

DELEGATED REPORT

FILE REFERENCE: SMD/2016/0042

MAIN ISSUES:

Principle of development in the Green Belt
Design and Impact on visual amenity
Impact on residential amenity
Highway and parking considerations
Impact on protected species

PUBLICITY/REPRESENTATIONS:

Rushton Parish Council: Would support conversion of 1 dwelling but feel that 2 dwellings would affect the visual impact as well as causing overdevelopment and access issues on Toft Green Lane.

Environmental Health Officer: Potential Areas of Environmental Concern regarding;

1. Noise/ Vibration: Suggests conditions to control hours of works
2. Unexpected/Possible Contamination: Suggests all garden areas are tested for contaminants.
3. Dust during construction / demolition (Advisory)
4. Asbestos possibly present (Advisory)

SCC Archaeologist: Application has the potential to impact upon historic and archaeological remains of potential significance. Taking into consideration the scale of the proposed conversion scheme, the nature of the building and the potential connection with early post-medieval upland farming, it is advised that a building recording survey be carried out prior to any works to the building. A condition is suggested to secure this.

SMD Ecologist: No Comments received

Severn Trent Water: No objections subject to conditions to secure details of foul and surface water drainage. Also advise that a public sewer may be located within the application site.

Conservation Officer: See comments from previous application:

This is a really fine historic farmstead, just down the road from Grade II* Listed Cloud Side. The site appears on the Staffordshire HER

The plans show that there is an L-shape of traditional stone buildings, with several later, less substantial additions.

The conversion needs to focus on the retention, enhancement and better revealing of the traditional buildings.

The conversion should work within the existing openings - doors kept as door

Openings, retain large cart opening

Respect the design of existing fenestration- hopper windows, stable doors, agricultural styling

Curtilage- tightly define residential curtilage as it could easily spread given the location.

Possibility of tidying up land around the site?

Remove PD

CASE OFFICER ASSESSMENT:

The Site

The site lies within an area designated as countryside and within the Green Belt as defined in the Staffordshire Moorlands Local Plan. The site consists of a group of former agricultural buildings located adjacent to Cloudwood End Farm House and are constructed mainly of stone to the walls with a Staffordshire blue clay tiled roof.

Proposal

The application proposes the conversion of the redundant farm buildings to two new dwellings including alterations to the elevations, partial demolition and alterations to the roof. Access for 'Unit 2' is taken directly from Toft Green Lane which runs to the south west of the site, whereas access from 'Unit 1' utilises an existing track to the south east of the site that connects to Toft Green Lane.

Main Issues and Consideration

Principle of Development

Policy SS6c of the Core Strategy 2014 allows for housing in rural areas under certain circumstances which includes the conversion of rural buildings provided the proposal accords with policies R1 and R2.

Policy R1 states that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment.

Policy R1 goes on to state that development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution.

Wherever possible development should be within suitably located buildings which are appropriate for conversion. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement.

Policy R1 also highlights the need to consider whether proposals are inappropriate development in the Green Belt and states that priority will be given to the re-use of rural buildings for commercial purposes.

Policy R2 states that the conversion of non-residential rural buildings for residential use is acceptable where the building is suitable and worthy in physical, architectural and character terms for conversion and whether it can be demonstrated that agricultural or commercial use is not viable or suitable.

The main issues for consideration in this case are thus:

Principal of conversion

Impact of the proposal on the Green Belt

Design and Impact on Visual Amenity including rural character

Impact on residential amenity including noise and pollution

Biodiversity / Nature Conservation

Historic Environment

Highway / Parking Issues

Principal of Conversion

As outlined above Policy R2 requires rural buildings for conversion to be suitable and worthy in physical, architectural and character terms.

The submitted application supported by a structural report by PKD consulting Engineers which concludes;

- Both units 1 & 2 have experienced structural movement
- Much of the movement is due to a lack of lateral restraint and walls pushed out by the roof structure
- Distortion to unit 2 is significant
- Recommends rebuilding distorted sections of wall to unit 2 and gable wall of unit 1

The submitted report thus identifies serious concerns regarding the suitability of unit 2 for a scheme of conversion and recommends rebuilding of sections of units 1 and 2. The extent of the rebuilding required is not quantified in the report and it is thus not clear whether the buildings are physically capable of conversion as they stand or whether the proposal would actually constitute demolition and rebuilding of the structures.

