PLANNING STATEMENT

REMOVAL OF CONDITION 2 OF SM94-1109 AT FRINSMOOR CROFT, ASHBOURNE ROAD, RUE HILL, CAULDON LOW ST10 3HD

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1. Introduction

1.1. This Planning Statement is prepared by AM Planning Consultants Limited on behalf of our client Mrs J Little (the `applicant`), in support of an application for the removal of Condition 2 of SM94-1109 dated 14th March 1995 restricting the use of the premises for short stay holiday accommodation not exceeding four weeks at any one time.

2. Background

2.1. Planning permission was originally granted Under Planning Ref. No. SM94-1109 for the conversion of the detached agricultural building to form a holiday let and the property has operated as such since November 1996.

2.2. Condition 2 of that consent restricts the use to short stay holiday accommodation as set out below:

The premises shall be used for short stay holiday accommodation not exceeding four weeks at any one time and for no other purpose including any purpose in Class C3 (dwelling houses) of the Town & country Planning Use Classes Order 1987.

2.3. The property has provided a two bedroomed short-term holiday accommodation over the years, but the level of income from the bookings and profit generated from the business has reduced significantly over the last 5 years, to the stage where the applicant currently has no bookings for this year.

2.4. There are several reasons for the poor occupancy level first, this arisen due to the increasingly level of traffic along the A52, and the property is now sandwiched between two quarries i.e. Wardlow to the south, LaFarge to the north, which generates a large number of heavy vehicles which travel pass the application site.

2.5. Secondly, the low level of occupancy has also been exacerbated due to the increased 3 hotels and 102 accommodation pods provided at Alton Tower, along with the additional of campsites and woodland lodges in the area, resulting in an oversaturated provision of accommodation. Please see the attached newspaper articles attached as Appendix 1 and 2.

2.6. Details of the holiday business, Income from bookings and the expenditure are set out in the attached Viability Statement accompanying the application as Appendix 3. This shows that there is a significant amount of alternative accommodate within the area, and that the income from the occupancy is

insufficient to cover the upkeep of the property let alone to provide an income for the applicant. Since 2014 the overall income has been in minus figures and this trend is continuing and has resulted in the property being a liability rather than an asset, especially when there is a shortage in available housing within the district.

3. Planning History

3.1. Planning permission was granted for the conversion of the agricultural building to short-term holiday in 1995 under planning ref. no. SM94-1109 dated 14th March 1995.

3.2. An application to remove Condition 2 was previously refused under Planning Ref. No. SMD/2015/0525 dated 16th November 2015.

3.3. An appeal was lodge against the refusal to grant the above planning permission but this was dismissed on 5th September 2016. However, circumstances have changed materially since the time of that decision.

3.4. I would also direct you to The Lodge, Mill Road, Oakamoor appeal decision for the conversion of an agricultural building to a dwelling ref. No. APP/B3438/W/17/3171736 which was allowed due to the LPA's lack of a five-year housing land supply. Attached as Appendix 4.

3.5. That application was not accompanied by any marketing material and the Inspector concluded that the Core Strategy Policy R2 was out of date and carried little weight due to the fact that the LPA did not have a sufficient 5-year housing land supply.

