

DELEGATED DECISION REPORT

SMD/2023/0635
Valid 12/12/2023

**RUDYARD MEMORIAL
INSTITUTE LAKE ROAD
RUDYARD**

**PROPOSED CHANGE OF USE
OF MEMORIAL INSTITUTE TO
FORM TWO NUMBER
DWELLINGS INCLUDING
SINGLE STOREY REAR
EXTENSIONS,
ELEVATIONAL ALTERATIONS,
RAISING CROWN OF
EXISTING BEECH TREE.**

(FULL - MINOR)

MAIN ISSUES

- Loss of Potential Community Facility
- Housing Land Supply
- Whether the proposal comprises an exception to inappropriate development in the Green Belt
- Heritage / Design
- Trees
- Amenity
- Highway Safety
- Ecology

DESCRIPTION OF SITE

The application site is a former community building in the village of Rudyard. The single storey building is on Lake Road and is set back from the road on a significantly higher level. The buildings current dimensions are 22.5m by 5.2m by 7.1m high (all dimensions approximate) with a mainly gabled roof and the building is constructed out of stone / render.

The building is accessed by steps up from the road and has no off street parking or vehicular access other than directly from the road. A stone wall runs across the road frontage of the site. In the front of the building is a large beech tree which is a significant feature amongst the street scene.

The building is currently vacant and while it appears to be in reasonable repair, it does not appear to have been used for some time. The building has a large amount of curtilage to the rear which slopes up to the rear and is over grown with vegetation and several smaller trees.

For the purposes of the development plan the application site lies within the Green

Belt where restrictive development plan policies apply. It also lies within the Rudyard Lake Conservation Area. The building is clearly located inside the smaller village of Rudyard.

PROPOSAL

The proposed development consists of the change of use of the memorial institute to form two dwellings. The works would include a single storey rear extension to the building and elevational alterations. The single storey rear extension to the building would have a depth of 3.75 metres and a width of 18.2 metres across the rear elevation of the building. It would have a height of approximately 2.58 metres (the extension would have a flat roof). The proposed extension would be constructed from materials which would harmonise with the host building, including stone, Staffordshire Blue clay tiles, timber effect UPVC and composite aluminium timber-effect UPVC.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
SS10 Other rural Areas
DC1 Design Considerations
DC2 The Historic Environment
T1 Development and Sustainable Transport
C1 Creating Sustainable Communities
NE1 Biodiversity and Geological Resources
NE2 Trees woodland and Hedgerows
H 1 New Housing Developments

National Planning Policy Framework

Paragraph(s) 1-17
Section(s) 9 and 13

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

Staffordshire Moorlands Space About Dwellings SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1978/0595 – Use as tea room. Approve.
SMD/1978/0902 – Renewal of permission for use as tea room (No details of passing etc. Closed.
SMD/2023/0327 – Proposed change of use of memorial institute to form two number dwellings including single storey rear extensions, elevational alterations, removal of existing beech tree and excavation of land to form parking areas. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 12/08/2024

Neighbour consultation period ends: 31/01/2024

Press Advert: 10/01/2024

Public Comments

One public comment has been received, demonstrating the following concern:

While I don't object to the proposed development of two new properties I do object to the no off street parking. In an area that is often overrun with tourists, off street parking is a must. Where will the householders park otherwise?

If they are forced to park on the road this then makes the road narrower, while that may be ok for the average car will it be ok for bigger vehicles ie Fire Engines, Refuse trucks etc? Lake Road is extremely busy especially in the summer months and having extra cars on the roadside will make matters worse.

Town / Parish Comments

Horton Parish Council has no objection to the change of use but re-iterate that the parking should be at the rear of the property & my Councillors suggest that this can be done by increasing the width of the existing gateposts and putting a driveway where the existing steps are. They feel that the original gateposts should be retained and the front wall should be kept as a dry stone wall.

Cllr Jo Cox has also commented on the application, stating the following:

As Ward Councillor I fully support this planning application:

Rudyard Memorial Institute is a unique and historic building that has been derelict for over twenty years and in repurposing the building into two single story dwellings with extensions, enables it to be saved and conserved , which is appropriate as it lies within the Rudyard Conservation area.

I have no objection to the creation of two or more parking spaces as Lake road is a residential area with mixed housing of various dates that have garages and off road parking. Therefore, I do not feel that this is out of character or an unreasonable request. I note there is a Beech tree that overshadows the building and creating parking spaces may be detrimental to the tree however, other planning has been proposed in its place.

