PLANNING STATEMENT INCLUDING DESIGN & ACCESS CONSIDERATIONS

- **Date Issued: June 2018**

SITE ADDRESS:

- **Ringe Hay Farm, Basford, ST13 7ET.**

APPLICANT:

- **Mr. D. Pearson.**

PROPOSAL:

- **Removal of Conditions No. 8 and 9 on planning application SMD/2005/0864 to create two open-market dwellings.**

Planning Portal reference - PP-06978866

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1 INTRODUCTION

1.1 This Statement is submitted in support of the planning application for removal of two conditions restricting the use of two cottages to holiday use only to enable the cottages to be used as open-market dwellings.

1.2 Planning permission for the conversion of what was a redundant agricultural building to form two holiday cottages was granted in September 2008 (old reference: 05/00439; new reference: SMD/2005/0864). The western cottage is known as "The Barn" and the eastern cottage "The Dairy" and these names are used in the text below where appropriate.

1.3 For the sake of clarity and to avoid confusion I have referred to the 2008 permission because on the Council's applications website there are two approval notices under the same reference number; one issued in 2005 and one issued in 2008. They are not identical although the conditions described below are contained in both approvals.

1.4 Conditions No. 8 and 9 on the 2008 permission restrict the use of the cottages to holiday use only.

2 APPLICATION SITE AND ITS SETTING

2.1 The two holiday cottages are part of a small complex of building around Ringe Haye Farm which includes a third holiday cottage in a converted former farm building; planning application reference SMD/2011/0391 (old reference: 11/00330/FUL). An application for the removal of the holiday occupation condition on the third cottage is submitted concurrent with this application. The cottages were derelict when the applicant bought the land in 1997 and were restored by the applicant to a very high standard.

2.2 The application site is situated in open countryside in the Churnet Valley Master Plan area and access to the Farm and the cottages is via a track from Apesford Lane.

2.3 The two cottages are contained in the one building. Barn Cottage contains three bedrooms (two with ensuite), a downstairs toilet, a lounge, kitchen and dining room and Dairy Cottage a kitchen and lounge, and two bedrooms (both ensuite).

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3. PLANNING POLICY

3.1 Section 38(6) of the Planning and Compulsory 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.

3.2 The key documents when assessing planning applications are the Development Plan for the Moorlands and the National Planning Policy Framework (2012) (NPPF) which sets out national planning policy and is a material consideration. In the Staffordshire Moorlands the Development Plan consists of the Staffordshire Moorlands Core Strategy approved in March 2014 supported by a number of Strategic Planning Documents and Design Guidance.

3.3 Relevant policies in the Core Strategy include:

- **SS1 - Development Principles.**
- **SS1 (a) – Presumption in Favour of Sustainable Development.**
- **SS3 - Distribution of Development.**
- **SS6c – Other Rural Areas.**
- **SS7 – Churnet Valley Area Strategy.**
- **E2 - Existing Employment Areas.**
- **E3 – Tourism and Cultural Development.**
- **H1 - New Housing Development.**
- **DC1 – Design Considerations.**
- **R1 – Rural Diversification.**
- **R2 – Rural Housing.**

3.4 The key Development Plan policies in the above list with regard to the application site are considered to be Policies SS6c (Other Rural Areas); SS7 (the Churnet Valley Strategy); E2 (Existing Employment Areas); E3 (Tourism and Cultural Development); and R2 (Rural Housing).

3.5 The adopted Churnet Valley Masterplan Supplementary Planning Document SPD) is also relevant as the application site is located in the Masterplan area. However, it is not located in the main Character Areas, Gateways and Hubs for which there are specific strategies.

3.6 Relevant to this application is the shortage of deliverable housing land supply in the Staffordshire Moorlands District. Paragraph 49 of the NPPF states that *"relevant policies for housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".* On 31 March 2017 there was 1.99 years supply of deliverable housing land in the District. As there is significantly less than

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five years supply of deliverable housing land in the District then the Core Strategy policies relating to housing are out-of-date. This does not mean that they are discounted but that less weight should be given to them. Given the fact that the District has had a shortage of deliverable housing land for nine years it is contended that even less weight should be given to these policies than if the shortage of supply was only recent.

