Knights
1759

Town and Country Planning Act 1990
(As Amended)

Planning Statement

Application for Prior Approval: Conversion of Storage Building (B8) to Provide 2no. 2-bed dwellings (C3)

Site: Little Blythe Farm, Leek Road, Weston Coyney, ST3 5BD

Document date: October 2016

Applicant: Mr S Perkins

Ref: PER162/4

Knights Professional Services Limited
The Brampton
Newcastle-under-Lyme
Staffordshire ST5 0QW

CONTENTS

1. Introduction 3
2. Site and Surroundings 4
3. The Proposal 5
4. Relevant Legislation 6
5. Assessment 8
6. Conclusion 15

Appendices

Appendix 1 - 2012 Google Earth Image

1. INTRODUCTION

1.1 This planning statement has been submitted by Knights Professional Services Limited on behalf of Mr S Perkins ('the applicant') to accompany a Prior Notification application which seeks approval to convert an existing storage building to provide two 2-bedroom residential units ('the proposal') at Little Blythe Farm on Leek Road, Weston Coyney, Staffordshire ('the site').

1.2 This application is submitted for determination via the Prior Notification procedure in accordance with Schedule 2, Part 3, Class P "*Storage or Distribution centre to dwellinghouses"* of the Town and Country Planning (General Permitted Development) (England) Order 2016 which relates to:

'Development consisting of -

(a) a change of use of a building and any land within its curtilage from a use as falling within Class B8 (storage or distribution centre) of the Schedule to the Use Classes Order to a use falling within Class C3 (dwellinghouses).

2. SITE AND SURROUNDINGS

2.1 The existing building that the applicant is seeking approval to convert into two dwelling houses is currently a large elongated single storey outbuilding at the rear of the site that contains a detached bungalow and annex that were erected to replace an earlier cottage in 1975.

2.2 The outbuilding (referred to as an annex in paragraph 2.1 above) to the front of the site is used for purposes that are incidental to the main dwelling in accordance with the planning permission reference SMD/2015/0495. Historically this has included an element of home office working in accordance with the applicant's family business, Perkins Plasterers.

2.3 The outbuilding subject to this application is being utilised as a storage building wholly for use by Perkins Plasterers. Section 5 of this statement sets out the extent and nature of this use in more detail.

2.4 The building subject to this application sits approximately 15 metres to the south of the main dwelling at its nearest point, sharing the same access to Leek Road, but is also accessible via a track to the south west.

2.5 In the wider context, the general area comprises a mix of domestic properties and agricultural holdings, located in a semi-rural setting. To the west of the site is Roughcote Lane, which leads towards Caverswall Common to the southeast. The site is located within the North Staffordshire Green Belt, a short distance to the north east of the settlement of Weston Coyney (which forms part of the wider Stoke-on-Trent conurbation). To the north of the site is the village of Hulme, and located beyond are the towns of Werrington and Cellarhead.

3. THE PROPOSAL

3.1 This proposal seeks to convert an existing single storey storage building to provide 2no. residential properties each consisting of 2 bedrooms. The accommodation for each dwelling would include a lounge, kitchen-diner, bathroom and family room.

3.2 The proposed internal layout arrangement would utilise existing door and window apertures, and the existing large openings that currently comprise large doors would be replaced by new doors with glazing. No new window or door openings are proposed, although the existing windows would be replaced with modern energy efficient windows. The existing north western elevation to plot 2 currently has no windows, which removes any interface / overlooking with the neighbouring dwelling.

3.3 The building is currently accessed via both Leek Road and Roughcote Lane. The access off Leek Road to the building is currently shared with the existing dwelling and the annex. The proposed subdivision of the storage building to create two dwellings would mean that vehicular access to proposed dwelling number 1 (as shown on the Scheme A drawing by Wood Goldstraw Yorath Architects) would be provided via the existing access track off Roughcote Lane. Access for dwelling number 2 would be shared with the existing dwelling and annex.

