions to be attached to grants of prior approval. The Council has suggested conditions relating to contamination. Given the existing use of the building for agriculture and the proposed residential use which could give rise to potential risks to human health, I consider these conditions to be reasonable and necessary. Conditions relating to surfacing of the access and the cessation of the agricultural and haulage use of the land to the east of the appeal building are necessary in the interests of highway safety. In the interests of safeguarding protected species, I have attached a condition requiring that the development be carried out in accordance with the Preliminary Roost Assessment for Bats and Birds.

15. A condition requiring the removal of Permitted Development rights under Classes A-E of Part 1, Schedule 2 of the GPDO is unnecessary as they exclude dwellinghouses formed under the Class Q provisions. Conditions which require detailing of landscaping and restrict the burning of waste material fall outside the limited scope of issues under consideration within Class Q.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.

N Robinson

INSPECTOR

SCHEDULE OF CONDITIONS

1.) The development hereby permitted shall be carried out in accordance with the following approved plans: 4628 – 001, 4628 –005, 4628 –006A, 4628 - 007A.

2.) Prior to the first occupation of the dwellings hereby approved, the parking, servicing and turning areas shall be provided in accordance with approved plan 4628-005. The parking, turning and servicing areas shall thereafter be retained and maintained, unobstructed as parking, turning and servicing areas for the life of the development.

3.) Prior to the first occupation of the dwellings hereby approved, the access with Lockers Bank to the west of the development shall be surfaced in a bound material for

a minimum distance of 5m back from the Lockers Bank carriageway edge. The surfacing shall thereafter be maintained in accordance with the approved details.

4.) Prior to the first occupation of the dwellings hereby approved, all agricultural and haulage use of the land to the east of the appeal building, including use of the weighbridge, shall cease. The weighbridge shall be taken up and removed to provide access to the new parking spaces before the development is first occupied.

5.) The development shall be carried out in accordance with the Preliminary Roost Assessment for Bats and Birds by Absolute Ecology (November 2024).

6.) In the event that ground contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. If after consultation with the Local Planning Authority the contamination is considered to pose a possible risk to human health, buildings and other property and the natural and historical environment (receptors), development shall not continue further until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority. If the contamination investigation and risk assessment indicate that potential risks exists to receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to the receptors has been submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the first occupation of the development.

7.) Prior to the first occupation of the dwellings hereby approved, all soils that are intended to be used for the proposed garden/ soft landscaping areas shall be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing by the Local Planning Authority and should include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed. The results of the soil tests shall be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risk exists, development shall not continue until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the first occupation of the development.

END OF SCHEDULE OF CONDITIONS