Conservation Officer Comments

Final Comments

Revisions to – Rudyard Memorial Institute, Lake Road, Rudyard, ST13 8RN.

I am in receipt of the revisions which reflect the omission of all proposed alteration and change at front elevation which concern off street parking. I am pleased to see the retention and preservation of the existing and original boundary walling, pier and gates along with the bank, trees and other natural historic elements.

The scheme as now depicted shows a quiet and humble character, harmonising well and honest in appearance within the Conservation Area. It is a more successful scheme I assess will, due to its quiet placement will impose no harm in terms of heritage harm.

Staffordshire County Council Highways

Final Comments

The proposal initially was for a change of use from a memorial institute into 2 semi-detached residential homes, each featuring two bedrooms and accommodating two vehicles for both properties.

In order to provide parking, the raising of the crown of an existing beech tree and excavation of land to form the parking area was also proposed.

It is noted that the area of land for the parking area would necessitate substantial excavation. The beech tree within this land parcel, is now safeguarded by a Tree Preservation Order due to its significance. With no feasible alternative site for parking available this aspect of the proposal has been removed.

Considering the current building's designated use class (Class F) and its effect on the traffic flow should the institute building continue to be utilised under that use class (such as more trips, extended staff parking, short-term visitor/customer parking, and increased parking levels), juxtaposed with the potential change to residential use and its impact on traffic (such as fewer trips, reduced need for long-term and short-term parking, and decreased parking levels), it seems that the proposal of change of use to residential could be viewed as an improvement. I therefore have no objection to the proposal (SMD/2023/0635).

Arboriculture Officer Comments

Final Comments

Summary: no objection subject to conditions.

I have the following further comments on this application, with reference to the Supplementary Design, Access and Heritage Statement and amended plans Drgs. Nos. 23-137-04 Rev A, 23-137-05 Rev A and 23-137-06 Rev A which I understand to be the most recent set of proposals.

Tree Preservation Order (TPO) No. SM.328 was made as a provisional Order on 6th September 2023 and confirmed without modifications as a permanent Order on 1st March 2024. The TPO protects a large mature Beech tree as T1, situated on the banked grass frontage to the Memorial Institute, and a large mature Spruce as T2, situated c.4m from the south-east gable end elevation of the Institute. Both trees are included in the initial Tree Survey/Arboricultural Impact Assessment report by Hamps Valley Ltd submitted with the previously refused application SMD/2023/application.

The latest revised proposals, as with the initial version of this application and the previously refused application SMD/2023/0327, would not have any significant impact on the Spruce T2.

The first application proposed removal of the Beech T1 in conjunction with excavation of most of the banked site frontage down to road level in order to accommodate 6 off-street parking spaces. The current application revised this to partial excavation for only 2 spaces whilst retaining the Beech T1; however even this would have led to significant encroachment within and damage to the tree's Root Protection Area, as noted in my previous comments dated 23rd February 2024. The scheme has been further amended, and the latest revisions noted above now propose full retention of the banked site frontage with no off-street parking to be provided within the site. The Beech T1 is again shown to be retained, and clearly the latest amended layout would have no impact on the tree's root system – this is obviously desirable and welcome from the point of view of retaining and avoiding damage to a large prominent protected tree which contributes to significantly to the streetscape and to the character of the Rudyard Conservation Area, and also allows retention of the frontage retaining wall and gateway piers which also contribute to Conservation Area character, although I recognise that it may well raise different material planning issues in relation to the lack of off-street parking provision.

The revised Statement refers to the proposed pruning of the Beech through a crown lifting operation to remove lower branches currently in contact with the roof of the building; this work if carried out to a broadly similar extent around the full crown of the tree would leave it reasonably well balanced visually and also address minor low encroachment over the highway and onto overhead electric wires. Crown lifting is considered appropriate and acceptable, irrespective of but also in conjunction with the proposed development. The pruning is not specified in detail in the Statement nor on the application drawings, although the updated Tree Survey/AIA report recommends removal of secondary branches to provide 3m clearance above the roof with balancing all round the tree, and this is considered to be an appropriate extent.

If this planning application is approved, the proposed pruning would be automatically authorised by the planning permission, subject to any relevant conditions imposed, and separate application and grant of consent under the TPO would not also be required in this event. However, if planning permission is not granted, the proposed pruning (although appropriate irrespective of development) would not be authorised and a separate specific application and grant of consent under the TPO would be required before such work could be implemented.

