

DELEGATED DECISION REPORT

SMD/2021/0321
Valid 10/05/2021

THE DAIRY
RINGE HAY FARM
BASFORD GREEN ROAD
BASFORD
LEEK

PROPOSED REAR
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Non-designated heritage asset
- Design
- Amenity

DESCRIPTION OF SITE

A two storey dwelling occupying one half of a converted former farm building. A separate dwelling occupies the other half. Ringehay Farm is recorded in the Staffordshire Historic Farmstead Survey (2009) as:

An isolated, dispersed farmstead with its outbuildings laid out along a routeway (referred to as a 'driftway' plan). The farmstead had been established by at least the early 19th century and appears to survive relatively unaltered.

The application property corresponds with a building of the same size and position shown on the 1877-1887 Ordnance Survey.

The application dwelling and its attached neighbouring dwelling were first converted from the original farm building under a 2005 consent (05/00439/FUL) to form two holiday cottages. A condition on the 2005 consent restricting use to holiday accommodation was removed by permission in 2018 under SMD/2018/0374. A certificate of lawful use as a permanent private dwelling house was granted in 2019 under application reference SMD/2019/0033.

There are public footpaths passing to the west side of Ringehay Farm. Footpath 29 (Cheddleton) approaches from the north west and at a point within 50m to the west of the application property it is joined by Footpath 31 (Cheddleton) as it approaches from the west.

The application dwelling is served by level grassed garden / lawn of some 550m² extending c.12m to the rear and also a similar distance to the easterly (or north east) side aspect. Parking space is provided to the east side and in an area also to the side but forward of the front elevation line.

The area of the proposed extension is currently paved in stone flags as an outside seating area. This is flanked by the side wall of a lean-to single storey element which extends off the rear of the adjacent conversion in the other half of the original building.

The attached neighbouring dwelling appears to have been extended historically at the rear with a lean-to element which seems not to have been present at the time of the earliest map survey date of 1877. The date of this addition has not been established but long pre-dates its 2005 conversion.

PROPOSAL

As first submitted the proposal involved an extension which would have continued the profile of the adjacent single storey lean-to element along the full length of the rear of the application dwelling. In an e-mail dated 8th June 2021 the LPA advised the agent:

“The main issue I need to raise so far is that in principle this Council’s planning policy tends not to support extensions to rural buildings that have been converted to residential use. Design Policy DC 1 is for all development to be in line with the Council’s Design Guide SPD. The adopted Design Guide SPD (2018), and an earlier ‘Design Principles’ SPG which remains current, both put an emphasis on achieving conversions within the shell of the existing building and avoiding extensions. *“When converting traditional buildings, new uses should not normally require the construction of extensions or ancillary buildings.”* (Design Guide SPD 2018)”

The agent responded 16th June:

“The property needs extending to provide essential amenity.

- *Ground floor toilet for accessibility.*
- *Lobbied entrance for energy efficiency.*
- *Improved natural light for wellbeing.*
- *Store room and utility are basic needs.”*

After agreeing an extension of time to 30th July revised drawings were received by e-mail dated 16th July saying that in summary the proposal comprises:

- *Modest rear infill extension that is a matching continuation of the existing adjoining extension.*
- *The extension is necessary to facilitate essential amenity of ground floor accessible bathroom, store room and utility.*
- *The extension is necessary to provide improved amenity of view and daylight for quality of life.*
- *The extension is necessary to facilitate an entrance lobby associated with essential fire safety.*

The attached plans replace the previous issue. We ask that the decision is based on the attached drawings. The drawing numbers are:

21-0007-20-002 PROPOSED PLANS_P2

21-0007-20-101 PROPOSED ELEVATIONS_P2

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
NE2 Trees, Woodland and Hedgerows
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; 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

04/01364/FUL – Conversion of redundant agricultural building to 2 local need dwellings – refused

05/00439/FUL – Conversion of redundant agricultural building to 2 holiday cottages – approved

SMD/2018/0374 Removal of conditions 8 and 9 relating to SMD/2005/0864 [05/00439/FUL] at Ringe Hay Farm – approved

SMD/2019/0033 – Certificate of Lawfulness application for Permanent Private Dwelling houses – approved

[For the attached adjacent dwelling, all of the above and SMD/2021/0436 – Erection of side extension to provide kitchen extension – pending]

CONSULTATIONS

Publicity

Site Notice expiry date: 25th June 2021

Neighbour consultation period ends: 29th June 2021

Press Advert: N/A

Public Comments

From the occupier of the adjacent attached dwelling:

In principle no objection but seeks clarification on two points:

1) Will this extension be using the party wall? If it construed with a new wall will it have sufficient insulation (sound / heat etc) as both the upstairs and downstairs rooms are my daughters bedrooms and I understand that the extension will be used as a tv room therefore wish to have noise kept to an acceptable level (above and beyond building and fire regulations).

