PLANNING STATEMENT

Proposal: **CONVERSION OF EXISTING STORAGE BUILDINGS TO FORM ONE DWELLINGHOUSE**

Site: **LAND OFF THORNCLIFFE LANE, BLACKSHAW MOOR, LEEK, STAFFS**

Applicant: **LEEK COHOUSING LTD.**

Date: **16 SEPTEMBER 2021**

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1 INTRODUCTION

1.01 This planning statement has been submitted Leek Cohousing Ltd to accompany a planning application which seeks approval to convert existing storage buildings at land off Thorncliffe Lane, Blackshaw Moor to provide one residential unit.

1.02 The proposal has been prepared following the Planning Inspectorate's dismissal of an appeal regarding a proposed cohousing scheme for the site and adjoining land. The new proposal is a considerably scaled down development involving only the conversion of three existing local heritage buildings to form a single dwelling. No new buildings and no extensions of the existing buildings are proposed.

2 SITE AND SETTING

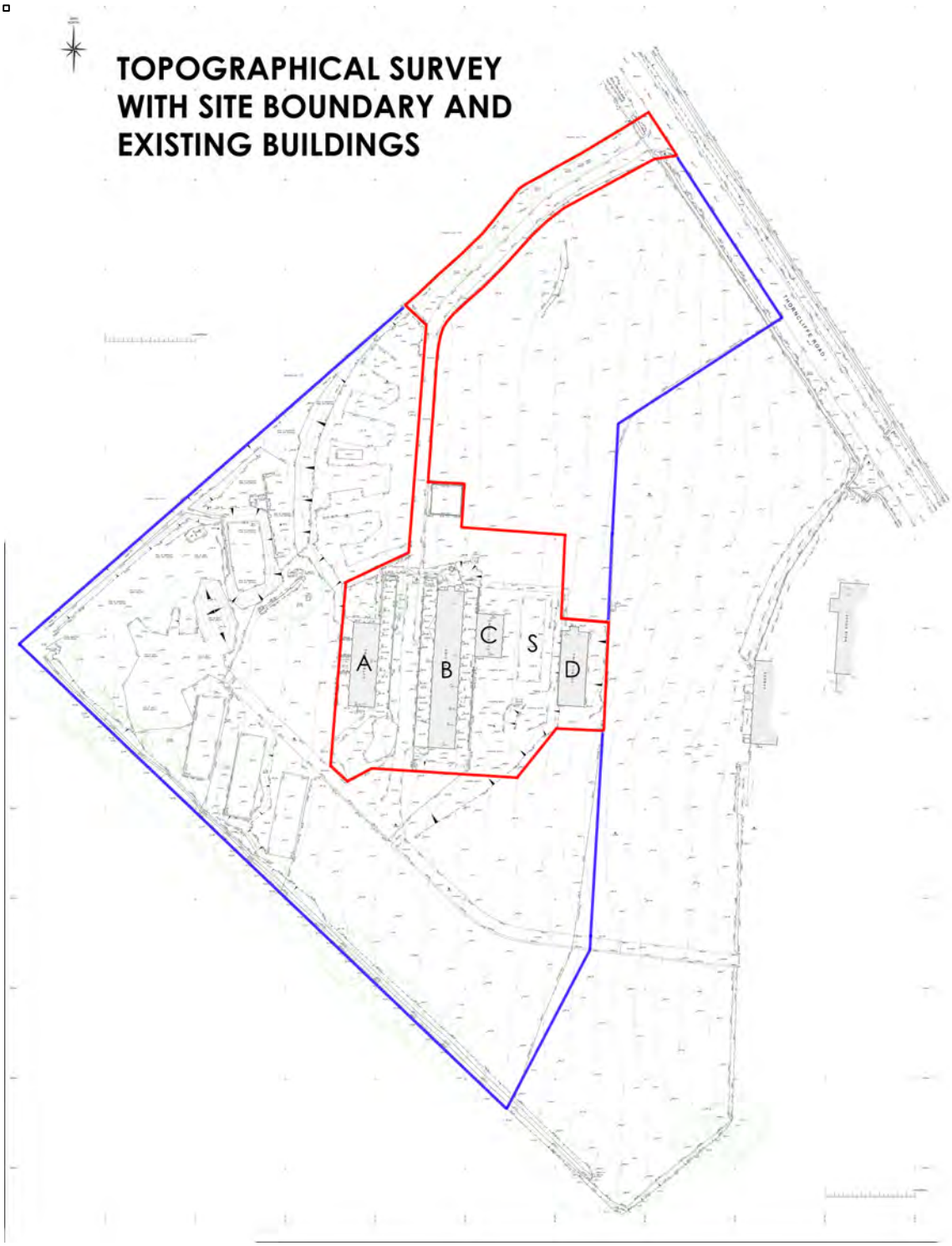
2.01 The proposal site is located on the south west side of Thorncliffe Lane, Blackshaw Moor, between the dwelling house White Gables and a small area of woodland. The site is approximately 800m from the Tittesworth Estate to the north west and a similar distance from Thorncliffe Village to the south east. The site is shown shaded red on the Ordnance Survey plan below. The site grid reference is SK 401194 359068. The Peak District National Park lies about 800m to the north of the site; the Park boundary is shown as a pink dashed line.



2.02 The site is currently occupied by four single storey brick buildings erected in 1943 to provide accommodation for American military personnel during the Second World War. After the war the buildings were used until about 1964 to provide accommodation for Allied Polish ex-service personnel and their families who were being re-settled in the UK. Subsequently the buildings were used to house cattle and pigs, and for the past 14 years approximately they have been used for non-commercial storage purposes. The land around the existing buildings was formerly occupied by about 70 more camp buildings which have been demolished, although four concrete foundation slabs remain, including one within the existing building group. The land surrounding the buildings is mainly open grassland in seasonal use as pasture.

