DELEGATED DECISION REPORT

SMD/2020/0227 **Valid 30/04/2020**	**HARRACLES MILL COTTAGE** **DUNWOOD ROAD** **RUDYARD**	**PROPOSED ERECTION OF SINGLE STOREY REAR EXTENSION** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- design
- heritage
- green belt

DESCRIPTION OF SITE

According to the LPA's records the dwelling known as Harracles Mill Cottage was first approved for conversion to living accommodation following a 1978 consent reference 78/05763 OLDDC. The description was: "Alteration of an existing barn to form additional living accommodation at Harracles Mill, Rudyard." Plans accompanying the saved application and decision records identify the position of the building as that of the present day application building – see fig.1 and fig. 2 copy extracts below.

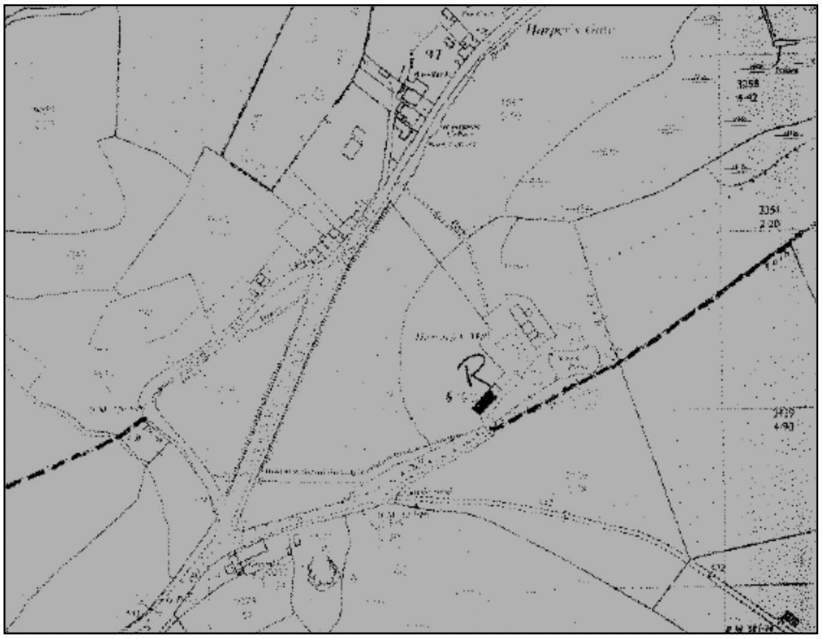


Fig. 1

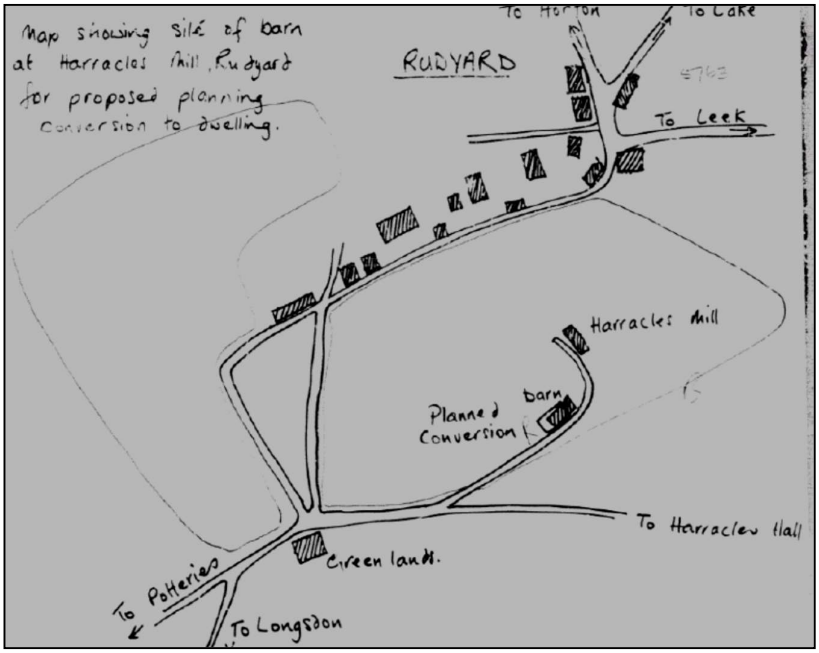


Fig. 2

Under the heading: 'Description of proposal' the officer report to the 20th November 1978 meeting states that:

> "The barn is a stone walled building with Queen post roof structure. The building dates from the 18thC and is contemporary with Harracles Mill itself. The barn is an important element in this group of buildings." The applicant, Mr J R Hill of Harracles Mill, Rudyard sought the conversion to accommodate family members and the report states: "He is anxious not to convert the Mill to further living accommodation as this would infringe upon the surviving machinery".

