

PLANNING STATEMENT

**ASH TREE LODGE, HOFTENS CROSS
CAULDON LOW**

FEBRUARY 2024

Site Address:

Ash Tree Lodge, Hoftens Cross, Cauldon Low, ST10 3EX

Applicant:

Mr. J. Bold

Proposal:

Conversion of agricultural building to residential annex

Planning Statement:

Date Issued: 9th February 2024

Job Reference: RDP/2024/005

Report Prepared By:

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1 Introduction

- 1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. J. Bold to seek full planning permission for the conversion of an existing agricultural building at Ash Tree Lodge, Hoftens Cross, Cauldon Low to provide a residential annex.
- 1.2 The existing building has a gross internal floor area of 52m² and is located to the southeast of the existing dwellinghouse on the site. The building is constructed from blockwork and has an asbestos sheet roof atop. It was formerly used as a milking shed.
- 1.3 The application proposes the replacement of the existing asbestos roof with a new tiled roof, along with the change of use of the building to form a residential annex. The accommodation of the annex will comprise of an open plan kitchen / living area, two bedrooms and a bathroom. The gross internal floor area of the annex will be 46m².
- 1.4 The annex is to be occupied by the applicant, with his Dad living in the main dwellinghouse. The annex will share the same domestic curtilage and parking areas of the existing dwelling, will remain in the same ownership, and will also share all of its service connections and postal address with the main dwelling.
- 1.5 Vehicular access to the site will be taken off Ash Tree Lane to the northeast of the site, with no alterations being proposed.

2 Site & Surroundings

- 2.1 The application site is located within the rural area and comprises a detached single storey former agricultural building located to the southeast of the existing two storey dwellinghouse on the site. The building was formerly used as a milking parlour.
- 2.2 The existing dwelling on the site sits towards the northern site boundary, beyond which lie a band of mature vegetation. The existing dwelling comprises a two storey property with an attached agricultural shippon and is constructed from coursed natural stone with a Staffordshire blue tiled roof.
- 2.3 Open fields extend to the east, south and west of the agricultural building, with a further agricultural building located to its east. That building has a portal frame construction, and is clad in metal sheeting. It is a poor quality structure and contributes little to the character of the area.
- 2.4 Vehicular access to the site is taken via an existing track to the east of the dwelling which connects with the Ashbourne Road to the northeast.
- 2.5 There are no immediate neighbouring occupiers, nor does the site comprise, or lie in close proximity of a listed building. The site is also not within a Conservation Area.

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan taking into consideration any relevant material considerations. The Development Plan for this area comprises the recently adopted Staffordshire Moorlands Local Plan (2020) of which the following policies are of relevance to the determination of the application:

3.2 Policy SS1 of the Local Plan relates to 'Development Principles' and states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, in partnership with other agencies and services:

- a mix of types and tenures of quality, affordable homes, including starter homes, to meet the needs and aspirations of the existing and future communities.
- quality local services, including provision for education, healthcare, leisure, community, cultural and tourist facilities in response to anticipated population change and visitor numbers.
- easy access to jobs, shops and transport services by all sections of the community.
- increased economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce.

- a healthy, safe, attractive, active, well-designed and well-maintained environment.
- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings.
- development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas, including the Peak District National Park, both now and for future generations.
- support development which secures high quality, sustainable environments, efficient and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.

3.3 Policy SS10 of the Local Plan relates to the 'Other Rural Areas Strategy' and states 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 policy confirms that the Council will allow the conversion or replacement of an existing rural building in accordance with policy H1.

3.4 Policy H1 of the Local Plan relates to 'New Housing Development' and states that all development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the characteristics of the site and the economics of provision. It goes on to state that all new dwellings should aim to provide flexible accommodation which is

capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. It also requires that new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings.

3.5 Policy H1 also states that in the rural areas, only the following forms of housing development will be permitted:

- a) Affordable housing which cannot be met elsewhere, in accordance with Policy H3.
- b) A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere.
- c) Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area.
- d) 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.

- e) Proposals to redevelop previously developed land provided it is not of high environmental value.
- f) The subdivision of an existing residential dwelling provided it is not in an isolated location.

3.6 Policy DC1 of the Local Plan relates to 'Design Considerations' and states 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 Guide SPD. In particular, new development should:

1. be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area.
2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.
3. create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, 'designing out crime' initiatives and the principles of Active Design.
4. incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development.

5. protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, overbearing development, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.
6. promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate.
7. provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.
8. require new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links.
9. ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed.
10. ensure, where appropriate, equality of access and use for all sections of the community.
11. be served by high speed broadband (>30mbps) unless it can be demonstrated through consultation with Next Generation Access Network providers that this would not be possible, practical or economically viable. In all circumstances during construction of the site sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date.

3.7 Policy NE1 of the Local Plan relates to “Biodiversity and Geological Resources’ and states that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development (and having regard to relevant ecological evidence) by (amongst other measures):

- Conserving, and enhancing regional and locally designated sites. The Council will not permit any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests, unless it can be demonstrated that:
 - a) there is no appropriate alternative site available; and
 - b) all statutory and regulatory requirements relating to any such proposal have been satisfied; and
 - c) appropriate conservation and mitigation measures are provided; or if it is demonstrated that this is not possible
 - d) the need for, and benefit of, the development is demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and compensatory measures are implemented.
- Expecting all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. In circumstances where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with suitable compensation measures towards loss of habitat used only as a last resort where there is no alternative. Where any mitigation and compensation measures are required, they should be appropriately scheduled and managed according to the nature, size and scale of the development so as to minimise impacts that may disturb protected or important habitats and species.

3.8 Policy T1 of the Local Plan relates to 'Development and Sustainable Transport' and states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and accommodates residual development traffic in line with the Integrated Transport Strategy. This will be achieved by:

1. Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.
2. Ensuring that major development is located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal.
3. Considering appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix 2.
4. Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes. In addition applicants should also consider how their schemes can enhance the existing path network in line with the Staffordshire County Council Rights of Way Improvement Plan and also give consideration to the protection of non-definitive public footpath routes in addition to definitive routes.

4 Other Material Considerations

National Planning Policy Framework

- 4.1 The National Planning Policy Framework seeks to secure the delivery of sustainable development and sets out policies, *inter-alia*, in respect of securing the sustainable reuse of buildings, securing high quality design, ensuring highway safety and achieving a net gain to biodiversity. The content of the NPPF has been taken into consideration in the preparation of this application.

SMDC Design Guide SPD

- 4.2 The adopted Design Guide SPD provides advice aimed at securing the delivery of high-quality built development within the District, and provides specific guidance in respect of conversion schemes. The content of the NPPF has been taken into consideration in the preparation of this application.

5 Planning Assessment

Principle of Development

- 5.1 Policies SS10 and H1 of the Local Plan provide support for the conversion of existing buildings to residential use, provided that the building is worthy in physical, architectural and character terms for conversion. Policy H1 relates specifically to the formation of new dwellinghouses, which this application does not propose, but the spirit of the policy has nevertheless been considered in the preparation of this application.
- 5.2 The accompanying Structural Survey prepared by Fairclough Consulting Engineers serves to demonstrate that the existing agricultural building is in a robust and structurally sound condition and is suitable for conversion to habitable use without extensive rebuilding. The survey nevertheless acknowledges that the existing roof structure would need to be replaced in order to accommodate the provision of tiles in place of the existing asbestos sheeting. The building is nevertheless still held to be physically suitable for conversion despite these proposed works.
- 5.3 The shippon is also held to be worthy in architectural and character terms for conversion. Whilst its palette of materials does not comprise of stone or brick, its simple utilitarian form and appearance is nevertheless one which is characteristic of the wider Moorlands area and similar to other buildings that have been found to be worthy for conversion in architectural and character terms, despite their utilitarian appearance.
- 5.4 One particular example is application SMD/2018/0379 which had proposed the conversion of a brick built agricultural building to a dwellinghouse, along with the provision of ancillary accommodation within a blockwork outbuilding that was proposed to be re-clad. That scheme was granted consent on the

basis that the blockwork building was proposing ancillary accommodation only, which is the same as in this application. The applicant is furthermore agreeable to either re-cladding the building, painting it, or finishing it in render in order to improve the external appearance of the building, details of which can be secured via planning condition.

- 5.5 The conversion of the existing agricultural building to form a residential annex is consequently held to meet the requirements of policies SS10 and H1 of the Local Plan and is acceptable in principle.

