DELEGATED DECISION REPORT

SMD/2018/0131 **Valid 14/03/2018**	**RUDYARD MANOR GREEN LANE** **RUDYARD**	**REMOVAL OF CONDITION 3 IN RELATION TO APPLICATION SMD/2014/0585** **(FULL - MINOR)**

MAIN ISSUES

- The key consideration here is whether or not the proposed removal of condition 3 in relation to application reference SMD/2014/0585 would result in greater harm to the a) openness of the Green Belt, b) character, design and appearance, c) residential amenity; and, d) highway safety.

DESCRIPTION OF SITE

The application site is located to the south east of Green Lane, Rudyard within a complex consisting of Rudyard Manor, a detached single storey stone built barn that is the subject of this application and undergoing works to convert the building, a large three storey derelict barn / mill with diminishing off shoots all contained within large gardens extending from the road to the south east lined by banks of trees. The site is located at the top of a hill and land to the south slopes away from the site boundary and is used for grazing. Access to the site is provided via a track / driveway that leads from the apex of a bend on Green Lane.

Planning reference SMD/2014/0585 granted approval for the conversion of a single storey stone built barn to provide a cottage comprising of a living dining room, lounge, kitchen, utility and wc to the ground floor and 2no. bedrooms to the first floor (one being en-suite). Permission was granted subject to condition and works have commenced on site and are nearing completion.

PROPOSAL

This application seeks the removal of condition 3 of planning reference SMD/2014/0585 which is worded as follows:

The conversion hereby permitted together with the existing house shall be occupied solely as a single dwelling unit and shall not be let or separately disposed of.
Reason:- To ensure that the premises are not sub-divided to create additional dwellings.

A supporting statement submitted with this application outlines the reason for the removal of this condition as being the difficulties faced in obtaining a mortgage for the property.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport
R1 Rural Diversification
R2 Rural Housing

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 5, 12, 13

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

"…decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and

legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy
H1 New Housing Development
DC1 Design Considerations
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2014/0585 Conversion of redundant farm outbuilding to residential accommodation – **Approved**

CONSULTATIONS

Publicity

Site Notice expiry date: 03.05.2018
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

Horton Parish Council: object on grounds

Staffordshire County Council Highways

No objection.

OFFICER COMMENTS

Principle of Development

Policy SS1 and SS1a seeks to achieve sustainable forms of development that contribute towards the social, economic and environmental improvement of the Staffordshire Moorlands. The Council will work proactively with applicants to enable applications to be approved wherever possible.

In accordance with para 146 (d) of the NPPF, the re-use of buildings provided that the buildings are of permanent and substantial construction is considered to constitute appropriate development in the Green Belt, provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The conversion of an existing rural building, in accordance with Core Strategy policies R1 and R2, is considered to be acceptable in line with policy SS6c. Policy R1 comments that wherever possible development should be located within suitably located buildings which are appropriate for conversion. Appropriate development should not harm the rural character and environmental quality of the area. Policy R2 supports the conversion of a non-residential rural building to residential use where the building is suitable and worthy in physical, architectural and character terms; and it can be demonstrated that agricultural or commercial use is not viable, or, conversion to residential use would enable a building of particular merit to be safeguarded. The building forms part of the Rudyard Manor complex and sits within close proximity to the main dwellinghouse. A commercial use would not be appropriate and in any event the principle of a residential use has already been considered and established by virtue of the 2014 consent.

The application site is located1.3km north east of Rudyard. Access to and from the site is therefore heavily reliant on the private vehicle. In accordance with NPPF para 79 the development of isolated homes in the countryside should be avoided, unless the development meets one or more of the circumstances outlined within this paragraph. This list includes at point (c) the re-use of a redundant or disused building and where the development would enhance its immediate setting. The building is of stone construction and a typical 17th century barn and stables, worthy of construction. The building is undergoing works to enable the sympathetic conversion in accordance with the extant permission. The works undertaken to date to secure the future of this being are considered to serve as an enhancement to its immediate setting.

Design

The proposed removal of condition 3 would not impact upon the character form or setting of the application building.

Amenity

Core Strategy policy DC1 seeks to ensure that all new development is designed to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The application building is positioned adjacent to the south west boundary of the site. The building is orientated perpendicular to Rudyard Manor and is positioned circa 20m away. The barn is served by a cottage garden to the front and is accessed via the driveway that serves Rudyard Manor. No alterations are proposed to the access arrangements and a condition requiring access to be gained via the existing driveway is to be retained. It is not considered that the proposed removal of condition 3 would lead to undue harm to the amenity of future and existing occupiers of the application building and Rudyard Manor.

Highway Safety

Staffordshire County Council Highways Section has been consulted on this application. No objection has been raised subject to access to the barn being achieved via a shared access with Rudyard Manor, utilising the exiting driveway. The existing access has excellent visibility and can easily accommodate additional traffic generated by the barn conversion. The applicant has confirmed that the access will be shared in accordance with the comments received by SCC Highways.

CONCLUSION / PLANNING BALANCE

The extant permission allows for the creation of a two bedroom cottage that, albeit tied to the main dwellinghouse by condition, could easily be occupied as an independent unit by a family member(s) of Rudyard Manor. It is not considered that the removal of condition 3 would result in greater activity on the site than that currently permissible by the extant consent. The NPPF seeks to avoid the creation of isolated dwellings, unless development meets criteria outlined at paragraph 79 which this proposal does. Furthermore, the re-use of a rural building in the Green Belt is identified as appropriate development. The principle of a residential use has been established by the extant consent and the proposed removal of condition 3 would not result in undue harm to the amenity of existing and future occupiers of the wider site, or lead to greater harm to highway safety. It is not considered that a refusal could be substantiated and as such a recommendation of approval is provided.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 25.09.2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council