3.4 Each of the proposed dwellings would be provided with off street car parking and private amenity space. Plot number 1 would have private amenity space provided to the east and south east. Plot number 2 would have private amenity space and car parking to the east, and land that is already in domestic use to the west would also form part of the domestic curtilage to plot 2.

3.5 Existing trees and landscaping would be retained as part of the re-use of the existing building.

4. RELEVANT LEGISLATION

4.1 Under the provisions of Schedule 2, Part 3, Class P of the Town and Country Planning (General Permitted Development) (England) Order 2016, which relates to:

> **'Development consisting of -**
>
> **(a) a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage or distribution centre) of the Schedule to the Use Class Order to a use falling within Class C3 (dwelling houses) of that schedule**

4.2 Development comprising of a change of use is not permitted by Class P if:

a) The site was not used solely for a storage or distribution centre use on 19th March 2014 or 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;

b) The building was not used solely for a storage or distribution centre use for a period of at least 4 years before the date development under Class P begins;

c) The use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 15th April 2018;

d) The gross floor space of the existing building exceeds 500 square metres;

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

f) Less than 1 year before the date the 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 the Class,

   unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes;

g) The building is within-

   (i) An area of outstanding natural beauty;

   (ii) An area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (a);

   (iii) The Broads; or

   (iv) A National Park;

   (v) A World Heritage Site;

h) 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;

i) The building is a listed building or is within the curtilage of a listed building; or

j) The site is, or contains, a scheduled monument.

4.3 Conditions contained within Part P.2 state that before the beginning of development, the developer must:

(a) Submit a statement, which must accompany the application referred to in paragraph (b), to the local planning authority setting out the evidence the developer relies upon to demonstrate that the building was used solely for a storage or distribution centre use on the date referred to in paragraph P.1(a) and for the period referred to in paragraph P.1(b);

(b) Apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to -

(i) Impacts of air quality on the intended occupiers of the development

(ii) Transport and highways impacts on the development

(iii) Contamination risks on the site

(iv) Flooding risks on the site

(v) Noise impacts of the development

(vi) Where the authority considers the building to which the development relates is located in an area that is important for providing storage or distribution services or industrial services or a mix of those services, whether the introduction of, or an increase in, a residential use would have an adverse impact on the sustainability of those services.

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

5. ASSESSMENT

Adherence to Qualifying Criteria

5.1 As set out in the Town and Country Planning (General Permitted Development) (England) Order 2016, which is set out in detail in Chapter 4 of this statement, the conversion of an existing storage building to provide a residential use falls within permitted development, provided that they meet certain criteria subject to prior approval from the Local Planning Authority.

5.2 As set out previously in this statement, there is qualifying criteria for which such changes of use are required to satisfy. These are considered below:

a) The building has been used solely for a storage use before 19th March 2014, and is currently still in use for such purposes. It has already been established that the annex at the front of the site adjacent to Leek Road has been in ancillary use to the main dwelling. An appeal was previously determined on 18 June 2013 (appeal reference APP/B3438/A/13/2193210 pursuant to refused planning application 12/00990/FUL). This appeal decision at paragraphs 12 and 15 confirm that the annex was (and still is) being used as an office to run the existing plastering business. Whilst the Inspector did not come to a definitive conclusion on the use of the site, he stated at paragraph 15 that *"either the whole site is in a mixed commercial and residential use, or that the appellant's use of the building is ancillary to the residential use of the site".*

More recently, the LPA considered an application for the retention of the use of the annex for purposes incidental to the main dwelling to regularise the use of the annex. The planning application submission included a statutory declaration from the applicant. This statutory declaration confirms that in 1981, the offices of the plastering business were moved into the annex, which has occupied the annex ever since.