2.03 In 2019 the District Council recognised the heritage significance of the four surviving former camp buildings by adding them to the Local Heritage Register by reason of their age and rarity, group value, and historical associations. These are the buildings to which this application relates.

2.04 The topographical survey drawing below shows the site outlined red on ground sloping from east to west, with adjoining land in the applicant's ownership, but not included in this application, outlined blue. The four existing local heritage buildings are labelled A to D, and a surviving concrete slab from the former Blackshaw Moor Camp is labelled S.



2.05 In so far as the wider landscape setting is concerned the buildings which it is proposed to convert are set back more than 75m from Thorncliffe Lane behind an open site frontage. The site has an area of woodland on its north western side and the ground rises to low ridges on its eastern and northern sides; on its south western side agricultural fields slope gently southwards.

2.06 The Peak District National Park boundary is approximately 800m to the north and east, but the site is not prominent in the wider rural landscape and is not readily visible from anywhere in the National Park. The only point in the surrounding rural landscape where the site and buildings are clearly visible is along its Thorncliffe Lane frontage.

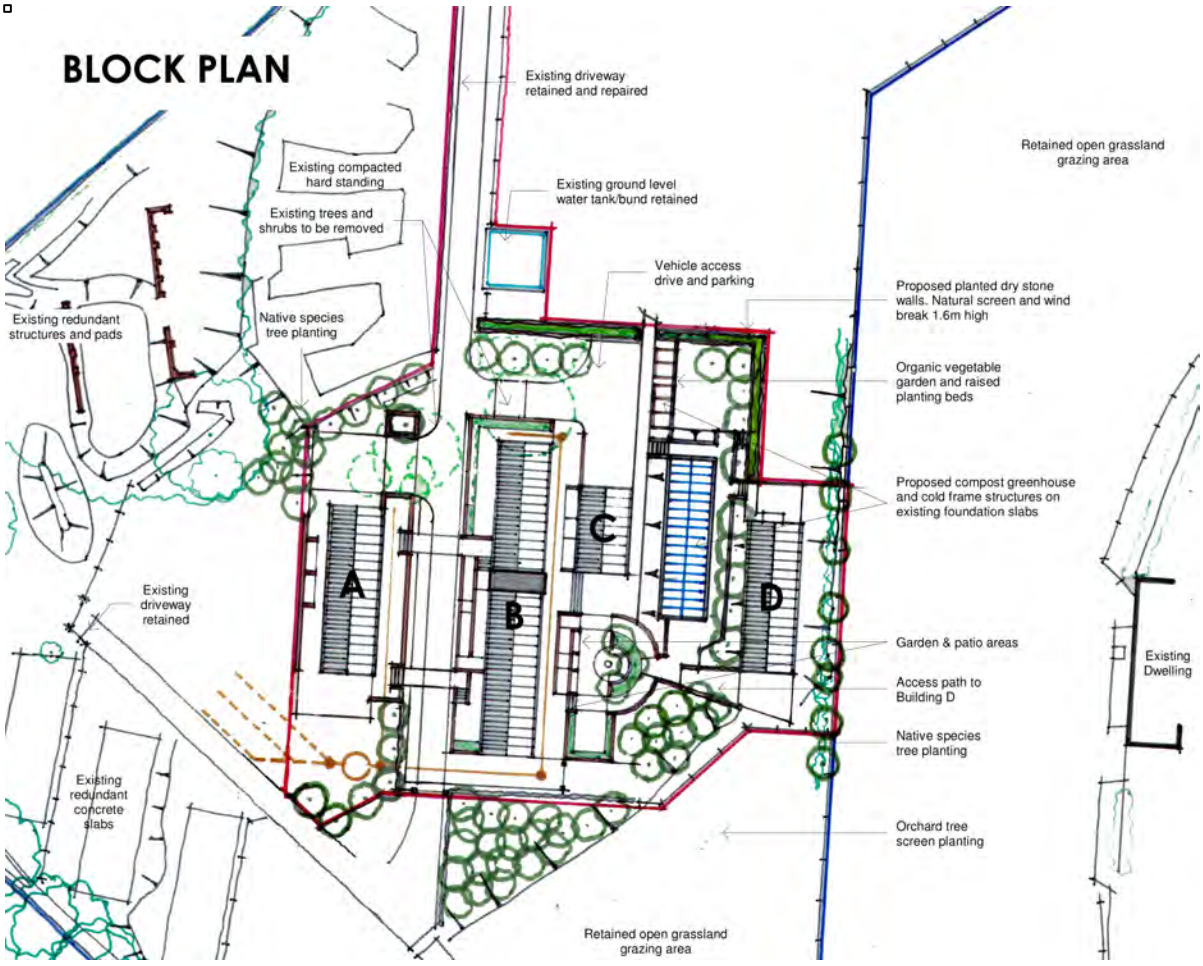
2.07 There are no statutory or non-statutory landscape designations associated with the site or in the landscape in the immediate vicinity of the site.

2.08 The applicant, Leek Cohousing Ltd, owns the field and connected land surrounding the proposal site, which is edged blue on the topographical plan above. This area is mainly rush pasture, with an area of hard core formerly used for mobile caravan pitches and some self-setting woodland on its western side. This land is not affected by the proposal and has been excluded from the site boundary.