Ancillary Relationship To Dwelling

- 5.6 The proposed annex will have an ancillary relationship to the existing dwellinghouse on the site. Whilst it will provide accommodation that is capable of providing for day-to-day living, that in itself does not automatically mean a dwellinghouse is, or would, be created. The Local Authority's attention is drawn in this regard to the Judgment in *Uttlesford DC v SSE & White [1992] JPL 171*. The Court held in that case that even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; it would be a matter of fact and degree in each case.
- 5.7 The proposed annex is to be occupied by the applicant, with his elderly father living in the main dwellinghouse, thereby enabling him to be on hand to provide care and assistance whenever needed. The annex will share the amenity space of the existing dwelling, as well as its parking area in front and to the side of the existing dwelling. It will also share its postal address, utilities and service connections with no subdivision of the existing site is proposed.
- 5.8 The annex will also remain in the same ownership as the host dwelling, and be subservient to it in terms of its overall floorspace – the floorspace of the annex

also being below that which would otherwise be required by the DCLG Technical Housing Standards if a dwelling were proposed, thereby further reinforcing its ancillary nature. The proposed development will consequently not result in the subdivision of the existing planning unit or give rise to a material change of use of the land.

- 5.9 The imposition of a suitably worded planning condition can be imposed to restrict the occupancy of the annex so that it remains ancillary to the host dwelling and in doing so the development will accord with the provisions of policies SS10 or H1 of the Local Plan.

Design and Layout

- 5.10 The adopted Design Guide SPD states that:

“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 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”.

- 5.11 The submitted proposal embraces the above philosophy and adopts a highly sensitive approach to the conversion and alteration of the building, taking the opportunity to make beneficial reuse of all of the existing openings within the building, and does not require, nor propose, the insertion of any new openings.

By adopting this approach, the agrarian character of the existing building will be preserved.

- 5.12 As discussed above, the applicant is also agreeable to re-cladding the building (or rendering or painting it) in the interests of enhancing its external appearance. The removal of the existing asbestos sheet roof in favour of a traditional tiled roof is also a positive benefit of the proposal and will serve to enhance the appearance of the building and its contribution to the wider character and appearance of the area. The proposed development is consequently held to meet the requirements of policies SS1, DC1 and H1 of the Local Plan.

Residential Amenity

- 5.13 There are no immediate neighbouring residential occupiers in close proximity of this site, with the existing cluster of buildings sitting in an isolated position surrounded by fields. Consequently the conversion of the agricultural building to annex will not derive any conflict with the Local Authority's Space About Dwellings Standards nor will any harm to residential amenity be caused. The proposed development is consequently held to meet the requirements of policies SS1 and DC1 of the Local Plan in this regard.

Highway Safety

- 5.14 No alterations are proposed to the existing site access off the Ashbourne Road and the proposal will not materially intensify its use compared to the existing. The property benefits from an existing yard area that has capacity to accommodate at least three vehicles and consequently the requirements of the adopted Car Parking Standards will continue to be met. Consequently the proposal will not give rise to any greater harm to highway safety than that which may already freely occur. The proposed development is therefore held to meet the requirements of policy T1 of the Local Plan.

Ecology

- 5.15 The application is accompanied by a Bat and Bird Activity report prepared by Charnia Ecology. The bat activity survey serves to confirm that the existing building has negligible to low potential for roosting bats given its corrugated asbestos sheet roof. In addition, no evidence of roosting bats was recorded during the bat activity surveys. No bat licence is therefore required to undertake the conversion works to this building.
- 5.16 The provision of a bat box can be included into the resultant building in the interests of securing a net gain to biodiversity, and in doing so the development will meet the requirements of policy NE1 of the Local Plan and guidance contained within the NPPF.

6 Conclusion

6.1 The submitted proposal constitutes a sustainable form of development having regard to the following conclusions:

- The proposal entails the change of use of an existing agricultural building that is worthy in physical, architectural and character terms for conversion.
- The proposed annex will have a wholly ancillary relationship to the host dwelling and will not result in the creation of a new residential dwelling.
- The design and layout of the development will safeguard the agrarian character of the building and not give rise to any harm to the character and appearance of the surrounding area.
- The proposed development will not give rise to harm to the amenity of neighbouring occupiers.
- The proposed development will give rise to any highway safety impacts.
- The proposed development will safeguard protected species on the site and provide appropriate mitigation and enhancement.

6.2 The proposed development is consequently held to meet the requirements of policies SS1, SS10, H1, DC1, NE1 and T1 of the Staffordshire Moorlands Local Plan (2020), the provisions of the National Planning Policy Framework, and guidance contained within the Staffordshire Moorlands Design Guide SPD.