The building subject to this application has been used for at least 4 years for the storage of plastering equipment (such as mixers, ladders and scaffolding) and materials associated with the business. The Google Earth Image attached at **Appendix 1** (dated March 2012) shows items of equipment and materials located in the yard adjacent to the building.

Photo 1 below (taken during September 2016), shows the storage of plastering materials and plastering equipment.



Photo 1

It can therefore be demonstrated that the building was both in use for storage purposes associated with the plastering business on 19 March 2014, and has been in use for the previous 4 years.

b) The floor space of the building is approximately 153 square metres which is below the maximum limit of 500 square metres. Furthermore, paragraph P.3 provides an interpretation of 'curtilage' in terms of its reference in Class P *"development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8".* It requires this land to be no greater than *"an area of land immediately beside or around the building in storage or distribution centre use, closely associated with and serving the purposes of that building, or an area of land immediately beside or around the building in storage or distribution use no larger than the land area occupied by the building"*. In light of this, whilst the enclosed area of land edged red on the site location plan is larger than the footprint of the agricultural building, all of the land adjacent to the building to the north / north west is already in domestic use associated with the existing main dwelling, and other areas are associated with the existing access, parking and access track into the site.

c) The site is not currently subject to an agricultural tenancy, nor have any agricultural tenancies been terminated.

d) The building is not sited within a National Park, AONB, World Heritage Site, or an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981.

e) The site is not located within either a site of special scientific interest, a safety hazard area or a military explosives storage area.

f) The building is not listed, nor is it located within the curtilage of a listed building.

g) The site is not, nor does it contain a scheduled ancient monument.

5.3 In light of the above it is considered that this site falls within the qualifying criteria as set out in paragraph P.1 of the Order.

5.4 Paragraph P.2 of the Order requires the Local Planning Authority to determine whether prior approval is required for six issues. These issues are explored in the paragraphs below:

Established Use

5.5 P.2(a) requires the developer to submit a statement setting out evidence to demonstrate that the building was used solely for storage or distribution on 19 March 2014 and that it has been used for a period of 4 years. This has been set out at paragraph 5.2, which demonstrates that this condition would be satisfied.

Air quality

5.6 The wider site is in domestic use with an associated annex that contains an office. The building is not sited within an established industrial / employment estate where there are significant industries. Furthermore, the site is set back from the main road further than the existing dwelling, and the site is not located within an air quality management area. As such, it is considered that there would be no air quality impacts upon prospective occupiers.

Transport and Highways Impact

5.7 Paragraph 37 of the Framework states that:

> *"Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities."*

5.8 Paragraph 38 of the Framework goes on to state that:

> *"For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties."*

5.9 Paragraph 29 of the Framework also recognises that sustainable transport solutions will vary from urban to rural areas.

5.10 The National Planning Policy Framework defines sustainable transport modes as *"Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport".*

5.11 Paragraph 55 goes on to state that isolated new homes should be avoided in the countryside, unless there are special circumstances, such as where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

5.12 In addition, the NPPG (reference ID 50-001-20160519) recognises that all settlements can play a role in delivering sustainable development in rural areas and that blanket policies restricting housing development should be avoided.

5.13 In terms of the above national policies, it is considered that the proposals would not contravene national planning policies in transport and highway terms.

5.14 In terms of highway impact, the existing building is in storage use associated within an existing plastering business, so there is already an element of vehicle movements to and from the site on a daily basis, utilising the existing points of access.

5.15 The proportion of any increase in vehicle movements as a result of the proposals must also, therefore be considered in the context of the number generated by the current use of the building as part of the plastering business where there would be daily movements to and from the site to collect and drop off equipment and materials. Whilst it is not possible to be precise in terms of numbers, it would be reasonable to conclude that there would only be a modest increase in vehicle movements, however any increase in vehicle movements would have limitations, being commensurate with the number of residents occupying only two small properties, each with only two bedrooms.

5.16 In addition, off street parking would be provided and sufficient space would be available to allow vehicles to enter and leave the site in a forward gear without the need to reverse onto the main highway.