3.7 For the sake of brevity, the Development Plan and NPPF policies are not quoted in full but they are referred to where appropriate in the section "Case for the Proposed Development".

4. RELEVANT PLANNING APPEAL DECISION

4.1 Please see the attached appeal decision in appendix 1. This appeal sought permission for the conversion of a bunk barn to residential use. The decision is dated 11 September 2017.

4.2 Relevant to this current application is the fact that the Inspector concluded that Core Strategy Policy R2 was out of date and carried little weight.

5. THE CASE IN SUPPORT OF THE APPLICATION

5.1 This section addresses the main planning issues that are likely to arise in the consideration of the planning application.

5.2 These are:

- Planning Policy and the shortage of deliverable housing land supply.
- Presumption in Favour of Sustainable development. as established by Policy SS1a of the Core Strategy and in the NPPF.
- Viability of the business and occupancy rates.
- Suitability of the two cottages for unencumbered residential use.
- The proposed development would not have an adverse impact on residential amenity nor on the character of the buildings or landscape.
- Impact on the local holiday accommodation market in the District.

5.3 These issues are addressed in turn below:

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Planning Policy and the shortage of deliverable housing land supply.

5.4 There is a need for new housing across the entire District because of the shortage of deliverable housing land in the District. Last March the housing land supply was only 1.99 years. Therefore, Paragraph 49 of the National Planning Policy (NPPF) applies and the policies controlling housing supply are out of date. In this case the policies are Core Strategy policies – the housing part of policy SS6c and policy R2. Whilst these policies are still relevant it is contended that they should be given less, or, in the case of policy R2 limited, or no, weight, given the significant shortfall in housing supply and the fact that the shortage has existed for nine years.

5.5 As will be shown later in this statement the benefits of the proposed removal of the condition considerably outweigh the disbenefits.

5.6 The site is located in open countryside and Core Strategy Policy SS6c applies. This policy restricts new housing development in the countryside to certain limited exceptions. However, it does allow the conversion of rural buildings for residential use in accordance with Core Strategy Policy R2 which allows the conversion of buildings to residential use subject to a marketing exercise or if the business is not viable.

5.7 The housing completion target for 2017/2018 for rural areas was 62 houses and yet only 32 were completed. From these figures it can be seen that there is an urgent need for more housing in the rural areas of the District as a whole.

5.8 As stated in paragraphs 3.6 and 5.4 it is contended that little, or no, weight should be given to Policy R2 and that as a result the requirement that a marketing exercise be carried out is not applicable and should be waived. No marketing exercise was carried out in the Oakamoor appeal proposal.

5.9 Even though it is contended that little, or no, weight be given to Policy R2 the building is suitable and worthy in physical, architectural and character terms for use as dwellings. The building is a good-looking, well-maintained traditional, stone buildings and conversion would ensure its retention and would make little difference, if any, to its appearance. As such the proposal is in accord with the first bullet point in Policy R2.

5.10 The applicant wishes to continue to remain in the farmhouse and if the holiday cottages were to be sold separately it could create amenity issues for the applicant as he would have no control over the activities of guests in the cottages.

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The presumption in favour of Sustainable Development

5.11 In view of the housing shortfall, it is contended that the proposal should be considered in the context of the presumption in favour of sustainable development, as established by Policy SS1a of the Core Strategy. Moreover, paragraph 14 of the Framework is triggered. This states that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless: (i) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or (ii) specific policies in this Framework indicate development should be restricted.

5.12 It is the applicant's contention that the benefits of the proposal would outweigh any disbenefits in particular the provision of housing in a District where there is an overall shortage of deliverable housing land and where last year the number of houses built in rural areas was just over half that required. Whilst the application site is situated away from settlements Policy R2 allows the conversion to residential use of rural buildings which are in similar locations.