3.6. Rock House Farm decision SMD/2017/0764 attached as Appendix 5.

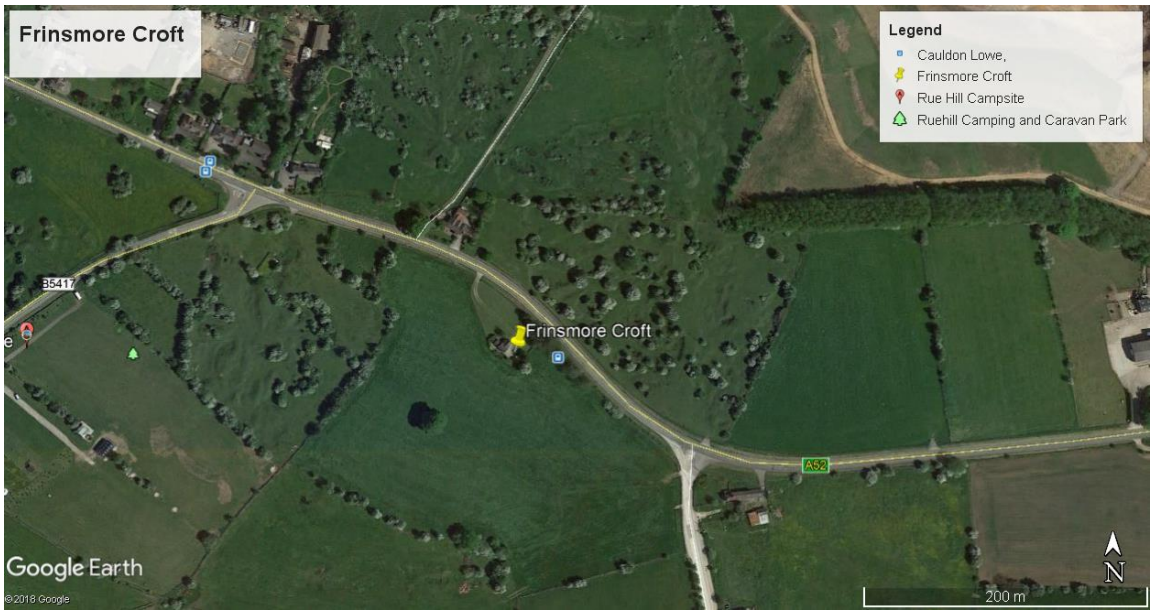
4. Application Submission Documents

4.1. The following documents have been submitted in support of the application:

- Planning Statement
- Location Plan
- Viability Statement

5. Site and Surrounding

5.1. The application site lies on the southern side of the A52 (Rue Hill) between the junction with the B5417 to the east and the junction with the access road to the Wardlow Quarry as shown in the Google Image below.



5.2. The site lies within a rural location and the northern boundary is formed by the A52 and a short stone wall, with agricultural land to the east, south and west of the site. Wardlow Quarry lies approximately 170m to the south of the site.

5.3. Bus stopes which provide transport connects to Ashbourne and Leek are located in close proximity to the site and shown on the Google Image above.

5.4. The site comprises of a detached stone and tile former agricultural building that sits within a substantial plot that is laid to grass, with an access track of the A52 at the north-western corner of the site.

6. The Proposal

6.1. The Section 73 planning application seeks to remove Condition 2 from the planning consent to enable the applicant to rent the property out as a residential dwelling to generate an income.

7. Planning Policy Framework

7.1. In preparing this Planning Statement reference is made to the following national and local planning policies and guidance documents:

- National Planning Policy Framework (NPPF) (March 2012)
- Staffordshire Moorlands Core Strategy Development Plan adopted March 2014

- Churnet Valley Master Plan Supplementary Planning Document

8. National Planning Policy Framework

8.1. The National Planning Policy Framework (July 2018) (NPPF) has replaced the first published NPPF and became immediately relevant when making planning decisions. The following paragraphs are considered relevant to the consideration of the application and the approach authorities should take in respect to decision taking.

8.2. Paragraph 11. advises that at the heart of the NPPF is the presumption in favour of sustainable development. For decision-taking this means approving development proposal that accord with an up-to-date development plan without delay; and where there is no relevant development plan or the policies are out-of-date planning permission should be granted unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework are taken as a whole.

8.3. Paragraph 47 requires that planning application be determined in accordance with the development plan unless material consideration indicates otherwise within statutory timescale unless a longer period has been agreed.

8.4. Paragraph 59 states that to support the Governments objectives of significantly boosting the housing supply that it is important that a sufficient amount and a variety of land can come forward, and that the need of groups with specific housing requirement are addressed, and where land has permission it should be developed without unnecessary delay.

8.5. Whilst paragraphs 61-63 inclusive support the provision of affordable housing.

8.6. Paragraphs 77 and 78 support applications which reflect the local needs for rural exceptions sites that provide affordable housing to meet an identified local need where it will enhance or maintain the vitality of rural communities.

8.7. The NPPF supports the re-use of redundant or disused building which enhance its immediate setting in para. 79.

8.8. Paragraph 118 states that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing; and support opportunities to use the airspace above existing residential and commercial premises for new homes.

8.9. Chapter 6 supports a prosperous rural economy, whilst Chapter 9 promotes sustainable transport.

8.10. Chapter 11 encourages making the most effective use of land.

8.11. Chapter 12 sets out the importance of well-designed places, Specifically para. 124 encourages the creation of high-quality buildings which creates better places in which to live and work. Whilst para. 127 requires that decisions should ensure that development functions well and adds to the overall quality of the area, are visually attractive, are sympathetic to the local character and history, are sympathetic to the local character and materials.

