Rob Duncan
Planning
Consultancy

# PLANNING STATEMENT

## DARLEYSHIRE FARM
## WETLEY ROCKS

## DECEMBER 2019

**Site Address:**
Darleyshire Farm, Leek Road, Wetley Rocks, Staffordshire, ST9 0AR

**Applicant:**
Mr. & Mrs. Chadwick

**Proposal:**
Demolition of dutch barn building and erection of detached dormer bungalow

**Planning Statement:**
**Date Issued:** 16th December 2019
**Job Reference:** RDP/2019/081

**Report Prepared By:**
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## 1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. & Mrs. Chadwick to seek full planning permission for the demolition of an existing dutch-barn style building at Darleyshire Farm, Leek Road, Wetley Rocks, and its replacement with a dormer bungalow.

1.2 The application follows on from a recent refusal of prior approval to convert the building into a dwellinghouse (LPA Reference: DET/2018/0038) which was refused, in part, on the grounds that the application did not meet the provisions of the Class Q of the Town and Country Planning (General Permitted Development) (England) Order in that it was considered to constitute a stable block / storage building, rather than an agricultural building.

1.3 The proposed dormer bungalow will occupy a floor area of 144 square metres, and have a volume of 492 cubic metres. Its accommodation will comprise of an open plan kitchen / dining living, room, bedroom, shower room and utility and ground floor, with two further bedrooms and a bathroom at first floor.

1.4 The dwelling is to be sited on the footprint of the existing dutch-barn style building, with parking for three vehicles provided to its east. An area of private amenity space is to be created to the rear of the property, encompassing a lawn and patio area, enclosed by a post and rail fence. Vehicular access to the site is to be taken via the existing access serving the building and the nearby dwellinghouse.

## 2 Site & Surroundings

2.1 The application site lies within the North Staffordshire Green Belt and comprises a two storey, detached Dutch Barn style building, that is located in a set back position, some 32 metres back from the Leek Road. To the north east of the building lies a cluster of ancillary domestic outbuildings, beyond which lies the applicant's existing dwellinghouse (Darleyshire Farm). A yard area extends to the east and southeast, with open land to the west and northwest. The existing vehicular access connects with the Leek Road to the southwest of the existing building, before wrapping round in a northerly direction before running alongside the western flank of the existing building as it approaches the main dwellinghouse.

## 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:

3.2 **Policy SS1a** of the Core Strategy 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.*

3.3 **Policy SS6c** of the 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 allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2. The policy goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

3.4 **Policy R1** of the Core Strategy relates to 'Rural Diversification' and states that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment. Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution. Wherever possible development should be within suitably located buildings which are appropriate for conversion. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement.

3.5 **Policy R2** of the Core Strategy relates to 'Rural Housing' and states that only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the towns and villages:

- *Affordable Housing;*

- *A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere;*

- *Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area;*

- *Extensions to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area;*

- *The conversion of non-residential rural buildings 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.*

3.6 **Policy DC1** of the Core Strategy relates to 'Design Considerations' and states that all development should be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. It goes on to state that new development should (amongst others):

- *be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

- *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;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

3.7 **Policy NE1** of the Core Strategy states that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development by (amongst others):

- *Resisting any proposed development that could have an adverse effect on the integrity of a European site alone or in combination with other plans or projects unless it can be demonstrated that the legislative provisions to protect such sites can be fully met.*

- *Ensuring development where appropriate produces a net gain in biodiversity, and ensuring that any unavoidable impacts are appropriately mitigated for.*

## 4 Other Material Considerations

### National Planning Policy Framework

4.1 This document sets out the Government's approach to development in the Green Belt, and also provides guidance, *inter-alia*, in respect of design and safeguarding protected species. The content of this document is explored in more detail in the Planning Assessment section.

### Staffordshire Moorlands Design SPD

4.2 This document sets out guidance aimed at securing high quality design, and confirms that the architectural style of new development should be guided through an assessment and understanding of the character and context of the area. The content of the SPD has been taken into consideration in the preparation of the application and is referred to in more detail within the Planning Assessment section.

### SMDC Housing Land Supply Statement (2018)

4.3 This document confirms that the Local Authority has a housing land supply equivalent to 1.8 years. The content of this document is explored in more detail within the Planning Assessment section.