In conclusion, I have no objection to this application as now amended, but would request that the following conditions be imposed in the event that planning permission is granted:

Environmental Health Comments

Potential Areas of Environmental Concern.

1. *Construction Impacts (Condition)*
2. *Land Contamination (Condition)*
3. *Lighting (Condition)*
4. *Drainage (Building Regulations)*
5. *Asbestos (Advisory)*

There is no objection from Environmental Health subject to a series of conditions.

SMDC Waste Comments

No issues regarding waste collections.

Canal & River Trust Comments

The Canal & River Trust had no comments to make on the proposal.

OFFICER COMMENTS

Principle of Development

Loss of Potential Community Facility

Policy C1 of the local plan seeks to resist the loss of community facilities.

The proposed development would result in the loss of a community facility. Given the unused nature of the building and overgrown nature of the site it would appear that the community facility has been lost already and it would appear not to be viable to resist its loss.

As per the Design, Access and Heritage Statement submitted, “the building has not been used for community activities for many years. It is understood that over 10 years have elapsed since it was last used. The building has fallen into disrepair and was originally for sale in 2019.”

Notably, there is a community building in the neighbouring village of Horton approximately 1 mile to the West of Rudyard. Additionally, Hotel Rudyard is located across the highway from the site, where there is space which can be used for community groups to meet.

No objection to the loss has been received from the Parish or the neighbours. The ownership has been transferred away from a community organisation. Therefore a

refusal on the grounds of loss of community facilities is not considered to be sustainable.

Housing Land Supply

It is acknowledged that Staffordshire Moorlands cannot currently demonstrate a 5 year housing land supply. Therefore, according to the Framework policies for the supply of housing are out of date and applications for residential development should be considered in the context of the presumption favour of sustainable development. For decision taking this means granting permission unless, specific policies in the framework indicate that development should be restricted. In this case the site is within the Green Belt, which is one such policy as listed in the footnote to the Framework.

Impact on the Greenbelt

In accordance with Policies SS1 and SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A more limited focus on future growth is to be directed to smaller villages, including Rudyard. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

The application site is located in the Open Countryside and Green Belt whereby Policy SS10 of the Local Plan (2020) is applicable. Policy SS10 states that these rural areas will provide only for development that 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.

Part (3) of policy SS10 seeks to protect the quality and character of the area and requires all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

Part (6) of Policy SS10 states that the Council will “maintain the Green Belt within Staffordshire Moorlands. Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.”

The proposal is for the change of use of the memorial institute to form two dwellings. The works would include a single storey rear extension to the building and elevational alterations.

Paragraph 152 of the NPPF (2023) states that ‘inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’.

Paragraph 155 of the NPPF (2023) confirms that “Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it”. This

includes “(d) the re-use of buildings provided that the buildings are of permanent and substantial construction.”

Following completion of a site visit, it is evident that the building is of permanent and substantial construction and therefore the proposed change of use is acceptable in principle.

With regard to the proposed extension, paragraph 154 of the NPPF (2023) outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it meets an exception. One such exception is (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Neither the Local Plan nor the NPPF (2023) provide a definition of what is regarded as being ‘disproportionate’ for the purposes of Green Belt policy. However, previous policy guidance considered a development resulting in a 30% increase in the size of the original building as being acceptable. Whilst it is acknowledged that 30% increase is not planning policy, it does represent a useful “rule of thumb”.

When the proposed extension was assessed under SMD/2023/0327, the Council concluded that the existing flat roof structure on the North facing side elevation was added to the building since 1948, as a flat roof would not match the design of the rest of the building. Since this conclusion was reached, the agent of the application has submitted evidence that the building had been enlarged before 1948. The records held by <https://www.british-history.ac.uk> states:

“Rudyard Memorial Institute in Lake Road was built in 1922 and enlarged in 1934; a porch was added in 1939 to commemorate the coronation of 1937, and the building was further enlarged in 1947.”

The proposed extension would equate to an increase in volume of approximately 36%. The property has not been previously extended following 1948. Although the extension to the property would exceed the 30% guideline, the Council do not consider that this will result in a disproportionate addition over and above the size of the original building, as it would not largely exceed the guideline.

In this instance, it is considered that weight can also be given to the fact that the proposed extension would be sited to the rear of the building, out of view from the wider public domain. Thus, this would not be considered to impose harm to the greenbelt by way of inappropriateness and harm to openness.

It is now necessary to identify whether there is any other harm arising from the proposed development.