2) The extension drawings don't have clear dimensions, however it appears that the building will not be flush and protrude out rather than be in line with the original building; please clarify the intention.

Town / Parish Comments

Cheddleton Parish Council – no objection

Severn Trent Water

Minimal impact on the public sewer system therefore no objections and no requirement for a drainage condition.

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.

The Development Plan for the Staffordshire Moorlands District Council consists of the adopted Staffordshire Moorlands Local Plan Document (September 2020) with regard also being given to the provisions of the National Planning Policy Framework (NPPF); the Council's adopted Supplementary Planning Guidance documents: 'Space About Dwellings' and 'Design Principles'; the adopted Design Guide (2018) a Supplementary Planning Document and the Council's Local Plan Supporting Evidence Document: Landscape and Settlement Character Assessment (2008).

Permitted Development (PD) rights were removed by condition 2 of the 2018 consent (and also under condition 6 of the 2005 consent) so that, significantly in relation to this application, there is no ability to carry out Class A enlargement, improvement or other alterations under the GPDO(2015).

Policy SS10 for the rural areas is that:

"These areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The Council and its partners will achieve this through the following actions: [inter alia]

SS10 (1) [second point]

Allowing the conversion or replacement of an existing rural building in accordance with Policy H 1;

SS10 (1) [third point]

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;

SS10(1) [fourth point]

Allowing suitable development which would secure the future conservation of a heritage asset in accordance with Policy DC 2;

SS10 (3) is to Enhance and conserve the quality of the countryside by:

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;

Policy H1 is that:

In the other rural areas in the open countryside, only the following forms of housing development will be permitted...

Relevant specifically to this application is H1(5)(d) which provides for:

The conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion; or where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

The current policy position is as set out above and the original conversion, although approved under the now superseded 1998 Local Plan, was assessed in chief under policy B21 which has close parallels with the current policy at H1. A series of criteria were to be met, first of which was that the building be "suitable for conversion with only limited re-building works necessary; without significant alteration extension or re-building". In the pre-ambles to B21 it was stated: "Residential planning permission will where necessary be subject to conditions which remove permitted development rights so that future alterations or extensions can be carefully controlled". The pre-ambles also noted in detail how a conversion could lead to loss of character in the area and guided decision making to minimise these "damaging" effects saying, "Whatever the proposed use it should retain the original character and appearance of the building and its setting".

Whilst B21 is a superseded policy the above highlights important relevant background to the original approval and in particular a significant part of the reason that PD rights were removed. The relevant policies now in determining the principle of the development are SS10 and H1 and they set very similar tests. Any proposal to extend the building needs to be considered against this background. The design, heritage and landscape Policies DC1, DC2 and DC3 will be pivotal to the decision along with the current adopted supplementary design guidance and documents.

Heritage

Historic Environment Policy DC2 leads with the following three expectations:

1. The Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. This will take into account the desirability of maintaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.
2. Protection will be given to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.
3. All applications likely to affect heritage assets will require the submission of a heritage statement, including a qualitative visual assessment where appropriate.

In consideration of its obvious age and character the Council attributes heritage value to this building. The NPPF defines a heritage asset as:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

The definition does not establish a 'closed' list of what can or should be regarded as a heritage asset. The definition can include assets identified by the local planning authority – including – but not restricted to – assets on a local list. In the case of the application building it is recorded as being part of a historic farmstead in the Staffordshire Historic Environment Record. It therefore meets the definition of being a building “having a degree of significance meriting consideration in planning decisions, because of its heritage interest” – in this case confirmed by specialist study and assessment through the Staffordshire Farmstead Survey (2009).

A drawing submitted in support of the 2005 application and reproduced here at Fig.1 identified the extent of masonry renovations and is understood to represent the extent of necessary re-building to have taken place or been required.