Under 'Previous History' the report notes: "In 1962 permission was granted for improvements to Harracles Mill to provide additional living facilities (NLR.2426)".

The ultimate approval in 1978 was conditional on the applicant entering a s.52 agreement "to limit residential conversion of the barn to use in connection with the mill. The purpose was:

> "…to avoid the barn conversion becoming established as a separate dwelling contrary to green belt policy. The favourable consideration however did bear in mind the mill machinery within the main building of Harracles Mill which it is desirable to retain and which so far the owner has not wished to change". The report goes on to state: "The conversion of the barn for family accommodation safeguards the Mill" and notes: "The conversion of historically important buildings to residential use is in any case considered acceptable in certain circumstances within the North Staffordshire Green Belt…"

Fig.3 below is an extract from the 1963 air photo survey held by the LPA – arrow points to the application building. The LPA is able to establish from this photograph when examined closely that the length of the then building was approximately 20m

and thus would appear to correspond with the length of the present day building. It is also possible to see (in close up) that there was a dual pitched roof with a break corresponding to the set down known to have existed towards the north eastern end.

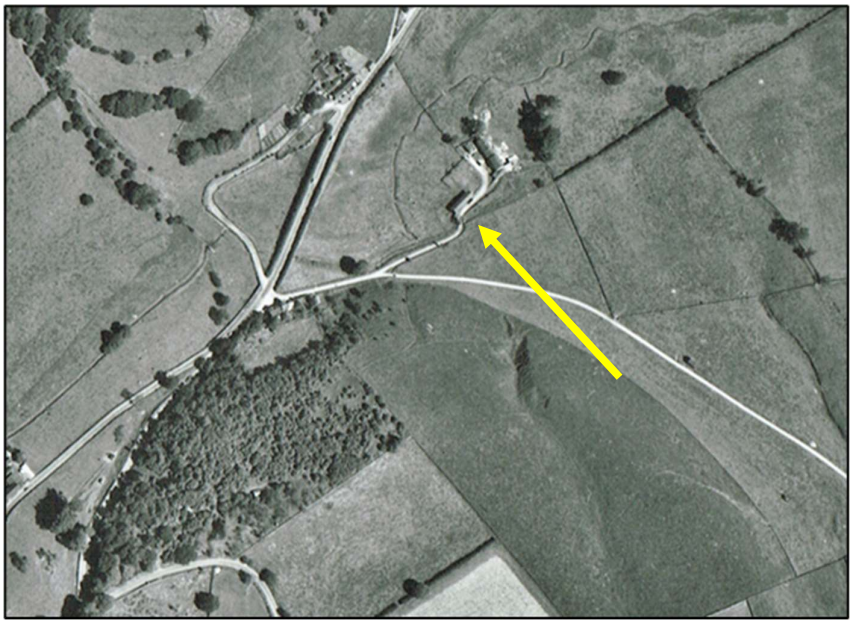


Fig. 3

Fig. 4 below (un-dated) shows the south east elevation and the south west gable of the building prior to its conversion. The separate building visible back right is the Grade II Listed mill.



Fig. 4
It appears that the 1978 consent and possibly some subsequent consents were not implemented because there have been a series of further applications including SM.13787 ‘conversion to two holiday flats’ approved 1985 and SM.89/0223 ‘conversion of barn to dwelling’ approved.

The building as it now appears is shown in Fig. 5 to Fig. 8 below. Fig. 5 is a comparable view to Fig. 4 above; Fig. 6 shows the rear (NW) elevation with its 2003 approved rear lean-to extension, the end wall of which can be seen in Fig.7. Fig. 8 is the view from Dunwood Road.