5.17 As such, it is not considered that there would be any material highway and transport impacts as a result of the proposals.

Contamination Risks on the Site

5.18 Paragraph 120 of the Framework states that:

"To prevent unacceptable risks from pollution and land instability, planning policies and decision should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner."

5.19 The application site seeks to re-use a relatively modern building which has only been used for the storage of plastering equipment and materials, much of which is safe and is already used as part of domestic development projects. As a consequence it is considered that as there are no historical contamination issues relating to this site or it immediate surroundings, no contaminated land surveys are therefore required to justify this proposal.

5.20 The conversion of this storage building to a residential use would therefore be considered to result in no greater risk to future occupants in terms of land contamination. Therefore it is considered that no further prior approval is required in relation to the issue of contamination as the scheme would conform to the guidance contained within the Framework.

Flooding Risks on the Site

5.21 Paragraph 100 of the Framework states that:

> *"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere."*

5.22 The site is located within Flood Zone 1 which has a 1 in 1,000 annual probability of flooding by river. Guidance contained within the National Planning Policy Guidance: Flood Risk and Coastal Change confirms that all uses are considered appropriate in these locations. An extract of the Environment Agency flood map is set out below in Figure 1:

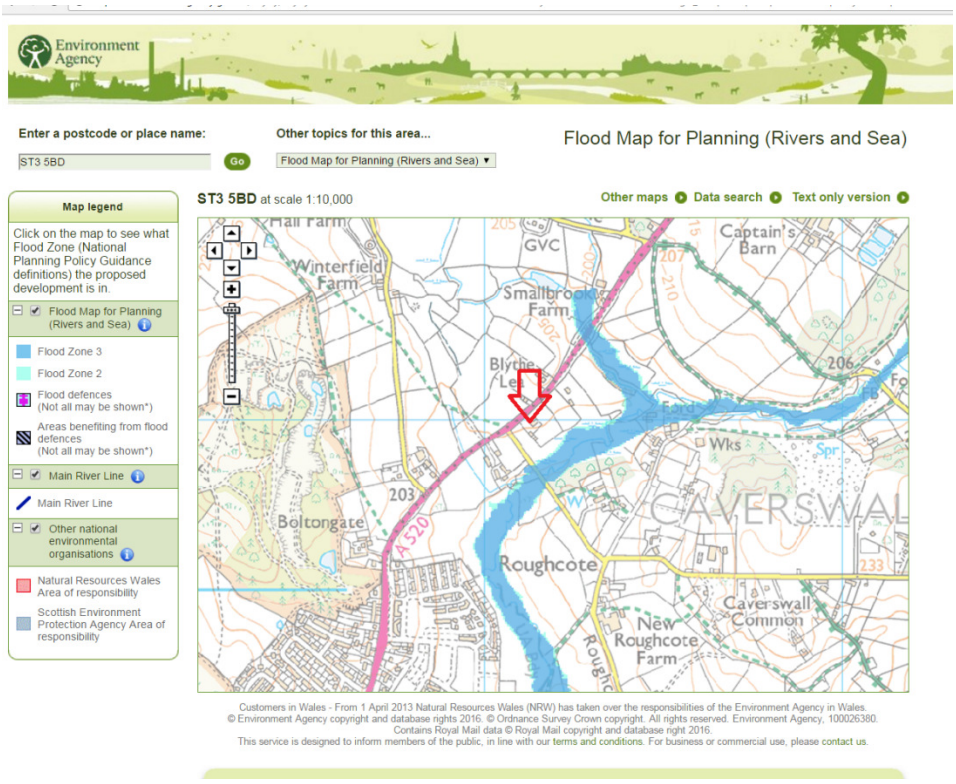

Figure 1 - Environment Agency Flood Map

5.23 The change of use would not result in any increase in the extent of the site that would be developed as the floor area would not be increased and there would be no material increase in impermeable hardstanding or landscaping within the proposed domestic curtilage. It would therefore have no adverse impact on surface water drainage within the site.