8.12. In terms of economic, social and environmental dimensions of sustainability, this proposal offers a number of significant benefits for the area:

- The provision of two bedroomed dwelling suitable for people who wish to rent or someone wishing to downsize, and will contribute to meeting the Housing Needs requirements.

- The proposal will promote housing choice on the rental market or first-time buyers who wish to continue to live in the area but have found it difficult to get onto the property market.

- The dwelling would be available immediately, and revenue from Council tax and use the dwelling would help to contribute positively to the rural economy.

- The future occupiers of the proposed dwelling would have the ability to utilise one of the rooms as an office, which will enable the potential for home working as the majority of office based/white collar roles now offer this to their employees. This will reduce the need to travel to work and be more sustainable whilst reducing the carbon footprint.

- The proximity to Ashbourne, Cheadle and Leek town centres and the intervening villages will ensure that the future residents enhance and contribute to maintain the vitality of the local rural community and economy by supporting local facilities.

- There are good transport links to support the use of alternative modes of transport to the motor car. E.g. bus services.

- This proposed dwelling will enable the applicant to generate an income from either the rental or sale of the property to enable her to make provision of

her future long-term care to enable her to remain in her own dwelling or fund residential care as she ages.

- The availability of the property would encourage inward investment into the area and add to the employment pool of the district.

- The additional landscaping will encourage local wildlife to flourish and enhance the character of the area and the open countryside. This will also soften the development whilst retaining the rural character of the area.

- Solar panels were installed at the property to ensure that the property utilises sustainable energy sources.

- There are significant employment opportunities in the local area, and towns to support the future growth of the area and future occupiers will contribute financially to maintain and enhance those services and facilities.

8.13. The duty to boost housing significantly does not falls on the developers/applicants only to submit residential proposal for large scale development sites, that may deliver a greater number of dwellings over the build period but, which may not deliver any dwellings for several years due to potentially selling the land off in lots, construction of infrastructure, decontamination works etc. And it is clear from the Council's position of failing to reach or maintain a 5- year housing land supply can also be contributed to through small windfall sites, such as this proposal which can be delivered quickly and will contribute to the deliverability of five-year housing land supply in a timelier manner.

8.14. The Council's recently published it's 5-year land supply level to 31st March 2017 which requires a 20% buffer as a `persistent under delivering` authority and reaches the conclusion that they only have 1.99 years of deliverable housing land supply. This situation is likely to worsen as housing delivery does not meet projected figures and additional housing is necessary to fulfil this gap.

8.15. In 2017/2018 the housing completion target was 300 but only 99 dwellings were completed. In rural areas to the target was 62 dwelling but only 32 were completed. It is evidence that there is a serious urgent need for housing in rural areas and the district to prevent outward migration.

8.16. It is evident that this shortfall needs to be made up by deliverable site over the next five years and this proposal can assist to contribute positively towards the Councils future need for housing land and deliver high quality designed housing, which would be available immediately upon the grant of planning permission.

8.17. This proposal accords with the National Planning Policy Framework (July 2018) and does not result in any significant adverse impact which would demonstrably outweigh the benefits of granting planning permission.

9. Local Plan Policies

9.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

9.2. It is evident that the applicant's business is not viable and that there is a significant shortfall in housing in the District, which far outweighs the retention of this holiday accommodation. Despite the housing policies in the Core Strategy being classed as out of date due to the lack of a five-year housing land supply, I will address the relevant policies below:

9.3. **Policy SS1 Development Principles -** This policy is satisfied for the reasons set out in paragraphs 8.12 above in relation to contributing positively to the social, economic and environment. No alterations are required to the property as it is already suitable for use as a dwelling. This will help to retain the sites rural appearance.

9.4. Due to the fact that the holiday accommodation is no longer viable and the building is not suitable for an alternative business use the removal of condition 2 to enable the property to be used as a residential dwelling is the most efficient and effective use of the site.

9.5. Landscape planting will also enhance the setting of the dwelling and the biodiversity of the site.

9.6. **SS1a - Presumption in Favour of Sustainable Development** – This policy is satisfied for the reasons set out above and the fact that the proposal respects the character of the area and merely utilising an existing building as a dwelling. No significant or demonstrable harm would result from this proposal and all other policies are address below.