3 THE PROPOSAL

3.01 The proposal comprises the conversion of three existing local heritage buildings on the site to form a single dwelling house in building B, a home working studio, recreation room and guest bedroom in building A, and a garage, domestic workshop and store in building C as shown on the site plan below. Building D is reserved for potential future conversion for stables, for small scale agricultural uses, or for other uses ancillary to the proposed dwelling and the land edged blue on the topographical survey plan above.

3.02 The proposal site is 0.37 hectares in size. The site boundary includes only the existing building group, the existing access drive and a small area to facilitate access to the buildings, as shown in red on the site layout plan below. The rest of the land in the applicant's ownership, outlined blue on the topographical survey plan above and 1.27 ha in size, would remain unchanged by the proposal.



3.03 The proposal makes several minor alterations to the external appearance of the existing buildings. The Design, Access and Heritage Statement describes the changes proposed and how their design respects the character and appearance of the existing buildings.

3.04 The existing access road would be retained and repaired using locally appropriate materials, with only the access point widened slightly and the gate set back to enable two vehicles to pass at that point in accordance with highway engineering recommendations. Elsewhere the drive would have the same width and visual character as existing.

3.05 In so far as the landscape setting is concerned the main change would be the construction of a dry stone wall 1.6m high and 40m long between the existing concrete water tank next to the access drive and building D. The proposed dry stone wall would be set back over 50m from Thorncliffe Lane, and would define the northern boundary of the site separating it from the open rush meadow to the north. The proposed dry stone wall would screen the hard standing in front of the proposed garage in building C and would serve to visually contain the proposed garden area between buildings B and D. Tree planting using native species would reinforce this northern boundary by enhancing its screening and windbreak functions.

3.06 Within the existing building group between buildings C and D there is an existing foundation slab which would be represented as a group of cold frames and incorporated into a small area re-modelled as garden space. A small area of hard paving would provide access to the north side of building C, which would be used as a garage, domestic workshop and store. This area would be screened from Thorncliffe Lane by the 1.6m high dry stone wall.

4 PLANNING HISTORY

4.01 The four existing buildings were constructed in 1943 as part of the Blackshaw Moor Army Camp 3. Originally there was another building within the site edged red on the site layout plan, which was located between building B and D and its foundation slab remains in situ.

4.02 The site has been subject to three previous planning applications, which are set out below.

4.03 ***SMD/2004/0081*** - Outline application for the erection of a dwelling with associated employment facility. This application was submitted on 26 March 2004 and withdrawn on 29 April 2004

4.04 ***SMD/2004/1298*** - Full application for the conversion of buildings to five dwellings. This application was submitted on 23 September 2004 and refused on 8 December 2004. The reasons for refusal were as follows:

(a) The application site lies within an area of open countryside designated as Special Landscape Area. The principle of residential conversion in this location is considered to be inappropriate and thus inherently harmful to the pleasant rural character of the area. Despite the presentation of a marketing exercise for the buildings it is considered that the residential conversion of these buildings is unacceptable by reason of necessary alteration and rebuilding, its isolated location and its dependence on the private car with the resulting generation of traffic. The proposal would therefore be significantly detrimental to the appearance and character of the open countryside and Special Landscape Area. As such the proposal would be contrary to policies N1, N8, N9 and B21 of the Staffordshire Moorlands Local Plan.

(b) The proposal would introduce an unsustainable form of residential development given its isolated location and remoteness from other settlements and their facilities and services. The occupiers of these dwellings would inevitably be entirely dependent on the private car. As such the proposal would be contrary to PPS7 "Sustainable Development in Rural Areas",

(c) The proposal would fail to provide satisfactory standards of amenity for future occupiers of buildings due to their close proximity between principle windows and the proximity of parking spaces to private amenity areas. As such, the proposal would be contrary to Policy B13(c) of the Staffordshire Moorlands Local Plan.

4.05 With regard to reason (a) above the principle of converting isolated rural buildings in the countryside is no longer considered to be inappropriate in current national and local policy. Subject to prior approval, the conversion of an isolated rural building in agricultural use to a dwelling is now permitted development. In September 2019 the District Council gave prior approval to the conversion of an isolated stone barn in open fields off Thorncliffe Lane some 300m due south of the application site (DET/2019/0022).

4.06 With regard to reason (b) above paragraph 79 of the Framework now defines five different circumstances in which the development of an isolated home in the countryside may be allowed, and two of these circumstances apply to this planning application. The Framework states that the development of an isolated home in the countryside may be permitted where "the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets" (paragraph 79b) and where "the development would re-use redundant or disused buildings and enhance its immediate setting" (paragraph 79c).

4.07 With regard to reason (c) above the current proposal is materially different from that put forward in 2004, being for a single dwelling not five dwellings, so it would create no neighbours whose amenity may be affected by the development.

4.08 In addition, the local and national policy framework has changed materially since 2004, most notably by the introduction of the National Planning Policy Framework in 2012, its revision in 2018 and 2019, the General Permitted Development Order 2015, and the adoption of the Staffordshire Moorlands Local Plan in 2020. Furthermore the heritage significance of the four surviving Blackshaw Moor Camp 3 buildings on the site was formally recognised by the District Council when they were added to the Local Heritage Register in 2019.

4.09 New provisions in the local and national planning policy framework set out criteria and define circumstances where the conversion of an existing isolated rural building to a dwelling house is considered appropriate and compatible with current planning policy. Sections 5 and 6 below set out in detail how the proposal satisfies current planning policy.

4.10 In light of the substantially changed policy context, the current proposal must be considered against the policies that now exist, and not in the policy context of a very different application refused in 2004. Therefore the refusal of planning application SMD/2004/1298 carries very limited weight in the determination of the current application.