Heritage / Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place. The Council’s Design SPD outlines the Council’s expectations in respect of design

and states that extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

The building is located in a conservation area. The building, the embankment to the front and the tree to its front appears to have some importance in forming the character of this part of the conservation area. Policy DC2 of the local plan indicates that protection should be given to non-designated heritage assets.

Initially, the proposal involved the digging out of the embankment at the front of the building which projects towards the highway, which comprises a visually significant feature of the street scene of this part of the conservation area. The proposal also involved the removal of a large section of the attractive stone front wall on the property, which is also considered to be an important feature. Furthermore, the Conservation Officer of the Council also expressed concern regarding the relationship between the proposed parking area and the historic gate posts and gate. The minimal gap between the historic gate posts and the initially proposed parking would have left the gate posts vulnerable, as well as caused a visually jarring relationship between the two. Consequently, this was considered to cause less than substantial harm to the character of the conservation area.

Since this issue was raised, revised plans were submitted to the Council, demonstrating the retention and preservation of the existing and original boundary walling, pier and gates along with the bank, trees and other natural historic elements. There would no longer be any excavation into the embankment to create off-highway parking spaces. Thus, the Conservation Officer is content that the scheme will now impose no heritage harm, showing a quiet and humble character which harmonises well and honest in appearance within the Conservation Area.

The proposed rear extension would be single storey, therefore the maximum height of the extension would be set down from the parent building. Thus, it would be considered appropriate development in accordance with the Council's Design SPD. I note that the rear extension would clearly be set back from the principal elevation of the dwellinghouse, again reiterating its subordinate nature to the parent dwelling.

The proposed rear extension would have a flat roof. Although flat roof extensions are generally discouraged in the adopted Staffordshire Moorlands Design Guide SPD, it is considered that the rear extension would not form a prominent addition in the area and when viewed from the street scene. It would not be visible at all from the public domain due to it being located to the rear of the dwelling and being set within a spacious plot. On balance, although the proposed rear extension would conflict with the Design Guide SPD in terms of its flat roof, its' lack of visibility from the wider public domain would not result in a visually harmful addition to the dwelling.

All proposed window and door additions and alterations to the building are considered acceptable. All openings on the principal elevation in view of the wider public domain would be maintained; the only difference would be that the doors would be changed from timber to timber effect UPVC. This is considered acceptable, given that the existing windows are UPVC and the building is not Listed.

Materials used in the construction of the proposed extension and alterations would match those used in the construction of the existing dwelling, as well as from surrounding dwellings in the area. Although the surrounding street scene is comprised of a varied selection of house types, a prominent feature of the street scene is the stone used in the construction of the dwellinghouses. Stone, Staffordshire Blue clay tiles, timber effect UPVC and composite aluminium timber-effect UPVC would be used in the construction of the proposed extension. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the original street.

The proposal, by virtue of its size, scale and siting maintains the character of the existing building and area. The proposal would therefore accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

Trees

Local Plan Policy NE2 seeks to protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration, which are an important feature in creating a high quality local environment.

Notably, the beech tree has recently been protected by a Tree Preservation Order (Tree Preservation Order No. SM.328), thus no damage can be caused to the tree. This beech tree makes an important contribution to the character of this part of the conservation area. The initially proposed excavation of the embankment to create off-highway parking would have resulted in encroachment within and damage to the root protection area of the beech tree, which the Council's Arboriculture Officer demonstrated concern over. Thus, this would have resulted in harm to the visual character of the area, also rendering the proposal contrary to policies in the Local Plan which seek to retain mature trees of amenity value and to incorporate them into the development.

Since this issue was raised, a revised plan was submitted to the Council, omitting the excavated area into the embankment from the plans. As there would no longer be any excavation into the embankment, there would be no impact on the root system of the large, prominent beech tree which contributes so significantly to the streetscape and to the character of the Rudyard Conservation Area. The Arboriculture Officer is content that the proposed crown lifting operation to remove lower branches currently in contact with the roof of the building would be acceptable, subject to conditions.

Amenity

Paragraph 135 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character

and amenity.

In terms of residential amenity considerations, almost all principal windows to habitable rooms face front or back and do not give rise to any overlooking of the front or rear of neighbouring residences. The exceptions are the proposed side facing bedroom windows in both of the two units. The Northern facing windows would overlook the front gardens of the houses to the North which are already open to views from the road and there is substantial boundary screening. These windows will only provide very oblique views of the actual houses. The Southern windows will look out on to substantial vegetation on the boundary of the neighbours garden and will provide no significant overlooking of the neighbours garden. The proposed windows are not considered to cause a significant loss of amenity to neighbours.