It is also clear from the submitted details that approximately 50% of the footprint of unit 1 is comprised of an extension and is not a 'conversion'. Whilst the applicant's agent attempts to justify this in the submitted D&A statement on the basis that the new area of building does not exceed that of the buildings being demolished this is not provided for in policy R2 which allows only for conversion of existing buildings, not for their demolition and re – building.

Policy R2 also requires for it to be demonstrated that an agricultural or commercial use is not viable or suitable. No information has been submitted from the applicant to demonstrate that a commercial use of any kind has been considered for the buildings and in the absence of this it is not possible to demonstrate compliance with Policy R2.

As such the applicant has failed to demonstrate that the buildings are physically capable of being converted to the proposed use and that a commercial use is not viable or suitable for the buildings contrary to Policy R2.

Green Belt

The application site lies in an area identified as countryside and green belt. The adopted Core Strategy 2014 does not have a specific policy related to development in the Green Belt but relies upon national policy set out in the National Planning Policy Framework (NPPF).

In accordance with paragraph 89 of the NPPF, new buildings within Green Belt locations are regarded as inappropriate unless they fall within one of the exception categories including “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield), whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development”.

As set out above the proposals include the demolition of a number of existing structures and the extension of one of the barns.

The application site has previously been developed, however, this was for agricultural purposes which would be considered ‘greenfield’ and not ‘brownfield’. Para 89 of the NPPF thus does not allow for the redevelopment of the site through partial or complete redevelopment and the proposal must be considered as inappropriate development in the Green Belt. No special circumstances to justify the development are advanced by the applicant in support of the scheme other than the contention that the proposed new floor area matches that which is being lost through demolition.

In this respect the proposal includes the demolition of approximately 138sqm of existing agricultural buildings and the erection of 65m² of new building footprint and as such the total floor area covered by buildings would be reduced by 73sqm. Whilst on the face of it this would restore openness to the Green Belt this justification is, however, not allowed for under para 89 of the NPPF in respect of Greenfield land as the quantum of development would be to demolish 138 m² of agricultural buildings which are appropriate in the Green Belt and replace them with 65m² of floorspace to facilitate the building of a new dwelling which is inappropriate development in the Green Belt.

Furthermore there remains a concern as set out above as to whether or not the buildings in question can be converted without the need for further demolition and re – building to that which is identified on the submitted plans which would cause further harm to the openness of the Green Belt.

Design and Impact on visual amenity including rural character

Paragraph 17 of the NPPF seeks to ensure that new development secures a high standard of design and that it takes account of the character of different areas. Similarly paragraph 58 advises that new development should respond to local character and reflect the identity of local surroundings and materials. Policies DC1 and DC3 of the adopted Core Strategy are consistent with this ethos and seek to ensure that new development is of a character, form and design which respects local distinctiveness.

The design of conversions also needs to be considered under Policy R2 to ensure that the character of the agricultural buildings is not eroded by proposals for their conversion. This is supplemented by the 'Design Principles' SPD which states that proposals for barn conversions should;

- Avoid alterations to the roof
- Roof structure should be retained and exposed internally
- Maximise use of existing and blocked door and window openings
- Provision of new door and window openings is discouraged, where essentially they should relate to the position, size and appearance of existing openings
- Conversions should be within the shell of the existing buildings.
- Extensions are discouraged and where essential should be small and unobtrusive e.g. a small lean to on a secondary elevation
- Joinery Details should be carefully repaired or matched
- Use of surrounding land is very important to the character of the building and should avoid suburban style lawns

The proposals would not accord with the Council's Design Principles SPD as they include a number of alterations which are not sensitive to the original buildings as follows;

Unit 1;

- There is a significant element of new build in the form of an extension measuring 6.6m wide x 11.6m deep to a height of 4.5m comprising approximately 50% of the footprint of the proposed unit 1.
- The design of the extension includes a full height glazed gable to the SE elevation which is uncharacteristic of the building and dominates the SW, NE and NW elevations.
- The NW elevation of unit 1 fails to make use of an existing large opening in the centre of the elevation, this is instead shown blocked up with 2 small domestic scale windows included.
- A new domestic scale window is proposed at high level to the SE elevation

Unit 2;

- The NE elevation includes 5 new domestic scale window openings
- The SW elevation includes 2 new domestic scale window openings

Further to this the garden areas to both of the units are considered excessive consisting of;

- Unit 1 – 828m² 14.8m deep, 34.4m wide (it is also apparent that part of garden and access is outside of the red edge site)
- Unit 2 – 509m² 27.8m deep, 29.8m wide

This would result in the buildings being set within large garden areas that would domesticate the appearance of the countryside in which they are set.