4.11 ***SMD/2018/0775*** – Full application for a cohousing development comprising the erection of 5 new low impact dwellings, conversion and extension of existing buildings to provide further 2 low impact dwellings, conversion of 2 other existing buildings to provide cohousing facilities, erection of new site services building, shared car parking area.

4.12 This proposal was refused by the District Council on 1 July 2019 and an appeal was dismissed on 15 December 2020. The Inspector gave three reasons for refusal:

(i) the impact of the proposed development on the character and appearance of the area and the landscape

(ii) the impact of the proposed development on the non-designated heritage asset

(iii) whether the proposal would constitute an acceptable form of development with particular regard to the provisions of local policy in respect of the location of development and access to services and facilities

4.13 In so far as reason (i) above is concerned the cohousing proposal was for 7 dwellings (including 5 new build dwellings), 270m2 of shared cohousing facilities, and a site services building, a development proposal totalling 1,536m2. The current application involves only the existing buildings which would not be extended in floor area or raised in height. A proposed small area of hard surfacing near to the building group would be screened from Thorncliffe Lane by a dry stone wall. The physical changes involved in the proposed development would be minor and designed to integrate with the surrounding landscape and to repair and respect the character of the existing buildings. The impact of the proposal on the character and appearance of the area and the landscape would therefore be an improvement when compared to the decaying appearance of the existing buildings.

4.14 With regard to reason (ii) the proposal re-uses the existing non-designated heritage assets with minimal change to their external appearance. Original openings would have windows and doors reinstated, existing bricked-up openings would have windows restored, and some non-original small openings created to allow pigs to access building B would be infilled with matching brickwork. In three locations existing openings would be enlarged or combined to form new doorways. The roofs would have the same pitch and ridge height as existing and the roof surfaces would have the same visual appearance as existing. The external brickwork would be repaired and some structural faults rectified.

The impact on the non-designated heritage asset would therefore improve the appearance of the existing building group which is currently rundown, without spoiling their original character and appearance, and so would be an overall benefit for the local environment.

4.15 With regard to reason (iii) above the scale of the proposed development is confined to the re-use of the existing buildings, and is for a single dwelling only, not for a 7-house cohousing development with shared facilities. Subject to prior approval, it would be permitted development to convert the four existing buildings, which are currently used for storage and are below 500m2 in total area, to use class E(g) business use. The legally permitted re-use of these local heritage assets, whether for storage, agricultural or business use, would be the same distance from necessary services and facilities and would generate a similar or possibly a greater number of vehicle movements to that generated by a single dwelling.

5 PRE-APPLICATION CONSULTATION

5.01 The previous cohousing proposal was refused by the District Council on 1 July 2019 and subsequently advice was sought from the Council as to what sort of development of the site may be acceptable. The Council's advice was provided in an email dated 29 August 2019 which is reproduced in full in Appendix A.

5.02 It should be noted that the previously proposed cohousing site included the caravan hard standing, the self-set woodland and most of the open rush meadow, all of which have been excluded from the present application. In reference to that larger area the Council's advice stated that the site is part greenfield and part brownfield, and that less than 50% of the larger cohousing site constitutes previously developed land. The present application site boundary has been drawn so as to include just the building group which makes up much of the previously developed land referred to in the Council's advice of 29 August 2019 together with a very small area adjoining the buildings required to facilitate access. The total site area is 0.367 hectares, which is 22.34% of the previously proposed cohousing site which had a total site area of 1.643 hectares. The application site is therefore less than half the Council's maximum estimate for the area of previously developed land at the site.

5.03 The Council's advice stated that the site is outside a defined settlement boundary in an isolated location. The proposed cohousing development conflicted with policy SS6C of the former development plan, which sought to restrict new housing to that which is essential to local need. However policy SS6C has been superseded by the Staffordshire Moorlands Local Plan 2020 and the conformity of the present proposal with the adopted Local Plan is examined in section 6 of this planning statement.

5.04 The Council's advice acknowledged the support given in local and national policy for the re-use of existing rural buildings, providing the design of any conversion respects and retains the original buildings. However, the Council considered that the proposed cohousing development unacceptably altered the existing buildings and compromised their setting with new development.

5.05 The Council advised that a proposed scheme should be restricted to the existing buildings, for which there is some policy support, and that proposals for conversion should use existing openings, minimise alterations, work within the existing shell and respect the setting so that the original character of the buildings and their setting are retained. The fact that the buildings are non-designated heritage assets makes attention to these design details more relevant.

5.06 The Council's advice has been used to provide a framework for the design of the present proposal. The proposal site is confined to previously developed land comprising the existing building group, existing access drive and very little more. The design of the proposed building conversions utilises, and in a three instances enlarges, existing openings, including those which have been bricked up, to provide windows and doors. The layout of the proposed window and door openings follows the design character of the existing original openings in terms of their proportions and positioning. The building envelopes retain the same size, height and profile as existing, and their setting is largely unaltered with the exception of the proposed dry stone wall along part of the northern boundary of the site and a small area of hard standing behind it. The Design, Access and Heritage Statement provides details of how this has been achieved so as to preserve and enhance the character and appearance of the existing local heritage buildings.

6 CONFORMITY WITH STAFFORDSHIRE MOORLANDS LOCAL PLAN 2020

6.01 The Staffordshire Moorlands Local Plan was adopted in 2020 and is the development plan for the District.

6.02 Policy SS2 of the Local Plan 2020 determines the site's position in the Settlement Hierarchy. The site is located in Blackshaw Moor, which is defined as a Smaller Village in policy SS9 of the Local Plan. The Local Plan states that the Smaller Villages, including Blackshaw Moor, are not defined by a development boundary and only limited development of an appropriate nature will be allowed.