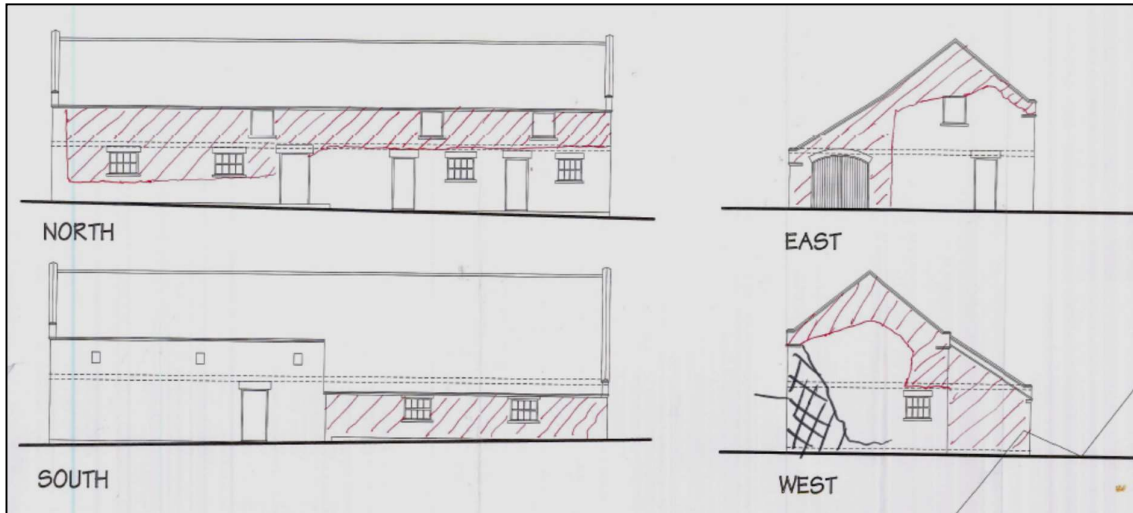


Fig. 1 – from the 2005 file – extent of renovations shown by red hatching

The significance of this drawing (Fig.1) is that the rear elevation of the current proposal building can be readily identified in the bottom left of the drawing [although labelled 'south' this is actually the north west facing elevation or the view looking south east]. The area of wall to which the extension is now proposed represents a substantial section which it has evidently been possible to retain very largely in its original form. Fig.2 below is the present day appearance (June 2021).



Fig.2

The proposal scheme would cause harm by not only covering up c.2/3 of the original rear wall but, in the case of the ground floor, would involve total removal and therefore loss of this especially interesting historically unaltered wall, including removal and loss of a fine doorway with large quoin stones.

The existing wall is a good representative of a very typically plain walled farm building with only a few small openings reflecting the historic function of the building. The new extension would introduce domestic style windows and roof lights which are not a feature of farm barns. The sense of this being a functional farm building in contrast for example with the true original farm house would be significantly undermined by this development and thereby erode the historic significance of the wider farmstead. Such impacts are by degrees inevitable where conversions occur. There has already been some compromise at Ringehay but the differential relationships and functional roles of the various buildings comprising the historic farmstead can still be seen, experienced and understood but the elevation now proposed for partial removal and replacement extension is one of the better surviving elements within the farmstead.

Policy DC2 is to protect non-designated heritage assets as set out in the NPPF. Paragraph 203 of the NPPF (2021) states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The agent puts forward a number of reasons for the extension but the LPA finds these possibly desirable rather than essential. The existing ground floor has an internal area of c.54sqm with the same at first floor providing a total floor space of 108sqm. There are two first floor double bedrooms, one with en-suite, and a further separate bathroom. The Nationally Described Space Standard (NDSS) sets a minimum gross internal floor area for a two storey, two-bedroom, four person dwelling of 79m² which this existing dwelling comfortably exceeds by some 29m². The agent has not made a case that the dwelling does not meet the NDSS. Reference is made to a fire safety improvement but this is not explained in any detail. Having been previously used since c.2005 as holiday lets it would be perhaps surprising if the fire safety arrangements are not adequate.

In reaching a balanced judgement of the harm as required by NPPF 203 the LPA concludes that the impact of the proposal on the overall farmstead is significant due in particular to the evidential value of the wall which would be lost and the particular contribution of this building and this part of the building to the overall farmstead character and appearance and understanding its history. The stated reasons for the development by contrast are not found compelling and do not balance out the harm identified.

