DELEGATED DECISION REPORT

SMD/2018/0404 **Valid 26/06/2018**	**RINGE HAY FARM** **BASFORD GREEN ROAD** **BASFORD** **LEEK**	**THE RETENTION OF THE GARDEN SERVING GRANARY COTTAGE** **(FULL - MINOR)**

MAIN ISSUES

- Principle of development
- Character of the Countryside
- Amenity

DESCRIPTION OF SITE

The site relates to land to the rear of a detached holiday cottage known as "The Granary" that forms part of a small complex of buildings at Ringe Hay Farm, Basford. The application site is situated to the east (rear) of the cottage and is an enclosed grassed area. Access to the site and the farm and cottages is via a long track from Basford Green Road. 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 holiday cottage.

The applicant's Planning Statement states that previous to the conversion of the building the grassed area the subject of this application was a hardcore partly enclosed by existing fences/hedges. It is now laid to lawn with hedges to the boundaries and is regularly used by guests at the holiday cottage.

A separate application for the removal of the holiday occupancy condition on the cottage has been submitted concurrently with this application (ref. SMD/2018/0403).

Two other applications on the Farm have recently been approved. These are an application (Ref: SMD/2018/0374) for the removal of holiday occupancy conditions on the two other cottages and the retention of garden land at the rear of the two cottages (ref: SMD/2018/0375).

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/2011/0391 (old ref. 11/00330/FUL) - Change of Use from Workshop/Store to Holiday Accommodation – Approved 07/06/2011.

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

SMD/2018/0374 – Removal of conditions 8 & 9 relating to SMD/2005/0864 – Approved 28/09/2018.

SMD/2018/0375 - 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 – Approved 28/09/2018.

CONSULTATIONS

Publicity

Site Notice expiry date: 13/08/2018
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None received.

Town / Parish Comments

Cheddleton Parish Council – Object. Not approved for residential use.

Severn Trent Water

No objections.

OFFICER COMMENTS

Principle of Development

The concurrent application (SMD/2018/0403) for the removal of the holiday occupancy condition (condition 5) to create an open market dwelling is related to this application insofar as the retained garden, if approved, will serve future residents of the dwelling. The applicant's intention is therefore that the proposed open market dwelling would have its own private outdoor amenity space. The key issue is the impact of the retention of the garden on the character of the open countryside.

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 which is mainly to the rear of the building. The garden is enclosed by established hedges. An historic map dating from 1951 indicates an enclosed area to the rear of the building which broadly corresponds to the application site and the applicant states that the site was formerly an agricultural yard and therefore part of the farm curtilage. As noted the garden is well screened from adjoining areas by trees and hedges. Having regard to the fact that the site is well screened from the adjoining countryside by hedges 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. The garden is seen in the context of the existing cottage and wider farm complex and therefore will not appear as a significant incursion into the countryside.

It is considered necessary to remove permitted development rights for the erection of outbuildings within the garden as well as any new boundary treatments (fences etc) to protect the character of the countryside.

It is concluded that the scheme for the retention of the garden 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 proposed garden at the rear of the cottage provides a private outdoor space for the property and a good standard of amenity for future residents. The garden is situated largely to the rear of the building and thus not within close proximity of the farmhouse and other cottages on the site. It is considered that there is no adverse impact on residential amenity.

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 the occupancy condition on the holiday cottage to create an open market dwelling. That application will provide some economic and social benefits through the provision of a new dwelling in a District which currently lacks a five year supply of housing. The proposed retention of the garden will provide future occupants of the cottage 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: 05/10/2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council