Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

WYLDE GOOSE FARM
BRADNOP

NOVEMBER 2018

Site Address:
Wylde Goose Farm, Ashbourne Road, Bradnop, ST13 7LZ

Applicant:
Mr. E. Hine

Proposal:
Conversion and alteration of redundant agricultural building to form a single dwellinghouse

Planning Statement:
Date Issued: 13th November 2018
Job Reference: RDP/2018/099

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. E. Hine to seek part retrospective planning permission for the conversion and alteration of a former agricultural building at Wylde Goose Farm, Ashbourne Road, Bradnop into a single dwellinghouse.

1.2 By way of background the applicant had previously sought consent to convert the building by way of a prior approval submission under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). That application (LPA Reference: DET/2017/0041) was not determined within the statutory 56-day period, and upon querying the matter, the applicant's architect (Ian Ankers) was advised by the Local Authority's Operations Manager (Mr. B. Haywood) via email (23/2/18) that the works were permitted development. A subsequent email from Mr. Haywood on the same day suggested applying for a lawful development certificate to 'satisfy any potential purchasers'. Copies of these emails can be provided on request.

1.3 The applicant subsequently commenced works on converting and repairing the building in good faith based on the content of that email, and in the intervening period lodged a Lawful Development Certificate application to confirm that the works did indeed amount to permitted development. However, that application, which was determined five months after the original prior approval was determind, was refused on account of the proposal not fulfilling the requirements of the Permitted Development Order in respect of the following matters (summarised):

1. *It had not been demonstrated that the building was in agricultural use;*

2. *Insufficient information had been submitted to demonstrate that the building was capable of functioning as a residential conversion with only works carried out within the limits of those permitted under Class Q; and*

3. *The proposed extent of external amenity space exceeded the limits permissible under Class Q.*

1.4 This application seeks full planning permission to convert and alter the existing building to form a single dwellinghouse. The proposed accommodation will comprise of an open plan kitchen/living/dining room, utility, hall and two bedrooms (one ensuite) at ground floor, with two further bedrooms and a shower room located at first floor within the roofspace of the building.

1.5 Externally it is proposed to create an area of private residential amenity space, which will be consolidated to the south and west of the building, and enclosed by indigenous hedgerow and post-and-rail fencing in order to minimise impacts on the character of the area. Vehicular access will be taken via the existing track that serves the farm off the Ashbourne Road, with parking and turning space provided to the north of the building.

2 Site Location

2.1 The application site lies within the rural area, and comprises a detached former agricultural building constructed from red brick with a Staffordshire blue tiled roof. It is a fairly attractive building, with interesting, integral water troughs located on its westerly elevation. The site is bordered to the northeast by the existing farmhouse, with open fields surrounding the remaining boundaries. Vehicular access to the site is taken to the north/northeast via an existing track that feeds off the Ashbourne Road. The

site as a whole occupies a sustainable location that is within easy walking and cycling distance of Leek. A public footpath runs past the site connecting with Lowe Hill Bridge to the northwest.

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:

3.1 Policy SS1a of the Core Strategy relates to the 'Presumption in Favour of Sustainable Development' and 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.*

3.2 Policy SS6c of the adopted 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. The policy goes on to state that the Council will meet essential local needs by (amongst others):

- *Allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2.*

3.2 Policy R2 of the Core Strategy relates to 'Rural Housing' and states that the conversion of non-residential rural buildings for residential use will be acceptable where the building is suitable and worthy in physical, architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable through a marketing exercise, or its conversion to residential use would enable a building of particular merit to be safeguarded.

3.3 Policy DC1 of the Core Strategy relates to 'Design Considerations' and states that new development should be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area. Proposals should 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.

3.4 Policy NE1 of the Core Strategy relates to 'Biodiversity and Geological Resources' and states that development should ensure that it produces a net

gain in biodiversity, and ensure that any unavoidable impacts are appropriately mitigated for. Proposals should also protect and enhance habitats and species of principal importance for the conservation of biodiversity.

