DELEGATED DECISION REPORT

SMD/2018/0375 **Valid 11/06/2018**	**RINGE HAY FARM** **BASFORD GREEN ROAD** **BASFORD** **LEEK**	**THE RETENTION OF THE GARDEN SERVING TWO HOLIDAY COTTAGE AND THE SUB DIVSION OF THE LAND TO FORM TWO GARDENS TO SERVE THE TWO COTTAGES** **(FULL - MINOR)**

MAIN ISSUES

- Principle of development
- Character of the Countryside
- Amenity
- Highway safety

DESCRIPTION OF SITE

The site relates to land to the rear of two holiday cottages known as "The Barn" and "The Dairy" that form part of a small complex of buildings at Ringe Hay Farm. The application site is situated to the west and north west (rear) of the cottages and is an enclosed grassed area. Access to the site and the farm and cottages is via a long track from Apesford Lane. The site is situated in Open Countryside for the purposes of the Development Plan and is in the Churnet Valley Master Plan area.

PROPOSAL

The application seeks full planning permission for the retention of the garden serving the two holiday cottages and the sub division of that garden to form two separate gardens to serve each cottage. The gardens would be subdivided by planting of a Beech hedge on the boundary between the two cottages. A further Beech hedge would be planted to the north east of the garden serving "The Dairy". Existing car parking and turning areas have also been formed to serve each cottage.

The applicant's Planning Statement states that previous to the conversion of the building the grassed area was a hardcore partly enclosed by existing stone walls and a field boundary, which have been re-built in the original positions and surfaced with hardcore forming part of the farmyard.

A separate application for the removal of the holiday occupancy conditions on these cottages has been submitted concurrently with this application (ref. SMD/2018/0374). The Planning Statement states that if both applications were to be approved the existing garden would be split into two to create two gardens to serve the two dwellings.

The Location Plan has been amended to reduce the extent of the application site edged red. The original red line included land to the north east of the garden indicated on the Block Plan. This has now been omitted from the red line.

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
SS7 Churnet Valley Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
R2 Rural Housing
NE1 Biodiversity and Geological Resources

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
DC1 - Design Considerations
DC3 - Landscape and Settlement Setting
SD1 – Sustainable Use of Resources
SD3 – Sustainability measures in development
NE1 - Biodiversity and Geological Resources

National Planning Policy Framework

Paragraph 11 – Presumption in Favour of Sustainable Development
Section 2 – Achieving Sustainable Development
Section 4 – Decision making
Section 12 – Achieving well designed places
Section 14 – Meeting the Challenge of Climate Change, Flooding & Coastal Change
Section 15 – Conserving & enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0374 – Removal of conditions 8 & 9 relating to SMD/2005/0864 – Pending.

SMD/2018/0403 – Removal of condition 5 of planning permission SMD/2011/0391 – Pending.

SMD/2018/0404 – The retention of the garden serving Granary Cottage – Pending.

SMD/2005/0864 (old ref 05-00439) – Conversion of redundant agricultural building to 2 holiday cottages – Approved 04/09/2008.

04/01364/FUL – Conversion of redundant agricultural building to two local need dwellings – Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 12/07/2018
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None received.

Town / Parish Comments

Cheddleton Parish Council – Object. Unsustainable and inappropriate development of Green Belt.

OFFICER COMMENTS

Principle of Development

The concurrent application (SMD/2018/0374) for the removal of the holiday occupancy conditions (conditions 8 and 9) to create 2 open market dwellings is related to this application insofar as the retained gardens will serve future residents of the open market dwellings (if approved). The applicant's intention is therefore that the proposed open market dwellings would have their own private gardens. The key issue is the impact of the retention of the gardens on the character of the open countryside.

The site is not within the Green Belt as stated by the Parish Council.

Impact on character of the countryside

Paragraph 127 of the NPPF advises that new development should function well, add to the overall quality of the area and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. 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. Policy DC3 states that the Council will resist development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement.

The garden proposed to be retained comprises a large lawn upon which some items of a domestic paraphernalia, such as a barbecue, play equipment and washing lines, have been placed. The garden is mainly to the rear of the building and there are also two separate areas of hardstanding to either side of the building for the parking and turning of vehicles. The garden is enclosed to the sides and rear by low stone walls. It is proposed to plant a Beech hedge between the two cottages thereby subdividing the garden to provide private gardens for each cottage. A further Beech hedge is proposed to the north-east side of the garden serving "The Dairy" which will separate the garden from the adjacent lawned area to the north east. The site is well screened from adjoining areas by trees and hedge particularly from the north and west. Furthermore, the planting of the Beech hedges as proposed would further soften the impact on the surrounding countryside. The applicant has provided an amended location plan reducing the red line area to exclude the remainder of the lawned area to the north east. Although the gardens and hardstanding areas to serve each cottage are quite large and go beyond what would normally be considered an acceptable size of domestic curtilage for a barn conversion, in this particular instance, having regard to the fact that the site is well screened by dense areas of shrubs and trees as well as the screening afforded by the building itself, it is not considered that the retention of the garden would be detrimental to landscape character. From nearby public footpaths the gardens will be seen in the context of the existing cottages and wider farm complex and therefore will not appear as an significant incursion into the countryside. It is necessary to remove permitted development rights for the erection of outbuildings within the garden to protect the character of the countryside.

It is concluded that on balance the scheme for the retention of the garden complies with Policies DC1 and DC3 of the Core Strategy.

Amenity

Core Strategy Policy DC1 (Design Considerations) requires that design should be of a high quality and add value to a local area and, create attractive, functional and safe private environments. The provision of gardens at the rear of the cottages would provide private outdoor space for each property and a good standard of amenity for future residents. The gardens are situated largely to the rear of the building and thus not within close proximity of the farmhouse and other holiday cottage on the site (The Granary). It is considered that there is no adverse impact on residential amenity.

Highway Safety

Policy T1 of the adopted local plan refers to development and sustainable transport. The policy promotes development located where the highway network can satisfactorily accommodate traffic generated by the development. Paragraph 108 of the NPPF requires local authorities in determining applications to take account of whether safe and suitable access to the site can be achieved for all users.

The proposals include ample parking and turning areas to the sides of each property.

Overall, it is considered that the proposals accord with Policy T1.

CONCLUSION / PLANNING BALANCE

The Framework sets out a presumption in favour of sustainable development and identifies three dimensions to sustainable development i.e. economic, social and environmental. The Framework makes it clear that these roles should not be undertaken in isolation. The application is linked to a concurrent application for the removal of occupancy conditions on the holiday cottages to create 2 open market dwellings. That application will provide some economic and social benefits through the provision of 2 dwellings in a District which currently lacks a five year supply of housing. The proposed retention of the gardens will provide future occupants of the two cottages with outdoor amenity space thereby having some social benefits. The proposal would result in no harm to highway safety or residential amenity. Any environmental harm in terms of the impact on the character of the landscape is very limited and outweighed by the benefits of the scheme as outlined above, and the application therefore represents a sustainable form of development. The application is recommended for approval.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Mark Ollerenshaw
Recommendation Date: 28/09/2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council