5.13 In the Oakamoor appeal in Appendix 1 the Council agreed with the appellant that the appeal should be considered in the context of the presumption in favour of sustainable development and that paragraph 14 of the NPPF was triggered in such circumstances. It is contended that this should also be the case with this application.

Viability and Occupancy

5.14 The business has made a small profit over the last three years but, compared to the scale of the investment in the cottages, the return is minimal. Details of the accounts are submitted in a separate confidential document.

5.15 The table below shows the occupancy rate for the two cottages for the years from 2015 to 2017.

	2015	2016	2017	3-year average
The Barn	56%	42%	55%	**50%**
The Dairy	61%	40%	42%	**48%**

5.16 The current bookings for the entire 2018 are currently 30% and 31% respectively for the Barn and the Dairy although these figures may rise as more bookings may be made as year progresses. The occupancy rates for Dairy show a decline with a slight upturn in 2017. The

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rates for the barn showed a sizeable drop in 2016 but rose again in 2017.

5.17 Comparison of occupancy rates from 2010 to 2014 show a general decline. Details are shown below: -

THE BARN	THE DAIRY
2010 – 77%	2010 – 78%
2011 – 77%	2011 – 86%
2012 – 68%	2012 – 82%
2013 – 66%	2013 – 63%
2014 – N/A	2014 – N/A

5.18 It can be seen that the rates in the first three years were high but have declined since then.

5.19 Advice from local estate agents on other projects is that for a business to produce a reasonable profit occupancy rates need to be significantly higher than the current rates. Bookings nationally, so far this year, have been down on last year so much so that the booking agency have introduced special offers to the 30th June.

5.20 In the recent appeal decision at Oakamoor the Inspector concluded that policy R2 carried limited weight. No marketing details were submitted with the planning application and it is my understanding that the site was not marketed. The Inspector in her decision did not refer to marketing at all. It is, therefore, contended that whilst the business does produce a small profit viability is not presently a consideration to be taken into account.

The suitability of the cottages for unencumbered residential use.

5.21 Holiday cottages fall into the same Use Class – C3 (Dwellinghouses) as open-market housing; the only difference is that with holiday cottages the use is restricted by condition limiting the length anyone can occupy the building.

5.22 The Cottages contain all the facilities necessary for residential use. Each cottage has three existing car parking spaces. No internal external alterations are required for the properties to be used as unencumbered dwellinghouses. Removal of the condition would enable these houses to enter the District housing stock almost immediately. The cottages are not overlooked nor do they overlook any other residential properties.

Gardens

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5.23 The cottages have a grassed garden at their rear (west) and Cottage B also has garden to the side (north-east). These gardens are on the site of what was yard at the back of the farm building. However, as they were not within the red line on the original position they are the subject of a separate application to be submitted concurrently with this application.

Impact on residential amenity.

5.24 There would be no adverse impact on residential amenity as the two cottages are not overlooked and do not overlook any other dwellings. Both cottages, and their carparking, are well away from the farmhouse and the other cottage on the site.

Impact on the character of the nearby buildings and the surrounding countryside

5.25 There would be little change from the present. Residential permitted development rights could be removed by condition to manage potential impacts on the surroundings. The impact of the garden is assessed in the concurrent application.

Impact on the local holiday accommodation market.

5.26 Advice from local chartered surveyors is that the local holiday market has changed in recent years and is still changing and that for a holiday cottage business to be viable it needs higher occupancy rates than those at Ring Hay Farm. The expansion of accommodation at Alton Towers and the shift to short-stays rather than week or fortnight-long stays has changed the market. The likely large development of Moneystone Quarry at Whiston will also further change the market and further affect the viability of traditional holiday cottages.

5.27 The removal of the two cottages from the holiday let market is unlikely to have any adverse impact on tourism.

6. CONCLUSION

6.1 It is contended that the removal of the two conditions would have material benefits in the form of new housing and because of the shortage of deliverable housing land supply the presumption in favour of sustainable development applies. Any adverse impacts would be minimal and significantly outweighed by the benefits.

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