### Application DET/2018/0038 – Darleyshire Farm, Leek Road, Wetley Rock

4.4 This application sought prior approval for the conversion of the existing dutch barn to residential use under the provisions of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). The application was refused, in part, because the Local Authority considered the building to have lawful use as stables, and that it was in use for domestic storage purposes. The conclusions of the Local Authority this regard are of relevance to this application, and are discussed in more detail within the Planning Assessment section.

## 5 Planning Assessment

**Impact on the Green Belt**

5.1 The application site lies within the North Staffordshire Green Belt and proposes the demolition of an existing dutch-barn style building, and its replacement with a dormer bungalow. Paragraph 145 of the NPPF confirms that the erection of new buildings is inappropriate in the Green Belt, but nevertheless identifies a number of exceptions, which includes:

> *"g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
>
> - *not have a greater impact on the openness of the Green Belt than the existing development; or*
>
> - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority*

5.2 During the determination of application DET/2018/0038 a number of conclusions were made within the delegated report concerning the use of the existing building. Consideration was first given to the site history, noting that application SMD/1994/0719 had granted consent for the conversion of the building to form stables with store above. The delegated report went on to comment that:

> *"The Proposed Elevation Plans for this approved application shows the implementation of the lean-to tiled roof on the northern side elevation; the corrugated sheet roofing; and 'hit and miss' boarding above the brickwork. All of these aspects are clearly visible today, which means that this application has been implemented"*

5.3 The delegated report also observed that:

> *"The building contains a first floor, and internal staircase and the window openings, including size and casement design as well as door design and opening size are more typical of a domestic dwelling or outbuilding.*

5.4 The report went on to conclude that:

> "*The building appeared to be in use for ancillary storage and for storage of building materials / equipment.*

5.5 The aforementioned comments confirm that the original approval for stabling was implemented, which in turn renders the building as previously developed land, and the observations that it has been used for storage of building materials and ancillary domestic storage also point to it being previously developed, having regard to the judgement of *Dartford Borough Council v Secretary of State for Communities & Local Government [2016]* which found that unless a residential building was in a built up area, it can be regarded as previously developed land. The site is therefore considered to be appropriate for re-development, subject to the proposal having no greater impact on the openness of the Green Belt than the existing development.

5.6 To demonstrate that the submitted proposal will not have any greater impact on the openness of the Green Belt than the existing development, a comparative analysis of floor area, volume and building height has been undertaken, and is shown in Figure 1 below.

**Figure 1** – Comparison between Existing Building & Proposed Dwelling

| | Existing | Proposed | % Difference |
|---|---|---|---|
| Floor Area | 187m$^2$ | 144m$^2$ | - 22.9% |
| Volume | 509m$^3$ | 492m$^3$ | - 3.4% |
| Height | 6.49m | 6.47m | - 0.02m |

5.7 The analysis demonstrates that the proposed dormer bungalow will derive a *reduction* in the overall floor area and volume of built development on the site, and will be of a commensurate height to the existing building. The proposed building will also be sited in the same general position as the existing building. The proposed reduction in overall volume on the site, and the absence of any increase in height, means the development not give rise to any greater harm to the openness of the Green Belt than the existing development. The submitted proposal is therefore considered to amount to an appropriate form of development within the Green Belt in the context of paragraph 145 of the National Planning Policy Framework.

**Delivery of New Housing**

5.8 The application site is located within the rural area, wherein policies SS6c and R2 of the Core Strategy allow for the creation of new residential development, provided it accords with one of the categories of development listed in the latter. The submitted proposal does not technically fall within any of the categories of development listed in policy R2, and therefore

derives some conflict with the Development Plan. However, it is considered that the Local Authority's inability to demonstrate a five-year deliverable supply of housing, and the resultant engagement of the presumption in favour of sustainable development, serves to outweigh this conflict.

5.9 The proposed development will deliver a number of benefits when assessed against the NPPF, including social and economic benefits associated with the creation of an additional dwelling, economic benefits during the construction phase and associated with the generation of additional household expenditure in the local economy, along with environmental benefits associated with improving the character of the area, and delivering a new dwelling in a sustainable location. No adverse impacts are considered to exist that would significantly and demonstrably outweigh these benefits.

**Design & Layout**

5.10 The character of the surrounding area is particularly varied in terms of the type, architectural style, and land uses that it exhibits. There is a mixture of residential properties, as well as evidence of agricultural activities and commercial uses (haulage yard located opposite to the west). Dwellings within the locality encompass a mixture of dormer bungalows and two storey dwellings, and these are constructed from a varied palette of materials that includes facing brickwork, render, and stone. Staffordshire Blue tiles are the only common denominator.

