The Planning Inspectorate

Appeal Decision

Site visit made on 9 February 2021

by Helen B Hockenhull BA (Hons) B. Pl MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05 March 2021

Appeal Ref: APP/B3438/W/20/3263910
Woodhead Farm, Top Road, Biddulph Moor, Staffordshire ST8 7LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M. Randles against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0644, dated 3 October 2019, was refused by notice dated 26 May 2020.
- The development proposed is the conversion of garage to a dwelling.

Decision

1. The appeal is allowed and planning permission is granted for the conversion of garage to a dwelling at Woodhead Farm, Top Road, Biddulph Moor, Staffordshire ST8 7LF in accordance with the terms of the application, Ref SMD/2019/0644, dated 3 October 2019, subject to the conditions in the attached schedule.

Procedural Matter

2. After the consideration of the original planning application, the Council adopted the Staffordshire Moorlands Local Plan in September 2020. The policies referred to in the Council's decision notice have been superseded. Both main parties have referred to these in their evidence and I take account of these new policies in my decision.

Main Issues

3. The main issues in this case are:

    - whether the proposed development is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy and the effect on openness;
    - whether the appeal site forms a suitable location for development having regard to national and local planning policies;
    - whether the proposed development would provide a satisfactory standard of accommodation for future occupiers.

Reasons

4. The appeal site is in the Green Belt to the north east of Biddulph Moor village. It forms part of Woodhead Farm. The farm is no longer in agricultural use but retains the former farm buildings. The complex consists of a stone-built farmhouse, a row of stone barns, storage buildings and a detached domestic garage with an office in the roofspace. It is proposed to convert the garage to a three-bedroom dwelling.

Inappropriate development

5. The Framework in paragraph 146, outlines certain forms of development which are not inappropriate in the Green Belt providing that they preserve openness and do not conflict with the purposes of including land within it. This includes the re use of buildings provided that the buildings are of permanent and substantial construction.

6. Policy SS10 of the Staffordshire Moorlands Local Plan in part 6 seeks to maintain the Green Belt exercising strict control over inappropriate development, allowing only exceptions as defined by Government policy. Part 1 of the policy allows the conversion of rural buildings in accordance with Policy H1 of the Plan. Policy H1 in part 5 d) permits the conversion of rural buildings to residential use where the building is suitable and worthy in physical, architectural and character terms for conversion. The Council does not cite conflict with part 1 of Policy SS10 or part 5d) of Policy H1. I have no reason to disagree.

7. The garage proposed to be converted was granted planning permission in 2008 and is constructed in stone with a clay tile roof and stone gables in keeping with the existing farmhouse. The external appearance of the building would be largely unaltered, with existing door and window openings being used except for the installation of three new rooflights on the northern elevation and a further new one on the southern elevation. The building is of permanent and substantial construction.

8. The proposed new dwelling would be provided with two parking spaces on an area of existing hardstanding which currently provides access to the garage. Whilst the presence of additional car parking on the site could impact negatively on openness, in this case the hardstanding can already be used for parking and therefore the impact on openness would be neutral. The external areas would be contained by existing boundary features supplemented by new fencing and hedgerow planting which would assist to screen the site from the north. Given the above and having regard to the building's siting and relationship to the residential curtilage of the farmhouse, I do not consider that the proposal would have an adverse impact on openness. It would not result in encroachment into the countryside or conflict with the purposes of the Green Belt.

9. I therefore conclude that the proposed re use of the building would comply with paragraph 146 of the Framework. The development would therefore not form inappropriate development in the Green Belt.

10. The Council puts forward the case that at the time the garage building was granted planning permission, a new dwelling would have formed inappropriate development in the Green Belt and harmful to openness. The current

Framework maintains this policy position. It is argued, therefore, that the proposed conversion would undermine the objectives of Green Belt policy and the purposes of including land within it.

11. However, what is being proposed in this appeal is not a new building but the conversion of a permanent building in the Green Belt. The Framework includes no restriction on the age of the building proposed to be converted or its history. There is therefore nothing in national policy to prevent a conversion of an existing building provided that the criteria in paragraph 146 of the Framework relating to permanence, substantial construction, openness and the purposes of the Green Belt are met.

12. In this case, as I have found no conflict with national Green Belt policy, the appeal scheme would not be inappropriate development in the Green Belt. It would also comply with part 6 of Policy SS10 of the Staffordshire Moorland Local Plan which supports the application of national policy.

Suitable Location

13. The appeal site lies in the open countryside approximately 1.4 km to the north east of Biddulph Moor village. The appeal building lies within an existing farmstead with other farms and former farmsteads along Top Road. I concur with the appellant that whilst this location is in the countryside, it cannot be described as isolated, remote from other buildings or people.