6.03 The Smaller Villages Area Strategy is set out in policy SS9 of the Local Plan. The explanatory text accompanying this policy states that smaller villages are vital to the rural areas particularly in terms of providing for local housing and employment needs. It states *"A major issue for smaller villages is the loss of local population through lack of housing opportunities. The proposed strategy for the smaller villages therefore seeks to allow an appropriate level of sensitive development which enhances community vitality."*

6.04 The proposal is for a single dwelling with home working facilities utilising existing buildings whilst preserving and enhancing their character. The proposed development would therefore be available to address the lack of housing opportunities in smaller villages highlighted by the Local Plan, off-setting population loss and supporting community vitality.

6.05 Policy SS9 states that the Smaller Villages *"shall provide only for appropriate development which enhances community vitality or meets a social or economic need of the settlement and its hinterland."* Development can do this in several ways including by *"enabling limited new housing development including small infill schemes in accordance with policy H1"* and by *"enabling small-scale new employment development including 'live-work' developments which are for a rural enterprise or an existing authorised business."*

6.06 The proposed single dwelling includes live-work facilities and would be available to meet a social need of the settlement and its hinterland for housing in a location where new houses are in very short supply. Following the cohousing appeal decision the applicant was approached by two different parties based in the neighbouring village of Thorncliffe who are interested in acquiring the site should planning permission be forthcoming. The proposal thus has the potential to address directly the loss of population in the local rural area, whilst protecting and enhancing the setting and character of the heritage assets on the site as also required by policy SS9.

6.07 Policy SD1 of the Local Plan – *Sustainable Use of Resources* – requires all developments to make sustainable use of resources and adapt to climate change. The proposed development would do this by utilising previously developed land, re-using existing local heritage buildings and leaving the adjoining agricultural land (classified as "Poor" by Natural England) almost completely unaltered. The existing buildings have roofs covered with corrugated asbestos cement sheeting and their proposed conversion would enable this contamination to be remediated.

6.08 Policy SD5 – *Flood Risk* – states that *"New development will be guided to the areas with the lowest risk of current and future flooding where this is viable and compatible with other polices aimed at achieving a sustainable pattern of development."* The site lies within a Flood Zone 1 area which has the lowest risk of flooding – estimated at a 1 in 1,000 years

chance of flooding.

6.09 The proposal site is not located within an area allocated for housing development in the Local Plan and is not inside a development boundary. However, the site is located in the Smaller Village of Blackshaw Moor, which is a dispersed settlement of four development clusters in the locations of the four former Blackshaw Moor Camps, as described in more detail in the Design, Access and Heritage Statement (Section 4). The proposal site lies within an area formerly occupied by Blackshaw Moor Camp 3, which is the least developed of the four former camps

6.10 Policy H1 paragraph 4b states that *"Outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported provided that……the development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development, and…..will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside."*

6.11 The proposed development re-uses existing local heritage buildings whilst retaining their visual character and appearance with only minor alterations which are designed to respect their character and appearance. The site is part of the former Blackshaw Moor Camp 3 and so, being within a former Camp site, the development relates directly to the pattern of development at Blackshaw Moor established by the four former Blackshaw Moor camps as shown in the Design, Access and Heritage Statement. The proposal involves no new buildings whatsoever, only existing buildings which are set well back (over 75m) from the public highway, so it will not create or extend ribbon development, or lead to sporadic development, as the buildings involved already exist.

6.12 The Design, Access and Heritage Statement shows that the site is visually contained and is not readily visible from anywhere except the Thorncliffe Lane frontage of the site. The proposed development will therefore not lead to a prominent intrusion into the countryside. The proposal involves existing buildings only, so it will not have a significant adverse impact on the countryside.

6.13 The proposal is therefore in overall compliance with policy H1 *Housing* in the Local Plan.

6.14 Local Plan policy DC2 – *The Historic Environment* – sets out the fundamental principles which the Council will apply to proposals affecting heritage assets, including non-designated heritage assets such as the four existing buildings at the site.

6.15 The Design, Access and Heritage Statement accompanying the planning application shows how the design and historic environment principles set out in policies DC2 are expressed in the conversion works proposed for the existing local heritage buildings.

6.16 Policy DC3 – *Landscape and Settlement Setting*- seeks to protect and enhance the local landscape and the setting of settlements in the District. Proposals which would lead to prominent intrusions into the countryside or have a significant adverse impact on the character or the setting of a settlement will be resisted. Proposals which would respect and enhance local landscape character and the setting of the settlement, or would enhance biodiversity, will be supported.

6.17 The Design, Access and Heritage Statement shows that the proposed development would have minimal impact on the local landscape. No new buildings are proposed, existing

buildings would be repaired and refurbished with minimal change, and brought back into beneficial use. The only new construction would be a dry stone wall, which is a common boundary feature in the local rural area, 1.6m high and approximately 40m in length along the northern boundary of the site. The dry stone wall would screen a small area of hard paving installed to facilitate access to building C, which would be used as a garage, domestic workshop and store. Additional trees would be planted on the northern boundary and elsewhere within the site using native species to enhance and provide a net gain in local biodiversity, as required by policy NE1 – *Biodiversity and Geological Resources*.

6.18 Transport spatial objective SO11 seeks to reduce the need to travel or make it safer and easier to travel by more sustainable modes of transport. The proposed development would provide designated home working facilities suitable for office, E(g) use, or artist's studio use, thereby reducing the need to travel to work.

