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PLANNING, DESIGN & ACCESS STATEMENT

APPLICATION PROPOSAL: RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF DETACHED OUTBUILDING INTO SELF CONTAINED ANCILLARY ACCOMMODATION

APPLICATION ADDRESS : BUTTERLANDS FARM, BIDDULPH MOOR, STOKE ON TRENT, ST8 7LF

APPLICANT : MR ATTENBOROUGH

DATE : FEBRUARY 2024 **JOB No. : 2023-2858**

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mr Attenborough to prepare and submit a retrospective planning application to Staffordshire Moorlands District Council for the conversion of a detached outbuilding into self contained ancillary accommodation at Butterlands Farm, Biddulph Moor. The application is accompanied by drawing numbers 2023-2858-02A, 2023-2858-04A, 2023-2858-07C, 2023-2858-08B, 2023-2858-09A and 2023-2858-10A, all of which should be read in conjunction with this statement.

2.0 APPLICATION SITE DESCRIPTION

Butterlands Farm lies on the western side of Top Road, Biddulph Moor. It comprises of a stone and tile dwellinghouse with an attached two storey barn set at right angles on the front elevation, which has been converted into a separate self contained dwelling. A range of single span portal framed buildings, which are used in conjunction with an established and well used equestrian centre, lie to the south set around a central courtyard area. The application building comprises of a detached stone and tile outbuilding which lies within the rear garden, to the north east of the principal farmhouse.

The application site lies within a very open and exposed ridge top location which is characterised by loose spattering of dwellings and farmsteads. For the purposes of the Development Plan the application site lies outside the village development boundary within the North Staffordshire Green Belt where more restrictive planning policies apply.

3.0 APPLICATION PROPOSAL

This application seeks retrospective consent for the conversion of the detached outbuilding into self contained ancillary accommodation. The unit provides a kitchen, living room and shower at ground floor with a bedroom on a mezzanine level above approximately 1/3 of the unit. All services are provided and these are shared with the main dwellinghouse. Access to the unit is via the existing access to the farmhouse which is provided off Top Road. The application merely seeks retrospective consent to authorise the existing use of the building and no changes to its external treatment are proposed as part of this application.

4.0 POLICY

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Development Plan for the area consists of the Staffordshire Moorlands Local Plan (2020). The most relevant policies are considered to be;-

SS1 Development Principles

SS2 Settlement Hierarchy

SS10 Other Rural Areas Strategy

SD1 Sustainable Use of Resources

DC1 Design Considerations

DC3 Landscape and Settlement Setting

T1 Development and Sustainable Transport

The National Planning Policy Framework, as updated in December 2023, sets out the Government's planning policies for England, and how it is expected that these will be applied. It establishes a framework within which local people and planning authorities can produce their own local and neighbourhood plans and is a material consideration in planning decisions.

The heart of the NPPF embodies, in Section 2 paragraph 11 a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay.

Paragraph 11d states:-

> "Where there are no relevant development plan policies , or the policies which are most important for determining the application are out of date granting permission unless:-
>
> (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
>
> (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"

The most relevant sections are 2 (Achieving Sustainable Development), 11 (Making Effective Use of Land) , 12 (Achieving Well Designed Places) 13 (Protecting Green Belt land) and 15 Conserving and Enhancing the Natural Environment. Again these are not reproduced in full here but referred to below where appropriate.

5.0 ASSESSMENT

Principle

Works to convert the application building into a self contained unit, ancillary to the main farmhouse, commenced in 2016 and were completed in 2017. Retrospective planning applications are permitted in law and determined in the same way as proposed applications. The starting point for consideration is therefore the Development Plan. For the purposes of planning policy consideration the application site lies within the Green Belt. Both the Council's Core Strategy and the NPPF restrict Green Belt/open countryside developments. Core Strategy policies SS1 and SS1a highlight the importance of sustainable development.

