

DELEGATED DECISION REPORT

SMD/2024/0516
Valid 18/11/2024

MARSHFIELD GATE FARM
MARSHFIELD LANE
BIDDULPH

**CONVERSION AND
ALTERATION OF FORMER
AGRICULTURAL BUILDINGS
TO FORM 2NO.
DWELLINGHOUSES AND
ASSOCIATED WORKS**

(FULL - MINOR)

MAIN ISSUES

- Impact on the Green Belt
- Impact on Character and Appearance
- Impact on the Amenity of Future and Existing Users of Development
- Impact on Highway Safety

DESCRIPTION OF SITE

The application site is located within the rural area and is also designated as lying within the North Staffordshire Green Belt. The site comprises of two former agricultural buildings which are known as The Barn and The Shippon.

The Barn, dating from the 19th Century, is located to the east of the existing farmhouse on the site, and comprises a part two storey / part single storey former agricultural building constructed from facing brickwork with a Staffordshire blue tiled roof. The long axis of that building runs east / west.

The Shippon, dating from the mid-20th Century, is located to the east of The Barn and comprises a single storey structure also constructed from facing brickwork with a Staffordshire blue tiled roof. The long axis of that building runs north/south.

The land surrounding the buildings is all laid to hardstanding, with a track leading around the northern and eastern perimeters of the buildings to a tall building at the southernmost end of the applicant's land holding which is used by the applicant as a carpentry workshop with ancillary office.

The farmhouse is located to the west of the agricultural buildings. A mature hedgerow encloses the northern site boundary, beyond which runs the carriageway of Marshfield Lane which also curves around to enclose the eastern site boundary, which is otherwise enclosed by fencing. Open land surrounds the wider complex of buildings.

The entirety of the site is also located within Flood Zone 1 (low-probability of flooding). The site lies 75m from the main built up area of Gillow Heath and 380m from public transport connections on Long Valley Road to the east.

PROPOSAL

Full planning permission for the conversion and alteration of two former agricultural buildings at Marshfield Gate Farm, to form 2no. dwellinghouses. The existing buildings are known as The Barn and The Shippon respectively.

It is proposed to convert and alter The Barn to a dwellinghouse whose accommodation will comprise of an open plan kitchen / living / dining area, bedroom, snug and bathroom at ground floor, with stairs leading up to two further bedrooms and a bathroom within the roof space. The gross internal floor area of the resultant dwelling will be 171.8m². Externally the dwelling will be provided two 2no. off-road parking spaces to the north and east of the building, along with an area of private amenity space to the south.

The Shippon is to be converted and altered into a dwellinghouse whose accommodation will comprise of an open plan lounge / kitchen / dining area, bathroom and two bedrooms. The gross internal floor area of the resultant dwelling will be 85.2m². Externally, the dwelling will be provided two 2no. offroad parking spaces to the east of the building, with an area of private amenity space provided alongside.

The site benefits from an existing vehicular access off Marshfield Lane that serves the existing farmhouse, the two agricultural buildings and the applicant's carpentry workshop at the rear. Works to increase the width of that access and provide it with a new radius kerb to the east are proposed within the application, along with re-setting the existing gates serving the farmyard so that they open inwards away from the highway, unlike their current arrangement.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS10 Other Rural Area/Green Belt
H1 Housing
DC1 Design Considerations
DC3 Landscape Character
NE1 Biodiversity
T1 Development and Sustainable Transport

Biddulph Neighbourhood Plan

NE1 Natural Environment Features
DES1 Design
DES2 Car Parking

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2015/0526 Retrospective permission for the retention of an oak framed garden room with tiled roof, built on the existing footing of a porch and conservatory. APPROVED.

SMD/2015/0758 Lawful Development Certificate for existing use: Use of land for residential purposes. APPROVED.

SMD/2016/0075 Conversion of barn to B2 (workshop) with ancillary office and erection of a single storey lean to. APPROVED.

CONSULTATIONS

Publicity

Site Notice expiry date: 27/12/2024

Neighbour consultation period ends: 27/12/2024

Press Advert: N/A

Public Comments

One objection:

Concerns around drainage in this area. The road adjacent to the development is subject to flooding which has been getting worse in recent years. Water is discharging from the application property onto the highway. As a rural area the access to this property is a single lane carriageway banked by soil and grass. In day to day use this is hit by vehicles compounding the drainage issues causing a build-up of silt on the road, along with the annual leaf fall, further increasing the problem. Both heavy site and subsequent post build traffic on a country lane could make this situation worse.