6.19 The proposal is therefore in overall conformity with all relevant Local Plan policies.

7 CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

7.01 National planning policy for rural housing is set out in paragraphs 77 to 79 of the Framework. Paragraph 77 states that planning policies and decisions should be responsive to local circumstances and support housing that reflects local needs. The proposed development utilises existing local heritage assets and could potentially provide housing to meet local needs.

7.02 Paragraph 78 states that *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities."* The proposal site is in Blackshaw Moor which is defined as a Smaller Village in the Local Plan. Blackshaw Moor is a dispersed settlement where existing development is clustered in the locations of the four former Blackshaw Moor Camps. The proposal site is located within one of the former Camps.

7.03 Paragraph 79 states that the development of isolated homes in the countryside should be avoided unless certain circumstances apply, including where the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets (paragraph 79b).

7.04 The Framework states on page 67 that heritage assets include *"assets identified by the local planning authority (including local listing)"*. The four existing buildings on the site are included in the Staffordshire Moorlands Local Heritage Register and are therefore heritage assets according to the definition in the Framework. They were originally built in 1943 to house US Army troops and after the war were used to house allied Polish service personnel and their families. For the first 20 years approximately they were used for residential purposes, but subsequently the buildings were used to house animals and in recent years they have been used for storage. Their re-use for residential purposes would be consistent with the purpose for which they were built and, as it would involve the repair and refurbishment of the building fabric, the reinstatement of windows and doors which are currently bricked up, and would provide a means to ensure the buildings are maintained into the future, the proposed development represents the optimal viable use of these local heritage assets.

7.05 The existing buildings are currently in use for non-commercial storage, which is not a viable use as it provides no income to pay for maintenance and essential repairs. The buildings are in a poor state of repair with numerous building faults resulting from longstanding neglect, including holes in the roofs of buildings B and D, structural cracks in buildings B and D, defective roof of water tower in building B, and the absence of rainwater goods, windows and doors in all buildings. The Design, Access and Heritage Statement contains a Photographic Building Condition survey at Appendix A which illustrates these buildings faults. Unless a viable re-use is found the buildings will fall further into disrepair, until they become disused, their visual appearance deteriorates further and their future survival as local heritage assets at risk.

7.06 Paragraph 184 of the Framework states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The sensitive conversion of the local heritage buildings at the site to form a single dwelling offers the most favourable way of re-using the existing buildings on the site.

7.07 The significance of the local heritage assets affected by the proposal is described in the Design, Access and Heritage Statement, which shows that the proposed development would not involve substantial harm or loss of the local heritage assets at the site. The Design, Access and Heritage Statement shows that the proposal does not affect the defined significance of these non-designated heritage assets, which is based on their Age and Rarity, their Group Value and their Historical Associations. In fact the repair of the building fabric and the sensitive reinstatement of window and doors would secure the future of the local heritage assets.

7.08 At paragraph 192 the Framework states that in determining planning applications affecting heritage assets *"local planning authorities should take account of:*

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.09 The proposed development would sustain and enhance the significance of the Local heritage assets at the site. The Design, Access and Heritage Statement shows that the proposed alterations to the local heritage assets at the site respect and enhance their design character and visual appearance. Bricked up windows and doors would be reinstated; holes and cracks in the brickwork would be repaired; the roofs would be repaired and re-surfaced so as to leave their pitch, height, profile and visual character unaltered. The small number of proposed new windows and doors would be created in almost all cases by enlarging existing openings to form openings with the same proportions and scale as existing windows and doors. The overall effect would be to improve the visual appearance of the existing buildings whilst retaining their scale, functional character, and external surface appearance.

7.10 The proposed use of the existing buildings is compatible with their original use which was to house troops and subsequently to house families. The proposal would therefore secure the future of these decaying local heritage assets with a viable use appropriate to their significance, i.e. a dwelling house available to meet local community needs. The conservation and re-use of the buildings as a single dwelling would make a positive contribution to the sustainability of the local community including its economic vitality. The improved physical condition of the buildings would enable them to make a positive contribution to local character and distinctiveness.

7.11 The proposed development is therefore in accordance with relevant policies set out in the National Planning Policy Framework.

8 OTHER RELEVANT PLANNING MATTERS

Permitted Development

8.01 The Town and Country Planning (General Permitted Development) (England) Order 2015 Class I states that it is permitted development to change the use of a building falling within Class B8 (storage or distribution) to a use for any purpose falling within class B1 (business), providing that the building concerned is less than 500m2 in area.

8.02 The total floor area of the four existing buildings at the site is 483m2 and they have been used for non-commercial storage purposes for over 14 years. Consequently it would be permitted development to change the use of all four buildings at the site to B1 business use, subject to prior approval. This latter use class was retitled Class E(g) in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and it comprises uses which can be carried out in a residential area without detriment to its amenity, namely offices to carry out any operational or administrative functions, research and development of products or processes, and industrial processes.

8.03 Therefore, subject to prior approval, it would be possible to establish one or more businesses within use class E(g) in the existing buildings at the site without the need for planning permission. Business activities of the permitted level could generate vehicular trips equivalent to, or potentially greater than, those that would be generated by a single dwelling house. Therefore the impact of the proposed single dwelling in terms of vehicle movements and access to services and facilities would be equivalent to, or perhaps less than, the impact of the business uses that may be established at the site under permitted development rights.

8.04 In fact if the above permitted development right were exercised, and E(g) business use was established in the existing buildings at the site, it would be possible to exercise a further permitted development right under the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2021. At paragraph 6 this states that permitted development includes *"Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order."*

8.05 The exercise of these two permitted development rights in succession would enable the proposed development for one house to be carried out without the need for planning permission.