Fig. 5


Fig. 6


Fig.7


Fig.8

The length of the existing lean-to extension is 7.4m and the depth of its projection from the original building wall is 3.2m. Its height is 4.2m at the lean-to point and 2.4m at the eaves.

The location is within the Rudyard Conservation Area designated in 2016. The building is part of a group collectively associated with Harracles Mill Listed Grade II in 1988. The building is considered to be a curtilage structure to the Listed Harracles Mill and on that basis subject to protection under the Listing. A public footpath approaches from the west along the access lane and passes in a generally ENE direction on the SE edge of the property.

PROPOSAL
The proposal is a householder application for 'erection of single storey rear extension' to be constructed in 'natural stone to LPA approval' with roof of 'Staffordshire blue plain clay tiles'. There is stated to have been pre-application advice from the Council's Conservation Officer.

The proposal as first submitted in drawing 2019-2422-02 was identical to a scheme refused under SMD/2019/0504 and would involve the extension of the existing lean-to further along the original rear (NW) elevation by 2.6m whilst keeping to the same cross section profile of the current lean-to. In response to some initial feed-back from the LPA the applicant has substituted a revised drawing 2019-2422-02C which omits a roof light.

The application is accompanied by a 'Planning Statement and Heritage Assessment'; a Heritage Impact Assessment (28th March 2020) and a covering letter (29th April 2020) the latter two documents both by Mel Morris (Heritage Conservation Consultant).

The application has been subject of separate LBC application which was refused and appealed. This application has been held in abeyance pending the LBC appeal outcome received 12th January 2021.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)
SS1 Development Principles
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
H1 New Housing Development
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework February 2019
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):
- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:
- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

78/05763 OLDDC (SMD/1978/1153) – alteration of an existing barn to form additional living accommodation at Harracles Mill, Rudyard – approved

SM.13787 (1985) – conversion to two holiday homes – approved
88/00470/OLD (SMD/1988/1602) – removal of condition limiting use to holiday lets – refused

SM.89-00223 – conversion of barn to dwelling – approved

[SM.90-00479 – two storey garage – approved – NB stands between the cottage and the mill house with first floor serving the cottage and basement serving the mill house]

SM.91-00564 – rear porch [NW elevation] – approved

SM.92-00967 – removal of restrictive occupancy condition from SM.89-00223 – approved

SM.95-0708 – addition of first floor over single storey side garage – approved
SM.95-0709 LBC – listed building consent for first floor over single storey side garage – approved

03/00708/FUL (SMD/2003/0317) replacement of single storey rear extension [porch as approved under SM.91-00564] – refused

03/00709/LBC (SMD/2003/0310) Listed Building application for demolition and re-building of single storey rear extension – refused

03/01382/FUL (SMD/2003/1299) single storey rear extension – approved
03/01383/LBC (SMD/2003/1300) application for Listed Building consent for single storey rear extension – approved

SMD/2019/0504 – single storey rear extension – refused

SMD/2019/0505 – application for Listed Building consent single storey rear extension – refused – allowed on appeal

CONSULTATIONS

Publicity

Site Notice expiry date: 27th May 2020
Neighbour consultation period ends: 25th May 2020
Press Advert expiry: 3rd June 2020

Public Comments
None

Town / Parish Comments
Horton Parish Council – none received – no objection to 2019 submission

SMDC Heritage Conservation Officer
Objects to the principle of a further extension as the Council's normally adopted approach – considered appropriate here – is not to support extensions to converted buildings as these are expected to be capable of supporting their new use (as a dwelling in this case) without requiring extension. The expectation is that the original building should continue to be well discerned with minimal outward change. Concern about the loss of visible original masonry which would be covered by the lean-to. At the same time acknowledges that the additional extension is small and in this case the principle of not extending has been partially conceded with the pre-existing extension which this would add to.

OFFICER COMMENTS

Principle of Development
In its general approach in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Core Strategy shall be approved without delay, unless material considerations indicate otherwise.

Policy SS10 for the rural areas outside of the development boundaries supports only development which meets an essential local need and supports rural diversification and sustainability of the rural areas (or supports sustainable tourism or enhances the countryside).