One comment has been received raising the following comments:

1. Residential massing – the existing residence and its habitable annex for the principal dwelling and as such the subdivision for a further 2 dwellings in the green belt should be considered if tis appropriate.
2. Site traffic - no details provided, which may cause problems with mixing commercial and residential uses. Also increased vehicular traffic on a single road.
3. Removal of 4m hedge is contrary to planning and conservation policy and mitigation should be provided for net biodiversity gain. Swift boxes should be provided.
4. SUDS has not been provided.
5. Sustainable energy would be of value.
6. EV charging may require consideration

Town / Parish Comments

Biddulph Town Council: No objection/Recommend approval with the conditions of implementation of all recommendations from wildlife survey, equivalent or better replacement of removed hedgerow and no highways issues identified by SCC

Highways (INF1 Woodhouse Lane/Marsh Green Road). Details of window & door treatments to be provided prior to approval.

Environmental Health

No Objection.

Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>

Contamination: The site has historically been used as an agricultural out building /hardstanding and may have some associated contamination (chemicals / asbestos from old buildings). A full contamination assessment would appear to onerous, however, it would be advisable that all soft landscaped / garden areas are tested for contaminants(including Asbestos screen) to ensure suitability of use areas conditions are recommended.

Noise: 13th December 2024: Advice received in email from applicant indicating workshop would cease to operate once residential units were occupied - *The dwellings hereby permitted shall not be occupied until the woodworking workshop to the south of the site, as approved under application SMD/2016/0075 has ceased operating. The use of that building for such purposes shall not recommence at any time unless planning permission has been expressly granted by the Local Authority to do so.* This would address the Environmental Health concerns, though it is unlikely the workshop could reasonably co-exist as a woodworking unit so close to residential properties without complaint being caused. This advice should be made a condition of development.

11th December 2024The proposed residential development is in the same yard as a woodworking workshop granted permission under SMD/2016/0075, separation distance approx. 15m. This does appear to pose a significant risk to the residential amenity of future residents in the proposed dwellings. A site specific survey should be submitted in compliance with BS4142:2014+A1:2019 Methods for rating and assessing industrial or commercial sound, British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and WHO Community Noise Guidelines. It is also worth noting if development of the units for residential use is granted this may compromise the operations of the workshop if complaint was received.

Other: Highway flooding is raised by two residents in their comments. We would advise consultation is made with the SCC Highways and Flooding Officers.

Staffordshire Wildlife Trust

Holding objection.

BNG

The application form and planning statement state that the development is exempt from BNG as the de minimis exemption has been applied. On the Location Plan, it is unclear whether the hedgerows are within the site boundary. The application form states in the BNG section '*No loss of habitat proposed. Removal of 4m of linear hedgerow falls below the de-minimis threshold*'.

could clarification be made as to which document is correct and appropriate changes made so that both documents and the site location outline are correct.

If 4m of hedgerow is to be removed, then this application is subject to the biodiversity net gain condition.

Bats, Birds and Mammals

We require further information and have some comments in relation to bats, birds and mammals; these are listed below:

- Species ID should ideally be confirmed. We can't see any DNA analysis of droppings found and Noctule bats, recorded commuting across site, can use barns as feeding roosts.
- The methodology indicates 2 hours dusk survey after sunset, but it looks like 2 hours in total (15mins before sunset and 1hr 45 mins after). This is a minor point.
- An 'at darkest point' NVA shot is required for each NVA used and for each survey to ensure they are recording appropriately.
- It is not clear whether if any of other buildings nearby have been assessed for bats, and depending on the scheme these may need to be or a statement as to why they can be excluded.
- Conditions should be made for the production of a bat mitigation plan (i.e. bat box number, location and specs) and sensitive lighting plan for during and after construction. The bat boxes should be fitted prior to commencement of works.

A bat mitigation licence will be required prior to the commencement of works. For birds, a pre-commencement condition should be set to detail a bird nest box scheme which includes specifying the number, type and citing of bird boxes required, this should provide for species including but not limited to House Sparrow and Barn Swallow. As well as the loss of breeding habitat in the buildings, this should provide for loss of breeding habitat in the hedgerow that is to be removed. Appropriate checks and measures should be put in place prior to and during construction as detailed in paragraph 4.19 and 4.20 of the Bat and Bird report. If the hedgerow is to be removed, measures detailed in the Bat and Bird report paragraphs 4.19 and 4.20 should be adhered to. Planning conditions should also be set to avoid entrapment of mammals during construction works.