Part 6 of Policy SS10 of the Staffordshire Moorlands Local Plan (the 'Local Plan') states that strict control will be exercised over inappropriate development in the Green Belt, only allowing for exceptions as defined in Government policy. Part 1 of the policy allows the conversion of rural buildings in accordance with Policy H1 of the Plan. Policy H1 in part 5 d) permits the conversion of rural buildings to residential use where the building is suitable and worthy in physical, architectural and character terms for conversion.

The NPPF is quite clear that the "fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open" and that "the essential characteristics of Green Belts are their openness and permanence". It goes on to confirm that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances. The council has no specific green belt policies and is therefore reliant on those contained within the NPPF.

The proposal does not accord with any of the exceptions set out in paragraph 154 of the NPPF. Paragraph 155 indicates that certain other forms of the development within the Green Belt are "also not inappropriate" provided that they "preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt"

These other forms of development are then set out and include the "re-use of buildings provided that the buildings are of permanent and substantial construction". The application building, being constructed from stone walls under a plain clay tile roof, is clearly of permanent and substantial construction and the principle is therefore considered acceptable. The re use of the building would comply with paragraph 155 of the Framework and would therefore not form inappropriate development in the Green Belt.

Openness and landscape value

Paragraph 142 of the NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belt are their openness and their permanence. Paragraph 135 of the NPPF also requires new development to be sympathetic to the local character, including the landscape setting.

LP Policy DC1 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 be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area; and 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.

Local Plan Policy DC3 refers to Landscape Character and states that the Council will protect and where possible enhance local landscape and the setting of settlements in the Staffs Moorlands by supporting development which respects or enhances the setting of the settlement and conversely resisting development which would lead to a prominent intrusion into the countryside or have a significant adverse impact on the character of the landscape.

The application is retrospective and does not seek any changes to the external appearance of the application building as part of this application. The conversion has been carried out within the shell of the existing building without any extension. It has limited openings and retains a high solid to void ratio and its overall design and appearance is reflective of its ancillary use. The conversion has been carried out sympathetically and overall the proposed development would preserve the character and appearance of the area and would therefore accord with policy DC1 of

the Local Plan which aims to ensure development respects the site and its surroundings, and Local Plan policy DC3 which seeks to protect the local landscape.

Highway Safety

LP Policy T1 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 by ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development.

Paragraph 114 of the NPPF states that in assessing applications for development, a safe and suitable access should be achieved for all users. Paragraph 115 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

No changes are proposed as part of this application to the existing access arrangement which is currently provided via a short track off Top Road. The existing vehicular access has been considered during the application to convert the two storey barn attached to the main dwellinghouse into accommodation and held to be acceptable. The outbuilding, as converted, does not result in any intensification of the use of the site and there is not considered to be any detrimental impact upon highway safety.

Amenity

Local Plan Policy DC1 requires that all new development protects the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.. Paragraph 131 of the NPPF states that planning should create high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 states, amongst other things, that developments should function well and add to the quality of the area, be visually attractive, sympathetic to local character and history, establish a strong sense of place and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Given the semi-rural location of the site, the fact that the development is ancillary to the existing domestic use on the site and its spatial relationship with the neighbouring residential properties it is not considered that the it would be prejudicial to residential amenity or detrimental to any neighbouring land uses. The proposal is therefore considered to comply with LP Policy DC1 and paragraph 131 and 135 of the NPPF.

6.0 CONCLUSION

The application seeks to regularise the use of an existing outbuilding for ancillary domestic purposes. The outbuilding was converted during 2016 and the use has been ongoing since its completing in 2017. The use of the application building for ancillary domestic purposes constitutes an appropriate form of development within the Green Belt which by virtue of its modest size, scale, form, design and materials would not adversely affect its openness or visual amenity nor would it detract from the character and appearance of the street scene or the wider surrounding area within which it is located. Furthermore, its use, which has existed in excess of 7 years would not be prejudicial to residential amenity or conflict with neighbouring land uses or be detrimental to highway safety. Accordingly the proposal complies with policies SS10, DC1, DC3, T1 of the Staffordshire Moorlands Local Plan and guidance contained within the National Planning Policy Framework.