Prior Approval

8.06 Staffordshire Moorlands District Council has given prior approval to several changes of use carried out by the exercise of permitted development rights, which are similar to the proposed change of use of the existing buildings at the site. Two relevant examples are cited below.

8.07 In September 2019 the District Council gave prior approval to the change of use of a remote field barn located off Thorncliffe Lane to a dwelling house. The barn referred to is a two-storey stone building of local heritage value and is located approximately 300m due south of the proposal site in a prominent field location in isolation from any nearby

buildings. Vehicular access to the proposed dwelling would be on a farm track across open fields, which the highway authority found acceptable providing a bound surface is provided over the first 5m. The conversion of the buildings involves no additional openings save for roof lights and no extensions; and conditions were imposed to control any future alterations. In recommending that prior approval be given the officer's report reasoned that *"with no statutory protection a beneficial end use is essential to secure the building's future."*

8.08 In so far as impact on the landscape is concerned the re-use of this isolated barn as a dwelling would generate domestic car movements across open fields to the building which is more than 350m from Thorncliffe Lane. The provision of services to the site and the possible future paving and widening of the access drive would also impact further on the landscape.

8.09 The impact of the present proposal on the landscape would be less than would be involved in the conversion of the above isolated stone barn. Alterations to the existing local heritage buildings would be minimal and in keeping with their character and appearance. The alterations to the access drive would be similar in both cases with only its junction with Thorncliffe Lane remodelled in accordance with highway standards. The same justification given in granting prior approval for the conversion of the stone barn can be applied to the present proposal – that a beneficial end use is essential to secure the local heritage buildings' future.

8.10 A second example concerns the conversion of a 171m2 single storey storage building at the rear of Perkins Plasterers, Little Blythe Farm, Leek Road, Weston Coyney, a site within the District, to form two dwellings. This proposal sought prior approval to exercise a temporary permitted development right to change the use of a storage building under 500m2 in area to a dwelling, a right which expired in June 2019. The building involved had no design or heritage merit, being a relatively modern single-storey flat-roof structure with rendered walls. Prior approval was granted in February 2017 and the officer's report reasoned that *"It is noted that the proposed residential use would likely have less impact on the amenity of nearby properties than the existing use."*

8.11 Two matters should be mentioned with regard to this case. Firstly, prior to June 2019 it would have been possible to exercise a temporary permitted development right to change the use of the existing buildings at the site from storage to residential, subject to prior approval. This would likely have involved the creation of at least two dwellings in the four existing buildings, not the single dwelling currently proposed. The present proposal is therefore substantially less intensive than what would have been permitted development prior to June 2019, in so far as it would generate only half or less traffic movements than those that would have been generated under that temporary permitted development.

8.12 Secondly, in assessing the impact of the permitted development at Little Blythe Farm on the local area the officer found that the proposed residential use would have less impact than the extant storage use. Whilst the current storage use at the application site is not commercial and is quite low key, it would be permitted development to intensify this use by introducing one or more commercial businesses in use class E(g) as described in paragraph 8.02 above. The conversion of the existing buildings to a single dwelling would therefore result in a less intensive use of the site than is possible under existing permanent permitted development rights.

8.13 The above analysis shows that the proposal would have no more impact on the local landscape, on highway safety, or on the character of the local heritage buildings involved

than the examples cited above, which were given prior approval by the District Council in 2017 and 2019.

9 CONCLUSION

9.01 The proposal has been prepared following the refusal on appeal of a proposed cohousing development comprising 7 dwellings with shared cohousing facilities, including 5 new build houses. The current proposal is for the conversion of three existing buildings on the site to form a single dwelling; no new buildings are proposed.

9.02 Following the refusal of the former cohousing scheme the local planning authority advised that less than 50% of the larger cohousing site is previously developed land, and that whilst there is support in local and national policy for the re-use of rural buildings, the former proposal unacceptably altered the existing buildings and compromised their setting with new development. The Council advised that a proposed scheme should be restricted to the existing buildings, that conversion works should utilise existing openings, that alterations should be minimised, and that the setting should be retained. The applicant has designed the proposal carefully in accordance with the Council's advice, and further details of how this has been done are provided in the Design, Access and Heritage Statement.

9.03 The proposal site itself occupies that part of the land in the applicant's ownership which is previously developed land. The site boundary includes only the existing building group, the existing access drive and a small area sufficient to provide access to the buildings. Garden space would be provided within the existing building group, not on its perimeter. The pasture and self-set woodland surrounding the site, which is also in the applicant's ownership and was included in the previous cohousing proposal, is excluded from the present application site and will remain in its present undeveloped form.

9.04 The four existing buildings on the site are included in the District Council's Local Heritage Register on account of their Age and Rarity, their Group Value and their Historical Associations. These buildings are heritage assets according to the definition provided in the National Planning Policy Framework. The proposed conversions works have been designed to respect the simple functional character of the exiting buildings and do not alter their size, height, and profile, and respect the pattern of original openings. The fabric of the buildings would be repaired thereby securing their future as local heritage assets.

9.05 The proposal site is located within one of the four former Blackshaw Moor Camps in the Smaller Village of Blackshaw Moor which is a dispersed settlement comprising four development clusters based on the locations of the former camps. The proposal is well related to the existing clustered pattern of development in Blackshaw Moor and it would not create or extend ribbon development or create sporadic development, as it involves only existing buildings on one of the four former camps.

9.06 The proposal could help address a major issue for smaller villages identified in the Local Plan 2020, namely population loss, and the applicant has received two separate expressions of interest in the site from persons living in the adjoining village of Thorncliffe. The site is visually contained in the landscape and the proposal involves only buildings which already exist, so the proposed development would not lead to a prominent intrusion into the countryside. The proposal therefore satisfies Local Plan policy H1.