14. Biddulph Moor village has a post office, pub, takeaway and shops serving local needs. Access to the village from the appeal site on foot would require walking along Top Road where there are no footways or lighting. Whilst access could be achieved by walking or cycling, having regard to the distance involved, I consider that some journeys would be likely to make use of the car.

15. The Framework in paragraph 103 recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making. This recognises that rural areas will not have the same level of accessibility as urban areas. The appellant has brought my attention to the fact that in considering the conversion of the barn at Woodhead Farm to three holiday lets[1], the Council came to the view that it was a short distance to the village which could be reached fairly safely by walking or cycling.

16. Given the above, I conclude that the appeal site would form a suitable location for residential development having regard to national planning policies. It would also form sustainable development in the countryside in line with the objectives of Policy SS10 of the Staffordshire Moorlands Local Plan 2020.

Standard of accommodation

17. The Nationally Described Space Standards require a 5-person 3 bed two storey dwelling to have a minimum floor area of 93 square metres. There is dispute between the parties as to whether the proposed scheme would meet these standards.

18. The Council considers the development would have a shortfall of around 5 square metres. The appellant has advised that the proposed dwelling would

[1] Planning application ref SMD/2019/0623

have a floor area of 62 square metres at ground floor and 36 square metres at first floor, a total of 98 square metres. This would be in excess of the standards.

19. Based on the evidence before me, whilst I accept that the dwelling would be modest in size, I consider that the standard of accommodation would be acceptable. The scheme would therefore comply with Policies H1 and DC1 of the Staffordshire Moorlands Local Plan which seek to ensure that new dwellings are of a high standard of design and provide satisfactory amenity for future occupiers.

Conditions

20. I have considered the conditions put forward by the Council in light of the Framework and Planning Practice Guidance. I have amended the wording where necessary in the interests of precision. In addition to the standard timeframe condition, a condition requiring the scheme be implemented in line with the submitted plans is necessary for the avoidance of doubt.

21. In order to safeguard the amenity of the occupants of nearby dwellings, a condition controlling the hours of work is necessary. I impose a condition regarding foul drainage to ensure the site is properly drained and to prevent water pollution. In the interests of highway safety, a condition regarding the provision of car parking and turning areas is required. In addition, as the property lies in the countryside and the Green Belt, to safeguard the character and visual amenity of the area and the host building, conditions removing permitted development rights for the creation of new windows or other openings, the enlargement, improvement or other alterations to the dwellinghouse, the erection of walls, fences and gates are necessary. I have not imposed a condition to remove permitted development rights for the creation of an access to an unclassified road or exterior painting as I consider these are unnecessary in this case.

22. A condition controlling the burning of waste material from demolition or construction is not necessary as this is a conversion scheme, not a new build. In the absence of any evidence of on-site contamination and bearing in mind the site is no longer in agricultural use, I consider conditions regarding contamination and the testing of soils for the garden area are also not required. As the existing driveway is already surfaced within 5 metres to the rear of the highway and in use to access the farmhouse, a condition regarding surfacing is not necessary.

Conclusion

23. I have found that the appeal scheme would not form inappropriate development in the Green Belt, the site would form a suitable location for development and a satisfactory standard of accommodation would be provided for future occupants. The proposal would therefore comply with national and local planning policies.

24. For the reasons given above, and having had regard to all other matters raised, I allow this appeal.

Helen Hockenhull INSPECTOR

SCHEDULE OF CONDITIONS

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 2019-2430 05 Location and Block Plan, Drawing No. D2019-2430 02 Rev B Floor Plans and Elevations.

3) Construction works shall take place only between 08:00–18:00 hrs Mondays to Fridays, 08:00 – 13:00 hrs on a Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays

4) The foul drainage from the proposed development shall be discharged to a system which meets the requirements of British Standard (BS) 6297:2007+A1:2008 Code of practice for the design and installation of drainage fields for use in wastewater treatment and complies with the following:

    a) There shall be no connection to any watercourse or land drainage system and no part of the soak away system shall be situated within 10 metres of any ditch or watercourse.

    b) Porosity tests shall be carried out to the satisfaction of the Local Planning Authority to demonstrate that suitable subsoil and adequate land area is available.

5) The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows or other openings [other than those expressly authorised by this permission] shall be installed in any part of the development.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations to the dwellinghouse shall be undertaken, and no fences, gates or walls shall be erected within the curtilage of the dwellinghouse [other than those expressly authorised by this permission].