SCC Highway Authority

No objection/conditional

Site Visit Conducted on: 11-Dec-2024

Buildings are existing. Access is existing and in current and regular use - to a dwelling and a business. Visibility at the access onto Marshfield Lane is restricted. However, Marshfield Lane is little used, volumes are low and speeds are low.

Past the access to the proposed development there appears to be only two further dwellings. Marshfield Lane is of inadequate width to allow two vehicles to pass. However, the likelihood of two vehicles meeting is low due to the low volumes. Speeds on Marshfield Lane will be low due to the alignment and dimensions of the lane.

Improvements to the access are proposed. The gates to the farmhouse are to be rehung to allow the gates to open inwards. These gates are remote from the highway but rehanging them to open inwards will ease matters for residents of the two proposed barn conversions.

It is also proposed to remove 4m of hedge. This will have a minimal impact on visibility. Its removal may ease turning manoeuvre for vehicles exiting to the east, but there is

little additional distance to be driven if all vehicles exit to the west. Highways have no objection to the removal of 4m of hedge.

There does not appear to be any additional hard standing proposed, but surface water should not be discharged onto the highway. Current records show that there were no Personal Injury Collisions on Marshfield Lane within 215m either side of the property access in the previous five years.

AES Waste Services

No issue regarding waste collection.

OFFICER COMMENTS

Impact on the Green Belt

The site is within the Green Belt where development is inappropriate and, by definition, harmful unless it is provided for by one of the exceptions that appear in the closed lists that appear at section 13 of the NPPF.

One such exception, includes the reuse of buildings provided that the buildings are of permanent and substantial construction and that the development preserves the Green Belts openness and does not conflict with the purposes of including land within the Green Belt.

The development would make use of the existing brick and tile outbuildings that have stood for many decades. The buildings are in substantial structural condition as confirmed by a structural report submitted with the application. The buildings are located on existing yard area and hardstanding within the original farmstead grouping, open areas of storage surrounding the buildings would be displaced with the new areas of curtilage not resulting in any impact on openness or conflict with the purposes of including land in the Green Belt.

The development would not be inappropriate and harmful to the Green Belt.

Local Plan Approach to Rural Development

In an 'Other Rural' area of countryside outside of the Biddulph settlement boundary. Here Local Plan Strategy SS10 applies. These areas will provide only for development which has an essential need to be in the countryside. SS10 supports housing development only in exceptional circumstances including 'allowing the conversion or replacement of an existing rural building in accordance with Policy H1. Local Plan Policy H1 provides for the conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion.

The buildings in this case are typical red brick farm outbuildings with full pitch clay tiles roofs they are suitable for conversion and have a traditional character and age that is worthy of retention and conversion. The development would be located within easy walking distance of the Biddulph settlement, services and facilities, and public transport.

Moreover, the local planning authority cannot demonstrate a five year supply of deliverable housing sites and in these circumstances paragraph 11 of the NPPF applies, the most relevant policies for determining the application should therefore be considered out of date and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Design and Impact on Character and Appearance

The development would make use of the existing form and arrangement of the old farm buildings and the historic 19th Century farmstead layout, largely making use of existing openings. Several roof lights are proposed; however, they are not excessive in number and would not detract from the traditional rural character of the buildings. The character and appearance of the traditional buildings would be retained and respected. The buildings are surrounded by hardstanding and yard area used for general storage and parking these areas could be allocated for parking and amenity spaces without adversely affecting the character of the layout.

There would be no conflict with policy DC1 of the Local Plan or the Design Guidance. The development would be largely concealed from public vantage by high highway verge against sunken lane, high hedgerow, and surrounding ground levels. Confirmation that roadside hedges are to be retained clarifies that important element of landscape character would be unaffected. The development would not appear intrusive in the landscape or countryside and there would no conflict with policy DC3 of the Local Plan.

Design Policy DES 1 of the Biddulph Neighbourhood Plan states that new development must complement the local context and the character in terms of scale and massing; and complement the established layout. Neighbourhood Policy DES2 requires the provision of a mix of car parking as an integral part of the layout. In all those regards discussed above, there would be no conflict with either policy of the Biddulph Neighbourhood Plan.