9.7. **Policy SS2 - Future Provision of Development** – This policy is satisfied due to the fact that the proposal will contribute to the Council's deliverable five-year housing land supply immediately upon the grant of planning permission.

9.8. **Policy SS3 - Distribution of Development** - This proposal is satisfied due to the fact that there is a provision for 28% of dwellings to be allocated within rural areas.

9.9. **Policy SS4 - Managing the Release of Housing Land** – This policy clearly holds little or no weight due to the Council's lack of a deliverable housing land supply. However, it does assume an allocation of 30% of windfall site within rural areas and this proposal would contribute towards that figure.

9.10. **SS6 - Rural Areas** – This policy requires the delivery of a total of 1680 new dwellings over the lifetime of the plan in accordance with the area strategies SS6A-6C, and the proposal falls within the classification of other rural areas.

9.11. **Policy SS6c - Other Rural Areas Area Strategy –** Due to the lack of a 5- year housing land supply it is considered that this policy holds limited weight. However, the proposal has no greater impact than its existing use, and will preserve and protects the historic appearance of the original barn and openness of the countryside. The landscape setting could be improved through the provision of planting to enhance the biodiversity of the site.

9.12. The proposal already incorporates sustainable energy sources and the future occupier could potential work from home to reduce their carbon footprint, and there is the opportunity to use alternative modes of transport due to the site's location on a bus route and the adjacent bus stop.

9.13. **Policy SS7 - Churnet Valley Area Strategy** – This policy supports the redevelopment of the site through the use of an existing building without any external or internal alterations to retain the agricultural buildings original features, which is a distinct and intrinsic feature of the landscape character of the area for decades. This reflect a time in the farm industry's history that should be retained and protected for future generations to interpret the changes to the nature of the design of agricultural buildings.

9.14. **Policy SD1 - Sustainable Use of Resources –** As previously stated the proposed use of the property as a dwelling is located in close proximity to the local bus services and provides an alternative mode of transport for day to day living. Whilst the proposed removal of the condition will enable the property to be used as a dwelling which already benefits from sustainable energy sources and incorporates the use of sustainable drainage.

9.15. **Policy SD3 - Carbon-saving Measures in Development –** This policy is satisfied through the incorporation of the existing solar panels.

9.16. **Policy SD4 - Pollution and Flood Risk –** This policy is satisfied as there is no effect of pollution from air, land, noise, water or light and will not result in the increase risk of flooding elsewhere.

9.17. **Policy H1 New Housing Development –** For the property to be used as a high quality sustainable designed dwelling no alterations are required and the proposal would encourage either inward migration or prevent outward migration from the area.

9.18. **Policy DC1 - Design Considerations** – Due to the fact that no alterations are required and the historic appearance of the agricultural building will continue to be retained the proposal therefore respects the character of the area and promotes a positive sense of place. All other elements of this policy have been addressed above.

9.19. **Policy DC3 - Landscape and Settlement Setting –** This policy is satisfied for the reason set out above and the proposal would not be detrimental to the character of the local and wider landscape or adverse to the setting of the National Park.

9.20. **Policy R2 - Rural Housing –** This policy holds little weight on the basis that the Council does not have a deliverable five-year housing land supply and the policy fails to consider the impact of the proposal**.**

9.21. **Policy T1 - Development and Sustainable Transport –** The proposal potentially could secure the provision of an element of homeworking to reduce the reliance on a private car. In addition to this, the site is also in close proximity to the local bus services to provide an alternative mode of transport.

9.22. There are sufficient car parking spaces already provided on site and the proposal will not result in a detrimental impact or harm on the highway safety.

10. Conclusion

11.1. This proposal to removal Condition 2 will enable the property to be used as a dwelling and generate a rental income for the applicant or from the sale to enable her to fund her future care as she requires it, whilst providing a much needed two bedroomed sustainable dwelling.

11.2. No external alterations are required to enable the property to function as a dwelling and therefore the proposal will not result in any greater impact on the character and appearance of the area than the existing use was it to operate with continuous bookings throughout the year.

11.3. Currently, the Core Strategy housing policies hold little weight due to the fact that the Council does not have a defendable 5-year housing land supply and this proposal would provide an additional dwelling immediately upon the grant of planning permission contributing positively to the Council Housing and Supply.

11.4. The proposal accords with the provisions of NPPF taken as a whole and there is no adverse impact from the proposal, which would significantly and demonstrably outweigh the benefits of granting planning permission.