Rob Duncan
Planning
Consultancy

# PLANNING & HERITAGE STATEMENT

## EAVES FARM, EAVES LANE, ARMSHEAD

## MARCH 2018

**Site Address:**
Eaves Farm, Eaves Lane, Armshead, Werrington, Staffordshire, ST2 8LY

**Applicant:**
Mr. M. Shuker

**Proposal:**
Alteration and change of use of portal framed agricultural buildings to form dog kennels

**Planning & Heritage Statement:**
**Date Issued:** 13th March 2018
**Job Reference:** RDP/2018/025

**Report Prepared By:**
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## 1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. M. Shuker to seek planning permission for the change of use and alteration of two portal framed agricultural buildings to a dog kennels at Eaves Farm, Eaves Lane, Armshead.

1.2 The application proposes conversion and alteration of two of the existing portal framed buildings on the site, Building A and Building B. Building A is located towards the northernmost end of the street and comprises a robust portal frame clad in metal sheeting. It is proposed to change the use of this building and install 13 kennels within the building. The existing external cladding is furthermore to be replaced with concrete panels and replacement metal cladding (Moorlands Green) to improve the external appearance of the building.

1.3 Building B also comprises a robust portal framed structure, clad in metal sheeting, and it is proposed to change the use of this building to provide 14 kennels. As with Building A the existing external cladding will be replaced with concrete panels and replacement metal cladding (Moorlands Green).

1.4 Vehicular access to the site already exists direct off Eaves Lane, and runs to the west of the existing farmhouse. There is a large central yard area wherein it is proposed to accommodate five parking spaces and associated manouvering space. Within this area it is also proposed to create an external dog run which will be enclosed by a 3m high acoustic fence. Landscaping is also proposed to the east of the existing buildings.

1.5 The application is accompanied by a Noise Assessment prepared by Peak Acoustics and has been subject to preliminary pre-application discussions with the Local Authority's Environmental Health Officer (Mr. D. Colgan).

## 2 Site & Surroundings

2.1 The application site comprises a range of portal framed agricultural buildings that lie to the northwest of the Grade II Listed Farmhouse (Eaves Farm). Building A lies at the northernmost end of the existing yard, with Building B running along the western boundary. A further outbuilding (Building C) is located along the eastern boundary of the yard, abutting up to the domestic curtilage of the farmhouse, with another agricultural building located to the south of the central yard area. The site is surrounding by agricultural land, with Eaves Lane forming its southern boundary. Sporadic residential development exists to the east and southwest along Eaves Lane. The site as whole lies within the North Staffordshire Green Belt.

## 3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the Staffordshire Moorlands Core Strategy (2014) of which the following policies are considered to be of relevance:

3.2 Policy SS1a of the Core Strategy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy will be approved without delay,

unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;*

- *or specific policies in that Framework indicate that development should be restricted.*

3.3 Policy SS6c of the Core Strategy relates to the 'Other Rural Areas Area Strategy' and states that these areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. It goes on to state that the rural economy will be sustained by:

- *Enabling the limited expansion or redevelopment of an existing authorised business for employment uses;*

- *Supporting the diversification of existing farm enterprises (in accordance with policy R1);*

3.4 Policy SS6c goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

3.5 Policy E1 of the Core Strategy relates to 'New Employment Development' and states that such schemes will be assessed according to the extent to which they support and improves the local economy in terms of providing for the needs and skills of the existing and future local resident workforce and meeting identified business needs, having regard to the Area Strategies in SS5 and SS6. In addition, all proposals should help maintain or enhance an appropriate range of employment premises and sites across the District in terms of their scale, location and type.

3.6 Policy R1 of the Core Strategy relates to 'Rural Diversification' and states that 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. Appropriate 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. Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy, will still need to be justified by very special circumstances. Priority will be given to the re-use of rural buildings for commercial enterprise, including tourism uses, where the location is sustainable and the proposed use does not harm the building's character and/or the character of its surroundings.

3.7 Policy SD4 of the Core Strategy relates to 'Pollution and Flood Risk' and states that the Council will ensure that the effects of pollution (air, land, noise, water, light) are avoided or mitigated by refusing schemes which are deemed to be (individually or cumulatively) environmentally unacceptable and by avoiding unacceptable amenity impacts by refusing schemes which are pollution-sensitive adjacent to polluting developments, or polluting schemes adjacent to pollution sensitive areas, in accordance with national guidance.