The agent was effectively advised of this by the LPA in an email dated 3rd July:

I have looked back at the planning history and don't see anything to suggest the dwelling was considered, or would be found, inadequate in terms of its internal amenity. I note the conversion has created a two-bedroom / two bathroom (one of which is en-suite) dwelling. If you believe there is a case to provide "essential amenity" I would ask you to explain and substantiate this in order to give it consideration. The items you have listed (16th June) may well be desirable but do not appear to me necessarily essential.

The existing rear elevation in this proposal site appears to present a good surviving example of rural vernacular stonework with minimal openings typical of an agricultural building of its period. If you are to make a case that an extension in some form could in principle be accepted on some part of this building the LPA would expect a proportionate analysis of the building and building history to establish the heritage significance in accordance with NPPF paragraph 189 [2019] and in turn a justification of any proposal in terms of what it would do (or not do) to the heritage significance.

...The extension as proposed would eradicate important indicators of the building's one-time past.

Contrary to DC2(3) and the LPA's 3rd July advice, and contrary to the NPPF paragraph 194 [2021] no heritage assessment has been provided.

NPPF 194: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Design

The conversion guidance (SPG) states that 'Conversions should be within the shell of the building. Extensions will be discouraged; where essential they should be small and unobtrusive and reflect the proportions of the main building' (SPG page 3.4). The guiding principle is that the character of the original building should be retained and conserved for the future, and the building should still look like a barn when converted – and not like a house. Any alterations should respect the building's scale and proportions and special features should be retained with any alterations made within the constraints imposed by the building. Conversions are further discussed at section 5 of the 2018 Design Guide (SPD) see eg.5.15.

The LPA view is that this former farm building has been converted in accordance with the Council's adopted design guidance and in particular the SPG current in 2005 and which remains current. The development now proposed would be contrary to that guidance and not supported by current policies DC1 and DC2 and the more recent Design SPD.

Although the former farm building of which the application dwelling is a part is now two separate residences it is architecturally and in design terms effectively a single building. Its partial extension historically with a lean-to along the rear of the westerly half of the building holds a certain proportion and appropriateness of scale. By continuing this along much of the remainder of the rear, the building would acquire an intrusively large expanse of roof slope and overall bulk and mass, losing the design benefit of the recessed easterly half which breaks up the building mass.

Amenity

The NDSS has been discussed above with no case found that the existing dwelling is lacking in amenity such that further extension is necessitated.

The neighbour has raised concern about sound and heat energy insulation but these would be matters for building regulations. No adverse planning issues in terms of neighbour amenity impacts are identified. The separate Party Wall Act requirements would apply.

Highway Safety

No implications.

Other Matters

The LPA has noted that the submitted red-edged site plan with this 'householder' application has been drawn to include a significantly larger site area than is included within the approved residential plot. In the event of approval it would be important to note in any decision that no authority would be conferred to use the additional land as part of the residential site notwithstanding that it may be in the applicant's ownership.

CONCLUSION / PLANNING BALANCE

The proposed rear extension and associated covering along with removal and loss of historic fabric would be harmful to the historic character and appearance of this rural vernacular building and, as a building which contributes to the character and appearance and evidential understanding of a historic farmstead as identified by the Staffordshire Historic Farmstead Survey (2009) and recorded in the Staffordshire Historic Environment Record, the proposal is found harmful to a non-designated heritage asset as defined by the NPPF. The stated reasons for the development by contrast are not found compelling and do not balance out the harm identified. The scheme is therefore found on balance contrary to Policy DC2 and the NPPF paragraph 203 and contrary to policies SS10, H1 and DC1 and is not supported by the Council's adopted Supplementary Design Guidance and Design Document.

Contrary to DC2(3) and the NPPF paragraph 194 no heritage assessment has been provided.

In design the proposed extension fails to conserve the character of the existing converted farm building and creates in its place a more obviously domestic residential dwelling which would also take on a more massive and therefore intrusive appearance all at odds with the wider setting of the historic farmstead and surroundings contrary to policies SS10, H1, DC1, DC2 and DC3 and contrary to the NPPF.

Moreover, it is to be noted that in the revised NPPF 2021 in the amended third strand environmental objective at section 8(c) the Government's stated objective is "to protect and enhance our natural, built and historic environment;" and not simply to "contribute" to protecting and enhancing. This is a significantly more definite exhortation than the previous wording and reflects growing realisation that past efforts and good intentions have not been sufficient to stem the perpetual erosion and loss of, in particular biodiversity and, relevant to this proposal, heritage.

OFFICER RECOMMENDATION : Refuse

Case Officer: Arne Swithenbank

Recommendation Date: 30th July 2021

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council