9.07 The National Planning Policy Framework defines circumstances in which isolated homes in the countryside may be permitted including where the 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 existing local heritage assets were originally used for residential purposes, they do not currently have a viable use, they are in a poor

state of repair, and their future is currently uncertain. The proposal would repair and refurbish the buildings, enhance their appearance and bring them back into an optimal viable use which would secure their future.

9.08 There are existing permitted development rights which have allowed similar conversions of existing buildings in the countryside, in directly comparable circumstances. The District Council has given prior approval for the conversion of an isolated stone barn in nearby field to a dwelling and to the conversion of a storage building on a site in the countryside to two dwellings, the latter being carried out under a time-expired permitted development right. The proposed development would have no greater impact on the countryside than would result from these two examples of permitted development.

9.09 In so far as the proposal site is concerned the exercise of two successive permitted development rights for buildings under a total size of 500m2 (existing B8 storage to E(g) business use, and from that to C3 residential) would end up with the buildings in residential use without the need for planning permission. There are four existing buildings on the site, so it is likely that any conversion following the exercise of these two permitted development rights would result in a residential use with more units than the single dwelling now proposed.

9.10 The Framework advises local planning authorities, when they determine planning applications affecting heritage assets, to take account of the desirability of sustaining and enhancing their heritage significance and putting them to viable uses consistent with their conservation. The proposed development would sustain and enhance the significance of the local heritage assets on the site and would restore them to a residential use consistent with their original use and their sensitive conservation.

9.11 In the light of all the factors set out above it is therefore considered that planning permission for the proposed development should be granted.

APPENDIX A

LOCAL PLANNING AUTHORITY ADVICE FOLLOWING REFUSAL OF PROPOSED COHOUSING DEVELOPMENT

From:
Jane Curley <jane.curley@staffsmoorlands.gov.uk>
Leek Cohousing
29/08/2019
To: 'MickDowns'

Dear Mick

I refer to our recent meeting to which Gill Bayliss, Conservation Officer also attended. At your request the primary purpose of the meeting was to discuss design and heritage issues. However I will address first the question you pose in your e-mail below about the status of the land.

The Council's view remains as per the Committee report, that the site is part brownfield and part greenfield. The Council relies on the definition of previously developed land in the NPPF in reaching its view, noting that the definition specifically says that even where land is held to be part of the curtilage of the developed land, it should not be assumed that the whole of the curtilage should be developed. The greenfield element that we identify comprises land within the application site that has never been developed, is not part of the 'curtilage' or where the remains of the structures have now blended into the landscape. In our view less than 50% of the application site constitutes previously developed land. We do not accept the view reached in the application documents that the site wholly constitutes previously developed land. That is not borne out by evidence on the ground.

You are well aware of the Councils position that this site is outside a defined settlement boundary and lies within the open countryside in an isolated location. Policy SS6c is the relevant spatial policy for this part of the District. It, together with other spatial policies seeks to deliver the spatial strategy which underpins the Core Strategy and achieve the objective of creating sustainable self-supporting communities. Policy SS6C seeks to restrict new housing to that which is essential to local need. There is no evidence that your proposal is meeting an essential local need. There is clear conflict with spatial policy SS6C

As previously advised, there is some support in national and local planning policy for the re use of existing rural buildings. Para 79 of the NPPF refers to the re use of redundant or disused buildings as being one of the few circumstances where isolated homes in the countryside may be appropriate. In such circumstances it says that development must also enhances the buildings immediate setting. Policy R2 allows for the conversion of buildings of merit to residential use where the conversion enables such buildings to be safeguarded. Policy DC1 says that all development should be well designed, reinforce local distinctiveness and be designed to respect the site and its surroundings. The adopted Staffordshire Moorlands Design Guide offers design advice for, amongst other matters, conversions. It reiterates the generally accepted guiding principle behind the design of any conversion, that the original building and its setting should be respected and retained. It goes on to say that this means that the converted building should continue to look like, for example, a mill in the case of a former mill and not like a new house (para 5.15).

In this case the buildings are substantially changed. They would no longer look like functional, military structures and their setting is completely compromised by new development. If we factor

in the status of these buildings as Non designated heritage assets (NDHA), these matters becomes even more critical. The buildings were added to the Local Register because of being well preserved examples. Their 'significance' is attributed to their age and rarity, their group value and their connection with the war and Polish community. Para 197 requires LPA's to consider the effect of an application on the significance of a NDHA when determining a planning application.

In the proposed scheme the essential characteristics of the buildings including their setting are neither retained nor respected. Development would harm their special character, it would not respect or enhance their heritage value. Our advice to you therefore is that the scheme needs to be restricted to the re use of the existing buildings for which there is some policy support. Proposals for conversion should follow established design principles – using existing openings, minimising alaterations, working within the existing shell and respecting the setting so that the original character of the building and its setting is retained. In essence we are looking for a much more faithful conversion of the buildings and regard to their setting. As the Conservation Officer has said of the refused scheme, the buildings would be largely unrecogniseable once converted and extended and their setting harmed by new development. The proposal would harm their significance and in that respect the scheme appears to destroy the very essence of what it sets out to preserve.

I hope these comments are of some help. They are restricted to design and heritage matters. We would be pleased to work with you on revised conversion proposals.

In the event that an appeal is pursued this e-mail and advice will be brought to the attention of the Inspector.

Jane

Jane Curley (Mrs)

Senior Planning Officer

01538 395400 ext 4124

Mobile 07794 768397