As such it is considered that the proposed scheme of conversion contains inappropriate design features and excessive garden area that would be harmful to the simple functional character of the rural buildings to which the proposal relates and would be harmful to their setting within the countryside, contrary to policy R2 of the Core Strategy and guidance contained within the Council's Design Principles Supplementary Planning Document.

Impact on Residential Amenity

Policy DC1 states that new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

Some windows from unit 1 are situated in close proximity to the kitchen of unit 2 as follows;

- Unit 2 Bed 1 = 10m from Kitchen to unit 1
- Unit 2 Bed 2 = 11m from Kitchen to unit 1
- Unit 2 Bed 3 = 13.5m from Kitchen to unit 1

The Council would normally seek a distance of 22m between facing principal windows, but in this case the bedroom windows to unit 2 are at a relatively obtuse angle to the kitchen of unit 1 which would restrict any potential overlooking. It is also not unusual for conversion schemes to have to compromise on the usual distances sought between principal windows due to the schemes being confined to and constrained by the buildings themselves.

There are 2 kitchen windows to unit 2 which also face on to the blank wall of unit 1 at a distance of 3.2m where 14m is normally required but this does not result in any detriment to the amenities of either unit and the kitchen has an alternative aspect to the north east.

The Council's Environmental Health Officer has commented regarding possible noise and pollution issues, however, it would appear that these matters could be adequately controlled by conditions.

Biodiversity / Nature Conservation

The application is supported by a protected species survey which concludes that a small transitional multi species roost is present in barn 1. There is no evidence of protected species in the dutch barn or workshop to be demolished. Mitigation measures are identified which would provide alternative roost sites in the form of bat boxes on the buildings and nearby trees.

Swallows are also known to be nesting within the buildings and works would need to be delayed until outside of the nesting season if there was any potential for these nesting birds to be disturbed. Artificial nests are recommended as replacements and a watching brief to be maintained during works.

These mitigation measures and control over new lighting could be secured by condition.

It is thus considered that the proposals are compliant with Core Strategy Policy NE1.

Historic Environment

The barns are not Listed and are not within a Conservation Area, however, the farm and courtyard buildings are detailed on the Staffordshire Historic Environment Record and are considered to be non – designated heritage assets.

Paragraph 133 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining planning applications and that in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy DC2 of the core strategy also applies.

Whilst the proposals include additions and alterations that are considered inappropriate the proposals would result in a long term beneficial use for the buildings in question that could secure their future. It is considered that the concerns regarding inappropriate additions and design choices are better addressed in general design terms rather than with reference to the buildings as non designated heritage assets.

Highway and parking considerations

Policy DC1 states that development proposals should provide for safe and satisfactory access while also meeting the parking requirement for the necessary car use.

The proposed conversions each propose access on to the unclassified Toft Green Lane, however, measurement of the submitted plans clearly reveals the track providing access to unit 1 and part of the garden for this unit are outside of the red edge site area.

In such circumstances the application site does not contain all of the land necessary to complete the development including the necessary land to provide safe and satisfactory vehicle access. The development is therefore considered contrary to policy DC1 of the Core Strategy.

Conclusion

Whilst the proposals would result in the creation of 2 new dwellings and would secure a future for the buildings as non – designated heritage assets the applicant has not demonstrated that the buildings are physically capable of conversion and the proposed additions are considered to be inappropriate development in the Green Belt. Further the proposals incorporate inappropriate additions and design features which are harmful to the character of the buildings and their countryside setting. The benefits of the proposal are therefore considered to be outweighed by the harm that would be caused.

It is therefore recommended that the application is refused.

RECOMMENDATION:

APPROVE subject to conditions

Date 04/04/2016

Signed _____
Matthew Ellis

DEVELOPMENT CONTROL MANAGER COMMENTS:

Date

Signed _____