3.8 Policy DC1 of the Core Strategy relates to 'Design Considerations' and states that all development should be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. It goes on to state that new development should (amongst others):

- *be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

- *be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

- *provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use; ensure that existing drainage, waste water and sewerage infrastructure capacity is available.*

3.9 Policy DC2 of the Core Strategy relates to 'The Historic Environment' and states that the Council will safeguard and, where possible, enhance the historic environment, areas of historic landscape character and interests of acknowledged importance, including in particular scheduled ancient monuments, significant buildings (both statutory listed and on a local register), the settings of designated assets, conservation areas, registered historic parks and gardens, registered battlefields and archaeological remains by:

1. *Resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance.*

2. *Promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area and those interests of acknowledged importance through the use of conservation area appraisals, design statements, archaeological assessments, characterisation studies and Masterplanning.*

3. *Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate reuse and sensitive development, including enabling development, unless their retention is not viable or there would be substantial planning benefits to outweigh the loss.*

## 4 Other Material Considerations

***National Planning Policy Framework***

4.1 The National Planning Policy Framework sets out the Government's approach to development within the Green Belt and identifies out a number of

categories of appropriate development. It furthermore sets out policies in respect of promoting sustainable rural development and mitigating impacts of noise (amongst others). The content of this document is explored in more detail within the Planning Assessment below.

## 5 Planning Assessment

Impact on the Green Belt

5.1 The application proposes the alteration and reuse of two former agricultural buildings to form dog kennels. The site lies within the Green Belt wherein there is a presumption against the erection of new buildings. Paragraph 90 of the NPPF nevertheless identifies a number of exceptions, which includes:

> *"the re-use of buildings provided that the buildings are of permanent and substantial construction" (paragraph 90 refers)*

5.2 The existing buildings are considered to be of permanent and substantial construction, comprising of robust steel portal framed structures, enclosed by exterior metal cladding. The proposed reuse of the building will not derive any material impact to the openness of the Green Belt, nor will the use of the adjacent area of hardstanding as an external run and parking area, as this area is already hard surfaced and used for the parking of agricultural vehicles. The proposed reuse of the existing buildings is therefore an appropriate form of development within the Green Belt in the context of paragraph 90 of the NPPF.

Noise

5.3 The potential impacts from noise on the amenity of neighbouring residential occupiers has been forefront in the applicant's mind from the initial stages of preparing this application. The application is duly accompanied by a

comprehensive noise assessment prepared by Peak Acoustics, which has been prepared following pre-application discussions with the Local Authority's Environmental Health Officer.

5.4 The report has assessed the impact of the proposed kennels on local noise levels, having regard to three nearby noise sensitive receptors located 80m, 90m and 130m from the site. The noise assessment concludes that desirable noise criteria can be achieved in respect of noise breakout utilising the mitigation strategy set out therein. Similarly, the provision of an external 3m high acoustic barrier will serve to ensure that external noise levels will also remain within the desired criteria when the dog run is used (daytime only).

5.5 The undertaking of the proposed mitigation, which can be secured by an appropriately worded planning condition, will ensure that the proposed development will not derive any material adverse impact to neighbouring residential amenity. As a consequence the proposed development will meet the requirements of policies SD4 and DC1 of the Core Strategy.

Design & Layout

5.6 The application proposes the replacement of the existing exterior cladding of the buildings to deliver a high quality external appearance. This will serve to not only enhance the appearance of the area, but also to ensure appropriate mitigation of noise from the kennels. The external materials proposed will be in keeping with the character of the existing buildings and will not materially detract from the character and appearance of the surrounding area.

5.7 The proposed erection of a 3m acoustic barrier within the site will not derive any significant adverse impacts to the character and appearance of the surrounding area. Public views of the site from Eaves Lane will read the acoustic barrier against the backdrop of the existing buildings, which stand to

a much taller height. The barrier will furthermore sit below the eaves line of the existing buildings, thereby avoiding any awkward intrusion into the roofs of the buildings. The presence of the existing buildings within the site will furthermore ensure that the visual impact of the acoustic barrier will be minimised. Supplementary landscaping is furthermore proposed to soften the impact of the development and in due course to provide further attenuation of noise breakout. As a consequence, the proposal will not derive a material adverse impact to the character and appearance of the surrounding area, and thus accords with the provisions of policy DC1 of the Core Strategy.