4 Other Material Considerations

National Planning Policy Framework (July 2018)

4.1 The recently revised National Planning Policy Framework (NPPF) sets out policies, *inter-alia*, in respect of rural housing, securing high quality design, and securing a net gain in biodiversity. The content of the NPPF is discussed in more detail within the Planning Assessment below.

SMDC Housing Land Supply Statement (March 2018)

4.2 This document assesses the Local Authority's performance in respect of housing delivery and the availability of deliverable sites. It confirms that the Local Authority has a deliverable supply of housing land equivalent to 1.8 years. The content of this document is considered in more detail within the Planning Assessment below.

5 Planning Assessment

Principle of Development

5.1 The application seeks consent to alter and convert the existing former agricultural building on the site to form a single dwellinghouse. Policies SS6c and R2 of the Core Strategy make provision for the reuse of rural buildings for residential purposes, with the latter stating that conversion to residential use will be acceptable where the building is suitable and worthy in physical, architectural and character terms for conversion and where it can be demonstrated that agricultural or commercial use is not viable or suitable

through a marketing exercise, or its conversion to residential use would enable a building of particular merit to be safeguarded.

5.2 The requirement to undertake a marketing exercise is in direct conflict with the provisions of the more recently published NPPF, and is thus considered to be out-of-date in this respect. Consequently, no marketing has been undertaken, as it is an unduly onerous and out-of-date policy requirement. The emerging Local Plan Submission Version acknowledges this within its explanatory text to policy H1.

5.3 The existing building is considered to be worthy physical terms for conversion. Whilst the accompanying Structural Survey notes that the building is in a relatively poor condition and recommends a series of repairs to be carried out, the extent of these works is not overly significant and does not amount to substantial re-building.

5.4 In this context I would draw the Local Authority's attention to the appeal decision accompanying application SMD/2016/0644 (Old Furnace Farm, Oakamoor) where consent was sought to convert and alter an existing building, which included the erection of an entirely new roof with steeper roof pitch. That scheme was found by the Planning Inspector to still amount to a conversion, and thus the appeal was allowed.

5.5 I also draw attention to application SMD/2017/0005 at Oaks Barn, Bagnall where consent was granted to convert an existing building into residential use that was in a very poor state of repair, including no roof structure at all, collapsed eaves, and partially collapsed elevations. That proposal was also deemed to accord with the provisions of policies SS6c and R2 of the Core Strategy, despite it requiring extensive re-building. The submitted proposal by contrast involves comparatively limited repairs to the fabric of the

building, and is therefore considered to be worthy in physical terms for conversion.

5.6 The building is also worthy for conversion in architectural and character terms, comprising as it does a visually pleasing former agricultural building constructed from red facing brickwork with a Staffordshire blue tiled roof. As a consequence the conversion of this building to residential use is considered to be acceptable in principle, and accords with the provisions of policies SS6c and R2 of the Core Strategy.

Design & Layout

5.7 The existing building benefits from a number of existing openings, and the submitted proposal adopts a sensitive approach to its conversion, making beneficial reuse of those openings in order to respect its original agrarian character. The only new openings proposed are the provision of six rooflights within the roofslope – four on the eastern roofslope and two on the western. It is nevertheless noted that the building already benefits from four rooflights on its eastern roofslope, so the proposed insertion of new conservation style rooflights in this part of the building will not derive any material adverse harm to the character of the building compared to that which already exists. The two rooflights on the western roofslope will not have any consequential visual impact or harm to the agrarian character of the building, and are therefore considered to be acceptable.

5.8 Externally, it is proposed to create an area of domestic curtilage to the south of the building, which will be enclosed by an indigenous hedgerow in order to minimise the visual impact of the amenity space. The curtilage will wrap around to the western side of the building, and be enclosed by stock proof fencing. The existing yard area in front of the building will provide parking and turning facilities for the new dwelling. The proposed amenity space

exceeds the minimum required standard of 65 square metres and therefore will derive an appropriate level of amenity for future occupants of the dwelling. Similarly, the proposed development will not give rise to any adverse impacts to the amenity of neighbouring residential occupiers, given the absence of any directly facing principal windows and the distance between the buildings. Such considerations lead me to conclude that the proposed development accords with the provisions of policy DC1 of the Core Strategy.