Subject to Green Belt requirements Policy SS10 provides for the extension of an existing rural building,

> "Allowing extensions or additional domestic outbuildings 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 Council will assess schemes having regard to the original dwelling, in cases where cumulative change has occurred";

However, in the Green Belt policy SS10 (6) is that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government Policy.

SS10 (3) is to Enhance and conserve the quality of the countryside by [first point]:

> Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;

As regards the Listed Building there is a statutory duty placed on the LPA, under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to consider the impact of the proposal on the special architectural and historic interest of the Listed Building affected, and its setting.

As regards the Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of para.11 of the NPPF) creates a strong presumption in favour of the preservation of Conservation Areas and their setting.

An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

Historic Environment Policy DC2 is to give protection to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, “great weight should be given to the asset’s conservation”.

Paragraph 194 goes on to say that: “any harm or loss [to a heritage asset] should require clear and convincing justification.”

NPPF paragraph 196 states that: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

<u>Green Belt Extensions</u>

The NPPF states at paragraph 144 that: “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.”

The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Government identifies five purposes of the Green Belt:

- To prevent the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic market towns and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF 143). 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF 144).

NPPF paragraphs 145 and 146 set out specific exceptions by which certain forms of development can be considered as being not inappropriate in the Green Belt. One of these exceptions is at 145 (c) "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building".

'Original building' is defined in the NPPF (Annex 2: Glossary) as "a building as it existed on 1st July 1948 or, if constructed after 1st July 1948, as it was built originally".

The LPA can readily accept that both the two storey structure as shown in Fig.4 above and the remnant attached single storey structure would be original pre 1948. The LPA can also accept that the building seen in the 1963 air photo (Fig.3) was equal in length (c.20m) to the combined two storey and single storey elements of Fig.4 and that the whole building at that date (1963) had a dual pitched roof albeit with a break in the line where it is known or understood to have been stepped down slightly in relation to the part where in Fig.5 there was by that time only a single storey flat roofed element present.

Given that the first floor accommodation and its roof over the formerly flat roofed north easterly (c.7m) end of the present day Harracles Mill Cottage is not original it could be considered that this should be regarded as an extension in volume – though not in ground plan area. Indeed this appears to have been the LPA's view when determining the first of the 2003 applications for the rear lean-to which were refused, although the case officer's notes refer to the conversion to dwelling having been carried out with "a two storey side extension increasing size by 50%". A different case officer handling the later 2003 applications was not explicit about the Green Belt size impacts but was persuaded by the structure's long standing to disregard or at least discount the impacts. In effect the whole building was regarded as 'original'. This certainly was the view taken by the case officer for the 2019 refused applications.

In plan area the proposed extension along with the existing extension would amount to 32m2 representing a 29% increase on the original building plan area of 110m2. In Green Belt terms this would not normally be regarded as a disproportionate increase. In volume the increase is less significant at 18%. [If however the first floor and pitched roof over the one-time single storey garage is counted as new, it adds a volume of c.80m3 to the lean-to amount of 107m3, therefore totalling 187m3 and representing a c.38% increase. Whilst this may begin to be considered a disproportionate increase it would still perhaps not indicate an excessively disproportionate additional volume. The view taken here, as in the 2019 decisions, is anyway that the re-constructed original building be used as the reference volume and the increase is then the 18% figure.]

Design

The Council's design policy for rural building conversions is that the building should be "suitable and worthy in physical, architectural and character terms". This brings with it an expectation that the building should therefore be of suitable size.

Policy DC1 'Design Considerations' is that "All development shall 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".

The design guidance at page 3.4 point 6 states that "Conversion should be within the shell of the existing building. Extensions should be discouraged; where essential, extensions should be small and unobtrusive, for example a simple lean-to on a secondary elevation which reflects the proportions of the main building". Point 1 at page 3.4 is to "avoid alterations to the roof and keep roof lights to a minimum".

The plan as first brought forward with the 2003 refused scheme was found to be complicated by modernistic innovation. It was subsequently amended but the single 'cat slide' roof slope was still found to be over dominant, elaborate and domestic and the fenestration was somewhat methodical.