Highway Safety

5.8 The site benefits from an existing vehicular access off Eaves Lane which provides vehicular access to the farmhouse and the large central courtyard which is enclosed by the existing buildings. The application proposes the creation of 5 parking spaces to meet the needs of the kennel business, and this is considered to constitute an appropriate level of provision having regard to proposed staffing levels and the short stay nature of drop off/collection by customers. The site furthermore benefits from reasonable visibility in both directions on egress, and any highway impacts have to be considered in the context of the existing agricultural use of the site. In light of the above it is respectfully submitted that no severe adverse highway impacts would arise, that being the test to be applied under paragraph 32 of the NPPF.

Heritage Impacts

1.1 Paragraph 128 of the National Planning Policy Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be

proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

1.2 The NPPF goes on to state in paragraph 131, reflecting the provisions of policy DC2 of the Core Strategy, that in determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

- *the desirability of new development making a positive contribution to local character and distinctiveness.*

5.9 The existing farm buildings proposed for conversion do not constitute heritage assets in their own right, nor do they lie within a Conservation Area. The buildings do however lie adjacent to a Grade II Listed Building (Eaves Farmhouse). Immediately to the west of the farmhouse lies a detached garage building, and this provides an effective visual screen of the adjacent yard area from the rear elevation of the farmhouse. As a consequence, the proposed parking area and acoustic barrier enclosing the dog run will not result in any material harm to the setting of the Listed Building. Any perception of impact would be lessened in any event by the proposed external landscaping shown on the submitted plans.

5.10 The kennel use will otherwise be contained within the existing buildings, and thus will not derive any material harm to the setting of the Listed Building. The setting of the Listed Building would arguably be enhanced by virtue of the existing external cladding being replaced.

5.11 Such considerations lead me to conclude that the development overall will not derive any material harm to the significance of the Listed Building as a heritage asset. The proposal is therefore in accordance with the provisions of policy DC2 of the Core Strategy and the provisions of paragraph 131 of the NPPF.

Other Considerations

5.12 In assessing the planning merits of this proposal, regard also needs to be given the economic benefits of the proposed development. Paragraph 28 of the NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It goes on to state that to promote a strong rural economy, local and neighbourhood plans should, inter alia,

> *"support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings"*
>
> *And*
>
> *"promote the development and diversification of agricultural and other land-based rural businesses;*

5.13 These provisions are reflected within policies SS6c and E1 of the Core Strategy which seeks to promote commercial reuse of rural buildings, and support and improve the local economy in terms of providing for the needs and skills of the existing and future local resident workforce and meeting identified business needs. Policy E1 also notes the requirement to help maintain or enhance an appropriate range of employment premises and sites across the District in terms of their scale, location and type.

5.14 The proposed development will benefit the local economy by providing a valuable facility for dog owners, and one which by its very nature cannot readily be accommodated in a built-up area. The development is expected to generate approximately 3 jobs involved in the management and cleaning of the facility, and the care of the dogs, and to this end will be of benefit to the local economy. The proposal also represents a diversification of the applicant's existing agricultural activities, and will provide a valuable income stream from these otherwise vacant buildings. The provisions of paragraph 28 of the NPPF and policies SS6c and E1 of the Core Strategy therefore lend significant weight in favour of the proposed development.

## 6 Conclusion

6.1 It is submitted that the proposed development constitutes a sustainable form of development having regard to the following conclusions:

- The proposal involves the reuse of existing buildings of permanent and substantial construction and thus constitutes an appropriate form of development within the Green Belt;

- With appropriate mitigation, the proposed development will not derive any material adverse impact to neighbouring residential amenity;

- The proposed site layout and external appearance to the buildings will not materially detract from the character and appearance of the surrounding area;

- The proposal will not derive any severe residual impacts to highway safety;

- The proposal will not derive any material adverse impact to the significance of the adjacent Listed Building as a heritage asset;

- The proposed development will derive significant benefits to the local economy, in accordance with the aims of paragraph 28 of the NPPF;

6.2 For these reasons the proposed development is considered to accord with the provisions of policies… SS6c, R1, E1, SD4, DC1 and DC2 of the Staffordshire Moorlands Core Strategy, and guidance set out within the NPPF.

6.3 The Local Authority is therefore respectfully requested to grant planning permission in accordance with the presumption in favour of sustainable development.