Given the single storey flat roofed nature of the proposed extension, no overshadowing or overbearing impacts on neighbours are anticipated.

As a consequence the proposal will not give rise to significant and demonstrable adverse impacts to neighbouring residential amenity.

In terms of the amenity of future occupants, the proposed dwellings will benefit from large areas of domestic curtilage to their rear - it will be in excess of the minimum required by the Council's informal amenity standards (65 square metres) for both new units.

Highway Safety

Paragraph 108 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

The proposed new dwellings would accommodate no off-highway parking. Initially, it had been proposed to excavate into the embankment forward of the building to create one parking space per dwellinghouse. However, the large beech tree on the embankment forward of the principal elevation of the building has a TPO, thus it cannot be removed or tampered with. Furthermore, excavation into the embankment would result in the removal of a substantial section of stone walling to the front of the dwelling, which forms an integral part of the conservation area.

Under a permitted development fallback position, the building could be used in a number of ways under the same use class as the existing use (class F – local community and learning) without the requirement of planning permission. The previous use of the building was a village hall, so it could be used as this again without the requirement of planning permission. Alternatively, it could be used as a crèche, day nursery, or any kind of community building, which the Council would have no control over as no planning consent would be required. This type of use of the building would also cause greater issues in terms of parking and traffic for instance, on this narrow stretch of road.

On balance, the building would be best used for residential purposes based on the information above. As it does not seem that there are any solutions to create off highway parking at the site as it stands, the Council and Staffordshire County Council Highways are in agreement that the change of the use of the building to two dwellings would be a betterment. Staffordshire County Council have concluded with the following comment:

“Considering the current building's designated use class (Class F) and its effect on the traffic flow should the institute building continue to be utilised under that use class (such as more trips, extended staff parking, short-term visitor/customer parking, and increased parking levels), juxtaposed with the potential change to residential use and its impact on traffic (such as fewer trips, reduced need for long-term and short-term parking, and decreased parking levels), it seems that the proposal of change of use to residential could be viewed as an improvement.”

Although one neighbour has expressed concern regarding two new dwellings creating increased on highway parking which would make the road narrower, it is considered that the existing community use of the building would create more highway safety issues in terms of increased traffic and parking. Therefore, the lack of off-highway parking is considered acceptable in this instance on balance.

Thus, the proposed development would not impact highway safety, therefore it would accord with Policy T1.

Ecology

Policy NE1 of the local plan relates to biodiversity and geological resources. It states that biodiversity will be conserved, enhanced and positively managed in order to resist any proposed development which could have an adverse effect upon protected species. The policy also seeks to ensure a net biodiversity gain, ensuring that any unavoidable impacts are appropriately managed.

The planning application has been submitted with an accompanying Bat Activity Survey Report in support of the proposals.

The Wildlife Trust have not commented on the application. The submitted Bat Activity Survey Report dated June 2023 revealed that protected species i.e. bats were present in the building. There is no requirement to apply the Natural England Protected Species “3 Tests” under the biodiversity legislation as this is a “minor” conversion proposal. However, under Policy NE1, any proposal affecting protected species must demonstrate that such species are not harmed by the proposal via protection and mitigation measures. Such measures are outlined in the Bat Activity Survey Report. Such measures include carrying out the works outside of the optimal bat season, installing bat compensatory features on the site in accordance with section 5 recommendations and site supervision by a licenced bat ecologist in accordance with the Natural England Development Licence at the start of the development. These things can be achieved by way of planning conditions.

Licences from Natural England will be required and works to provide bat accommodation will be required. No signs of nesting birds were noted.

With appropriate conditions, and appropriate licences and supervision during construction it is considered that the proposed development accords with Policy NE1 of the local plan.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect upon neighbour or street scene amenity, it is deemed acceptable under planning policy. Although the addition of the proposed extension would exceed the 30% guideline for extensions to buildings in the greenbelt, the Council do not consider that the extension would be a disproportionate addition over and above the size of the original building and would not harm openness. Although the proposed development cannot accommodate for off-highway parking, it is considered that on balance, the use of the building as dwellinghouses would have a lesser impact on highway safety than its existing local community and learning use. This is due to the fact that a community use of the building would increase traffic and parking on the road. Therefore, the proposed development is recommended for approval, subject to compliance with all conditions.

FFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley
Recommendation Date: 12/08/2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council