In the re-submitted 2003 scheme ultimately approved it was acknowledged that a pre-existing stone porch (approved under SM.91-00564) had "an incongruous appearance on the highly prominent rear elevation". The re-submission was also found to be of "much simpler form and design" than the first previously submitted and refused. It was considered that it would "certainly improve the appearance of the building which is well seen from Rudyard across a narrow open valley". The extension was found to be "well sited in relation to the original building and of appropriate proportions". Conservation advice was to omit all roof lights but the case officer accepted a reduction from three to two.

The Council's further adopted 2018 design document includes the following:

> 5.5 All extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will help.
>
> 5.15 The guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained. This means that in most cases the barn, mill or chapel should afterwards look like a converted barn, mill or chapel, and not like a new house or a new block of flats. When converting traditional buildings, new uses should not normally require the construction of extensions or ancillary buildings. However, if alterations are necessary and approached carefully, it may be possible to bring about a new understanding of historic buildings by making a clear distinction between what is old and what is new.

It can readily be seen how the 2003 approved scheme was on balance found acceptable for the points discussed at the time and how, considered against the

2018 guidance, the approved and implemented scheme might reasonably be found "to harmonise", and to reasonably "respect the dominance of the original building and be subordinate to it". Aesthetically the existing arrangement would seem to conform to the 'rule of thirds' espoused in the Fibonacci principles of good design.

The question now arises with this latest scheme as to whether the above accepted good points would remain intact or, if they are disrupted, whether the consequences are so great as to warrant refusal.

With the appeal decision allowing the Listed Building consent, matters of design and impacts on heritage have effectively been largely resolved save that it is necessary to determine here the Green Belt assessment (discussed above) and whether there are any other overriding material considerations such as for example impacts on neighbour amenity.

Prior to the LBC appeal decision the LPA view took as its starting point that a rural conversion should not involve extension. Secondly, if an extension is accepted, it should be subordinate and allow the original building to dominate. It was felt that the current arrangement succeeds in this. The conclusion reached in relation to the now proposed further extension was that this effective and perhaps subtle balance of design would be lost.

Heritage

i) Rudyard Conservation Area

The question as to impact on the character and appearance of the Rudyard Conservation Area is a material consideration in this planning application. The application has been advertised as being within the Rudyard Conservation Area. The applicant's heritage adviser concludes that: "The proposed small extension to the lean-to kitchen has no impact on the character of the Rudyard Conservation Area."

ii) Listed Building

The question as to impact on the Grade II Listed Harracles Mill is also a material consideration in this planning application. The application has been advertised as affecting the setting of the Listed Building. The association is however more than just one of simple proximity, the application building is itself part of the Harracles Mill group of buildings. Prior to its conversion to residential use the application building had a utilitarian role as part of the Harracles Mill complex serving the mill owner who lived in the house attached to the mill.

The Planning Inspector for the LBC appeal concluded (paragraph 22):

> "that the proposal would not harm the special interest of the grade II listed building or the character or appearance of the Rudyard Conservation Area. It would therefore not conflict with Policy DC2 of the Local Plan, which states that the Council will conserve heritage assets and ensure that proposals contribute positively to the character of the historic environment. Nor would it conflict with the Framework, which requires heritage assets to be conserved in a manner appropriate to their significance."

The Inspector commented that she found the proposed rooflight acceptable and did not support a condition to omit it from the approved plans. She did recommend "conditions requiring details of the facing materials and pointing, and a sample panel to demonstrate the intended wall construction, together with detailed joinery plans and sections for the windows and doors, including details of the rooflight, are all necessary to ensure that the appearance and construction of the extension is to an appropriately high standard."

Amenity
Due to the spatial distance to any neighbour dwellings there would be no adverse amenity effects as a result of the extension in terms of over-looking or loss of privacy or any other conflicts.

CONCLUSION / PLANNING BALANCE
In light of the allowed appeal and with no other overriding material planning matters the application should be approved. Although a revised plan was submitted this was put forward with the aim of obtaining approval but the LPA held back pending the appeal outcome. Given that the Inspector found no issue with the roof light it is appropriate to approve here the first submitted scheme matching that allowed in the appeal. The conditions attached by the Inspector are also appropriate to attach to this planning decision.

OFFICER RECOMMENDATION : Approve subject to conditions

Case Officer: Arne Swithenbank
Recommendation Date: 10th February 2021

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council