DELEGATED DECISION REPORT

SMD/2018/0728	**WOODHEAD HALL FARM**	**REMOVAL OF CONDITION 6**
Valid 20/11/2018	**CHERRY LANE**	**RELATING TO SMD/2003/0777**
	CHEADLE	
		(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Sustainability of the location / travel impacts
- Impact upon the character and appearance of the area, including upon the Public Right of Way;
- Heritage – non designated
- Residents' and neighbours' amenity;
- Highway safety

DESCRIPTION OF SITE

The application site relates to a former agricultural building containing a series of converted barns and other agricultural buildings which are currently used as tourist accommodation. They are arranged in a rectangular U-shape layout and are located approximately 350m from the edge of Cheadle and 1.5km from the centre of Cheadle.

The application site encompasses a Public Right of Way which runs along the access driveway to the barns (Cheadle footpath 39).

The application site is bounded on all sides by agricultural land and sits outside the development boundary. There is an adjacent residential dwelling (the former farm house) to the immediate south and one to the north, Cherry Barn (a modern conversion), on the other side of the access lane.

The farm is included in the Staffordshire Inventory of Rural farmstead and as such is regarded as a non-designated heritage asset. It is described as:

> "An isolated farmstead laid out around a regular, U-plan courtyard with detached farmhouse. The farmstead appears to have been established in the mid to late 19th century and survives largely unaltered."

PROPOSAL

The application seeks to remove condition 6 of planning permission 03/01083/FUL (SMD/2003/0777) approved 8th June 2005. Condition 6 is that:

> "The proposed five holiday units 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 and

Country Planning Use Classes Order 1987. **Reason**: to safeguard the amenities of the area."

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
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
R1 Rural Diversification
R2 Rural Housing
NE1 Biodiversity
T1 Development and Sustainable Transport

Local Plan Submission Version (February 2018)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
H1 New Housing Development
NE Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework July 2018

Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

03/01083/FUL (SMD/2003/0777) Conversion of block of redundant agricultural buildings to 5 holiday lets and conversion of redundant agricultural building to dwelling 8th June 2005 – approved

SMD/2012/0902 Removal of condition 6 from 03/01083/FUL REFUSED 22/01/2013

SMD/2013/1068 Removal of condition 6 (holiday let restriction) of planning permission 03/01083/FUL – Conversion of block of redundant agricultural buildings to 5 holiday lets and conversion of redundant agricultural building to dwelling REFUSED 25/11/2013

CONSULTATIONS
Publicity
Site Notice expiry date: 13th January 2019
Neighbour consultation period ends: 12th January 2019
Press Advert: N/A

Public Comments
None

Town / Parish Comments
Cheadle Town Council – no objections

Staffordshire County Council Archaeology
No comments

Staffordshire County Council Highways
No objections

OFFICER COMMENTS

Principle of Development
The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998). Core Strategy (CS) Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as is contained within the National Planning Policy Framework (NPPF).

Planning applications that accord with policies within the Core Strategy will be approved without delay and where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering whether:

I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,

II. Specific policies in that Framework indicate that development should be restricted.

Paragraph 67 requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land, increased to a 20% buffer where there is a persistent under-delivery in past years. Relevant policies for the supply of housing should not be considered

up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The policies contained in the NPPF as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

Policy SS6c of the Staffordshire Moorlands Core Strategy Development Plan Document 2014 sets out a strategy for "Other Rural Areas" which comprise of the open countryside and Green Belt outside of the development and infill boundaries of the towns and villages. These areas will provide only for development which meets an essential local needs, supports rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Policy R1 seeks to support rural diversification and states, amongst other things, that wherever possible development should be within suitably located buildings which are appropriate for conversion with priority being given to the re-use of rural buildings for commercial enterprises, including tourism uses.

Policy R2 of the Core Strategy states that other than sites allocated for housing development in the Site Allocations DPD, only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of towns and villages: affordable housing, a new dwelling that meets a local need, replacement dwellings, and extensions to dwellings.