Highway Safety

5.9 Vehicular access to the site is to be taken direct off the Ashbourne Road via the existing track that serves the farmhouse and existing building. The access benefits from good visibility in both directions on egress, and its bell mouth is deep enough for a vehicle to pull clear of the carriageway to await any oncoming traffic along the track (which is straight in alignment so affords good forward visibility).

5.10 A parking area capable of accommodating a minimum of three cars will be created, along with associated turning space to ensure that cars are able to exit the site in a forward gear. Consequentially the proposed development will not give rise to any unacceptable or severe impacts to highway safety, that being the test to be applied under paragraph 109 of the NPPF.

Ecology

5.11 A Bat Survey prepared by Leigh Ecology Ltd. accompanies the application and has assessed the building to determine the likely presence or otherwise of bats. No signs of bats or nesting birds were found within the barn, and given the condition of the roof, the building is unlikely to offer suitable roost habitat. The only mitigation measure identified within the report is a requirement to check the building for birds nests if proposing to undertake

works during bird nesting season. A suitably worded planning condition can be imposed to ensure this occurs, and in doing so the development will accord with the provisions of policy NE1 of the Core Strategy.

Other Considerations

5.12 The submitted proposal also has to be considered in the context of the presumption in favour of sustainable development set out in policy SS1a of the Core Strategy, and paragraph 11 of the NPPF. This is owing to the Local Authority's inability to demonstrate a five-year deliverable supply of housing as required by the NPPF (paragraph 73 of the NPPF refers).

5.13 The Local Authority's Housing Land Supply Statement (March 2018) confirms that a housing supply of just 1.8 years can be demonstrated, and as a consequence, the tilted balance in favour of approval, as set out in paragraph 11 of the NPPF, is engaged. In such circumstances permission should only be refused if any adverse impacts of granting consent would *significantly and demonstrably* outweigh the benefits of the development when assessed against the NPPF taken as a whole.

5.14 The conversion of the existing building to residential use is considered to constitute a sustainable form of development when assessed against the NPPF as a whole, as the proposal involves the reuse of an existing building, something which is explicitly encouraged by the NPPF, in particular paragraph 118 which states that planning decisions should:

> *"promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained"*

5.15 The proposal furthermore will not result in the creation of an isolated home in the countryside (paragraph 79 of the NPPF refers), as the proposal involves the reuse of a building that is located adjacent to an existing farmhouse, and which is located within comfortable walking and cycling distance of the centre of Leek (approximately 2km distant). Future occupiers of the dwelling will therefore have a choice of means of transportation to access local services and facilities, and even if car journeys are undertaken, these will not be long in duration.

5.16 Economic and social benefits will also be derived as a consequence of creating one additional household to contribute towards the Local Authority's substantial shortfall in housing land supply, with further economic benefits ensuing from the additional household expenditure that will be generated by the proposal.

5.17 Overall, the proposal will derive a number of material benefits, and will not result in any conflict with the provisions of the NPPF taken as a whole. It is furthermore submitted that no adverse impacts will arise to significantly and demonstrably outweigh the benefits of the development, and consequentially planning permission should be granted in accordance with the presumption in favour of sustainable development.

6 Conclusion

6.1 The submitted proposal is considered to constitute a sustainable form of development having regard to the following conclusions:

- The building is suitable and worthy in physical, architectural, and character terms for conversion;

- The proposal adopts a sensitive design approach, which makes beneficial reuse of existing openings and safeguards the agrarian character and appearance of the building;

- The proposed means of access will not derive any unacceptable or severe residual impacts to highway safety;

- The accompanying bat survey demonstrates that there will be no adverse impacts on protected species;

- The proposal will derive a number of material benefits when assessed against the NPPF taken as a whole, and no adverse impacts will arise to significantly and demonstrably outweigh them.

6.2 For these reasons the proposal is considered to meet the requirements of policies SS6c, R2, DC1 and NE1 of the Staffordshire Moorlands Core Strategy, and policies contained within the National Planning Policy Framework.

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