5.11 The existing building on the site does not make any valuable contribution to the character of the area, comprising a building constructed from brickwork to its lower elevation, with timber cladding above, and a curved, dutch barn style roof. Its appearance is somewhat alien to the pitched roof character of surroundings developments.

5.12 The proposed dormer bungalow is of a commensurate scale and height to the existing building, but by virtue of its dual pitched roof, will appear less dominant within the site, and more in keeping with the residential properties located nearby.

5.13 The general design of the dwelling is considered to be in keeping with the character of the area, and accords with the objectives of the adopted Design SPD, in particular its horizontal form, commensurate scale, use of similar sized openings throughout, the incorporation of a strong ridge line emphasised by gables, its arrangement of openings in columns, its high solid to void ratio, its roof spanning the short side, and the use of a complimentary palette of materials and detailing. The proposed dwelling is therefore considered to be of an appropriate scale, massing and design which will contribute positively to the character and appearance of the area, and is in accordance with the provisions of policies R1 and DC1 of the Core Strategy.

**Residential Amenity**

5.14 There are no dwellings located in sufficient close proximity so as to derive any conflict with the Local Authority's informal space about dwellings standards. An area of private amenity space is to be created to the rear of the building which will also be of sufficient size to meet the Local Authority's minimum requirements, and which will be largely screened from public view by the dwelling itself. The internal floor area of the property (144 square metres) is also consistent with the DCLG Technical Floorspace Standards which require a minimum of 102 square metres for a three bedroomed property of this nature. The proposed development will therefore ensure a satisfactory standard of residential amenity for both neighbouring and future occupiers, and is in accordance with the provisions of policy DC1 of the Core Strategy.

**Impact on Protected Species**

5.15 The applicant has previously commissioned a bat survey to accompany the prior approval submission on the site. This survey found no evidence of bats using the building, with the upper floor offering very poor roost opportunities owing to its bright, draughty nature. The building was therefore concluded to have negligible bat roost suitability, and as such no further emergence surveys were recommended.

5.16 In determining the prior approval application, the Local Authority's ecologist raised no objections, subject to the implementation of biodiversity enhancements in the form of two bat boxes to provide artificial roosting sites for bats, and two 'sparrow-terrace' nest boxes. The applicant is agreeable to the implementation of such enhancement, and this can be secured by way of a suitably worded planning condition. In doing so the development will accord with the provisions of policy NE1 of the Core Strategy.

**Highway Safety**

5.17 The site benefits from an existing vehicular access off the Leek Road, which serves the existing building, and the applicant's own dwelling (Darleyshire Farm) to the north. The access benefits from good visibility on egress and is considered to be a suitable access arrangement for the site. Dedicated off-road parking for a minimum of three vehicles is to be provided, and as such no adverse harm to highway safety will accrue as a consequence of this development. In reaching this conclusion it is noted that the Local Highway Authority raised no objections to the previous prior approval submission, which had proposed to use the same vehicular access. There has been no material change in circumstance since that application was determined, and consequently the proposal is considered to accord with the provisions of paragraphs 108 and 109 of the NPPF.

## 6 Conclusion

6.1 It is submitted that this proposal represents a sustainable form of development having regard to the following conclusions:

- *The proposal involves the reuse of previously developed land, and will not result in any greater harm to the openness of the Green Belt than the existing development;*

- *The proposal will serve to enhance the character and appearance of the area by replacing the existing building with a dwelling that is in keeping with the varied character of the area;*

- *The proposed development will not detract from the amenity of neighbouring residential occupiers, and will ensure an appropriate level of amenity for future occupiers of the dwelling;*

- *Subject to appropriate mitigation, the proposed development will not give rise to harm to protected species;*

- *The proposed development will no derive any adverse impacts to highway safety within the locality;*

6.2 The proposed development is therefore considered to accord with the provisions of policies R1, DC1 and NE1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework and Design SPD. The conflict of the proposal with policies SS6c and R2 of the Core Strategy is considered to be outweighed by other material considerations, in particular the lack of a five year supply of housing.

6.3 The Local Authority is therefore respectfully request to grant planning permission for the proposed development in accordance in accordance with the presumption in favour of sustainable development set out within policy SS1a of the Staffordshire Moorlands Core Strategy and paragraph 11 of the National Planning Policy Framework.