The conversion of non-residential buildings for residential use will be permitted where the building is suitable and worthy in physical and architectural and character terms for conversion or that the conversion to residential use would enable a building or particular merit to be safeguarded. The R2 requirement for a market evaluation of the viability of the building for agricultural or commercial use is however an out of date policy as it is no longer a requirement of the NPPF and therefore it is no longer a requirement with this application.

The Council refused the previous two applications to remove this particular condition for the following reasons:

12/01103/REM

1. The application seeks consent for the removal of condition number 06 of planning permission reference 03/01083/FUL which restricts the use of the premises for short stay holiday accommodation. Development Plan policies strongly support economic growth in rural areas including the need to support rural tourism; priority should be given to securing and retaining commercial uses. Whilst it is acknowledged that some marketing information has been submitted it is considered that it does not focus on the matter of whether or not the holiday-let is a viable / appropriate business for this location or whether it is a sustainable business in the long term. The application is therefore contrary to Saved Policy B21(F) of the Staffordshire Moorlands Local Plan, policies D4 and NC1 of the Staffordshire and Stoke on Trent Structure Plan, Policies R2 and SS6c of the Core Strategy (Revised Submission Document 2011) and National Planning Policy Framework

including Chapter 3: Supporting a Prosperous Rural Economy and 6: Delivering a Wide Choice of High Quality Homes.

SMD/2013/1068 (13/00885/REM)

1. Development Plan Planning Policies strongly support economic growth in rural areas including the need to support rural tourism. Priority should be given to securing and retaining commercial uses and where permanent domestic, residential use is proposed there is a requirement to satisfactorily demonstrate through marketing the non-viability of other commercial options and the non-viability of the existing tourist use. Whilst it is acknowledged that some marketing information has been submitted it is considered that this is out of date, does not conclusively reflect the current market demand, does not confirm the potential to sell the units individually and does not categorically demonstrate that the site is not viable for continued commercial use. The application is therefore contrary to Saved policy B21(F) of the Staffordshire Moorlands Local Plan, policies R1 and R2 and SS6C of the Core Strategy (Revised Submission Document) 2011 and the National Planning Policy Framework including Chapters 3: Supporting a Prosperous Rural Economy and 6: Delivering a Wide Choice of High Quality Homes.

Sustainability of Location

Paragraph 79 of the NPPF states that local planning authorities should avoid isolated homes in the countryside unless one or more specified circumstances apply. In this case the application building occupies a location which is within approximately a 1.5km radius from the centre of Cheadle (recognised as a town with the Core Strategy) and within a walking distance of c.1.8km. This is within accepted walkable distance and there is good connection for this site by way of public footpath 39 which passes through. On this basis it may reasonably be considered that these would not be 'isolated' homes.

Despite reasonable proximity to the town it must though be assumed that car borne travel will be relied upon much of the time but whilst the 'profile' of this use will be different from that of tourist occupiers the actual impacts may reasonably be considered to be broadly similar overall. In place of daily journeys to and from places of interest, occupiers will instead be making daily journeys to and from work etc.

Amenity

Policy DC1 states that all new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Due to its isolated location and current use the proposed development is not considered to raise any adverse amenity issues in terms of impact on any of the surrounding residential properties or neighbouring land uses.

Amenity must however also be considered in respect of the residential occupiers of the application buildings. By reference to the Council's adopted 'Space About Dwellings' requirements, the separation distances between principal windows and area of available garden amenity space should be considered. Available internal floor areas should be assessed against the Government's Nationally Described Space Standards.

The width of the courtyard between units 4 and 5 (on the NE side) and unit 1 opposite is c. 12m which is well below the normally required separation of 22m for facing principal widows. There are four principal windows in the single storey unit 1 which face across to the two storey unit 4 and part two storey unit 5. Most of the principal windows for units 4 and 5 are on the NE elevation and do not face across the courtyard. However a ground floor window in a bedroom at the southerly end of unit 4 faces directly across to a ground floor bedroom in unit 1; a first floor bedroom in the north end of unit 5 faces down towards a bedroom at the north end of unit 1 and the ground floor living room of unit 5 is obliquely opposite unit 1. The separation of 12m is greater than commonly found in traditional terraced housing eg c.8.5m in Grove Street, Leek and typically c.10.5m. Given the limited scope of the conflicts in separation identified and that the majority of the principal windows are not in conflict, the compromises are considered acceptable in this overall scheme.