5.24 It is therefore considered that the proposed development would not result in an adverse impact in relation to flood risk and as a consequence prior approval is not required to assess the impact of flood risk as the proposal would conform with the guidance contained within the Framework.

Noise Impacts of the Development

5.25 Guidance contained within National Planning Practice Guidance 'Noise' requires LPAs to take into account the acoustic environment and then consider *"whether or not a significant adverse effect is occurring or likely to occur, whether or not an adverse effect is occurring or likely to occur, whether or not a good standard of amenity can be achieved"* (paragraph 003).

5.26 Paragraph 008 of this guidance goes on to consider how any impacts of noise can be mitigated; be that through engineering, layout, use of planning conditions or mitigation measures.

5.27 The site is located in a rural environment, and whilst there are some agricultural activities in the surrounding area, the adjacent property is used solely for residential purposes (with ancillary annex/office) and would have no impact upon the amenities of future occupants of the application property by way of noise and disturbance. Likewise, the proposed dwellings would not have an adverse impact by way of noise on the existing dwelling. The site is located off the main Leek Road, however the proposed dwellings would be set back further from the highway than the existing dwelling and annex, and is surrounded by mature landscaping that would act as a filter to any noise from the nearby highway.

5.28 In light of the above, it is considered that prior approval is not required in relation to noise issues as the scheme would conform with guidance contained within the Framework and the National Planning Policy Guidance.

Whether the building is located in an area that is important for providing storage or distribution services or industrial services or a mix of those services, whether the introduction of, or an increase in, a residential use of the premises in the area would have an adverse impact on the sustainability of the provision of those services

5.29 The site is located in an area of rural character outside of the nearby settlement boundary. The site is not located within an industrial estate or allocated employment area. The building is being used for storage purposes associated with the family plastering business that the applicant has operated from the site over many years. Furthermore, the site is not allocated for such uses within the existing or emerging development plan.

5.30 The area is therefore not important for providing storage or distribution services, and the introduction of a residential use into this building would not have an adverse impact upon the

provision of those services, given that the site is located in close proximity to the urban area of Stoke-on-Trent where there is a significant number of sites available and in use for B8 purposes.

5.31 In conclusion, the proposal would not have an adverse impact on the sustainability of the provision of B8 services.

The design of external appearance of the building

5.32 The design of the building is not a matter under the prior approval process that is relevant to the determination of this application. As such, prior approval cannot be refused on design and appearance grounds, however any subsequent changes to the external appearance of the building by future occupiers would require planning permission.

6. CONCLUSION

6.1 This planning statement has been submitted by Knights Professional Services Limited on behalf of Mr S Perkins to accompany a Prior Notification application seeking to convert an existing storage building (with a floor space measuring 153square metres) to provide two 2-bed residential units at Little Blythe Farm, Weston Coyney.

6.2 It has been demonstrated that the proposal would meet the legislative provisions set out in the Town and Country Planning (General Permitted Development) (England) Order 2016 and the application site does not fall within the list of exceptions set out in paragraph P.1 of the Order (which sets out instances where development is not permitted). Furthermore, it has been demonstrated that the proposed development would not result in any materially adverse issues in relation to air quality, transport & highways, noise, contamination, flood risk, and the sustainability of the provision of B8 services in the area as set out in P.2 of the Order.

6.3 It is therefore considered that no further prior approval is required from the Local Planning Authority in relation to this conversion scheme as the proposed development is considered to constitute permitted development in accordance with the Schedule 2, Part 3, Class P of the Town and Country Planning (General Permitted Development) (England) Order 2016.

Alan Corinalid-Knott MTCP, MRTPI
Associate
Knights

APPENDIX 1



Google Earth

feet
meters

600
100

Aerial Image dated 2012