Outdoor space allocations have been shown indicatively on an aerial photograph submitted. Units 1 to 3 would each have c. 65m2 just meeting the Space About Dwellings guideline and units 4 and 5 would each have c. 135m2 comfortably exceeding the requirement. These figures do not include the shared amenity space in the courtyard area of c.135m2 (not including the four parking spaces in this area serving two of the units).

The table below shows the units and the current bedroom and bed space numbers along with the NDSS which would apply. Alongside this in columns four and five are the agent's estimates of the available space and the LPA estimate. There is some difficulty arriving at an accurate space estimate as the original plans are only available from microfiche and not to scale. A reference scale has been adopted based on a known dimension within the drawing, specifically, in the LPA's estimate, the length of the southerly elevation of the building (23m).

Unit	No. bedrooms	No. bedspaces	NDSS	Agent	LPA
1	3	5	86m2	86m2	74m2
2	3	6	95m2	99m2	84m2
3*	1	2	58m2	82m2	59m2
4*	4	7	115m2	124m2	115m2
5*	2	4	79m2	107m2	92m2

*two-storey

The LPA can be reasonably satisfied that units 3, 4 and 5 meet the standard. Units 1 and 2 however fall short. Neither of these units though is in the smallest category ie. one bedroom dwelling. This means that they do meet the NDSS for a lesser number of occupants. Unit 1 meets the three bedroom four person standard as does unit 2. The latter is also only very slightly short of meeting the three bed five person standard. On this basis the principle of the units being used as dwellings – and the removal of the condition to allow this – is judged acceptable. However, a condition requiring these units to only be marketed as 3 bed four person units would be appropriate. It is worth noting that the large discrepancy between the agent's and LPA's figures for unit three in particular would seem to be due to an area of non habitable roof void on the first floor having been mistakenly included in the agent's' figures.

Highway Safety

The approved plans for the holiday accommodation show parking spaces for eight vehicles. With three or more bedrooms in four of the units the minimum standard would be 12 spaces along with a minimum of one space needed for the one bedroomed unit. There is little or no risk however of parking spilling over to obstruct the public highway as the site is some 175m from the nearest metalled road, Cherry Lane, which is classed as private / un-adopted – though it is a registered public footpath right of way. The agent simply says in the planning statement that "there is ample parking available on site to meet the needs of future occupants". This may be a reference to there being other land in the applicant's control and within the red edge which is de facto yard / vehicle turning and manoeuvring space and therefore potentially available. Ultimately the available vehicle space may be expected to be self limiting and, as noted, there is little risk of any shortage of space adversely affecting wider public interests.

Other matters

The farmstead has non-designated heritage asset status as noted at the outset of this report. The approved conversion sensitively and appropriately conserves the building's heritage interest. Importantly the 2003 permission removed PD rights Classes A to E so the LPA will have control should there be any further proposals for extensions or for garden structures.

In terms of economic contribution the economic benefit of tourism spend will have a different 'profile' from that of permanent residents but at this location there is not seen to be any likely recognisable or specific disadvantage as a result of the change.

CONCLUSION / PLANNING BALANCE

The NPPF makes it clear that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The proposal would bring social benefits in terms of making a contribution albeit small to housing provision in the District. The proposal may also have some benefits in terms of generating additional household expenditure in the area.

The habitability of the five dwelling units assessed against the important amenity standards of privacy / neighbour proximity; garden amenity space; internal floor space and parking space have all been considered in detail in the report. Some compromises particularly in terms of internal floor space and parking availability have been identified. For the reasons disused, these compromises are judged acceptable. It may in particular be considered significant that the planned or expected occupancy numbers for holiday let premises are likely to be higher than may be anticipated when used instead as main dwellings. Ultimately the appeal / take-up of the accommodation offered in these units on the open market is likely to be self-limiting on the basis of the buyer / tenant assessment before purchase / rental.

Giving weight to the Council's current significant deficit in housing land supply and the contribution which these dwellings would make and recognising the sustainable travel distances of under 2km by available routes to the nearby market town service centre the proposed removal of the occupancy condition is considered acceptable.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 12th April 2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council