Amenity

Impact on the host/existing dwelling

The applicant's residence and a side elevation of barn 1 flank either side of a driveway to the existing dwelling's curtilage and garden. These elevations are just 6.4m apart. The existing dwelling's side elevation is essentially blank with the side glazing to a lean-to porch front and rear. The proposed dwelling would make use of the limited openings in this elevation and would include a second living room window at ground floor and a small portal window at first floor. The existing carport opening would be bricked up. Access to the space between the two dwellings would only be available to the existing dwelling that has other parking, garaging and garden area to the rear and south of the dwelling. The new dwelling would not overlook outdoor amenity space or into habitable windows the new dwelling would have its own dedicated area of outdoor amenity at the rear that would be separate from that of the applicant's. Overall, creating a dwelling in Barn 1 would not unacceptably affect the living conditions of the existing dwelling.

Future living conditions at Barn 1

The dwelling would have a second living room and small bedroom window flanking the driveway access to the existing dwelling. There are no windows that would look into these windows and the vehicle movements passing these windows belonging to the one single dwelling should not cause undue disturbance.

The dwelling would have principal outlook that would be open at the front and at the rear face onto a dedicated and enclosed area of amenity around 10m deep and 13m wide. The outdoor space would provide a reasonable amount of space and privacy.

The flanking elevation to the east would be 5m from the flanking elevation of the adjacent barn 2, a kitchen diner window and a first-floor bedroom window would face or align with a kitchen diner window in Barn 2. There would not be direct outlook into the bedroom window at Barn 1 because it is at a higher level. Use of the kitchen diner windows at each barn would be occasional and views across from each property would not affect most private areas of habitation such as bedroom or living room.

Future living conditions at Barn 2

The dwelling at barn 2 would have a private garden to the east side of the building 6m deep and 11m wide. The area would be separate and enclosed from other uses. Bedroom 1 and the living room would have open outlook to the east onto this outdoor amenity space and the staggered positioning would give the living room and bedroom 2 outlook onto open yard to the west.

In a large barn to the south of both barn 1 and 2, a recently converted facility SMD/2016/0075, provides a B2 workshop for the applicant's business. Environmental Health officers' point to this building as a conflicting use and activity that would affect the living conditions of the new dwellings. The applicant clarifies that before the proposed development is brought into use the operations in the workshop would cease. This could be secured by planning condition.

The arrangement of dwellings on site would be in relatively proximity within a farmstead layout out that dictates a certain character and relationship between properties that future occupiers would be aware of and able to accept as part of their considerations before occupation. Overall, however, both barns can provide acceptable living conditions and standards of amenity for future occupiers. On balance the scheme will provide contribution to housing supply and secure the longevity of two traditional farm buildings and there would be merits in those regards that would weight in favour.

Highway Safety

The comment from the Highway Authority simply suggests a condition that requires the parking areas to be provided and retained throughout the life of the development. They note that the existing access arrangement is in regular use by the existing dwelling and business and that the road is little used with low speeds and volume.

To address drainage concerns they note the development would be carried out on existing concrete hard standing and comment that surface water should not drain on to the highway. That could be addressed with condition and should address objectors concerns that the lane can be prone to flooding.

Ultimately, they confirm, on a point of clarification, that removing the hedge would have minimal impact on visibility and would be unnecessary, it is not something the officer would insist upon or require. Retaining the hedge assists with character and appearance of the area and biodiversity habitat.

Ecology and Biodiversity

Two issues arise here, the first the original application plan proposed the removal of a stretch of boundary hedgerow (to improve access visibility); and the buildings are confirmed habitat for protected bats.

The application claims exemption from the BNG requirements – change of use and the buildings are located on bound hard standing. However, the Wildlife Trust raise concerns over the proposed removal of the hedge pointing out that this constitutes priority habitat, and its removal would trigger BNG conditions. It seems that the applicant had originally assumed that they would need to remove the hedge to improve visibility for highway safety. However, in response to Highway comments the applicant secured confirmation from the officer that removing the hedge would not be necessary, a revised site plan has been submitted detailing the retention of the hedge. That would appear to address the Trust's concerns and clarify exemption from BNG requirements.

The application was submitted with a Bat and Bird Survey Report – a preliminary roost assessment (PRA) and three nocturnal bat surveys were carried out at two barns (B1 and B2) Bat droppings and discarded feeding remains were discovered in B2 during the PRA. B2 is infrequently used by feeding brown long-eared based on finding during the PRA. As such, an ecological constraint has been identified in association with the proposed development and roosting bats, and a bat mitigation licence is required ahead of works commencing on B2. The Trust suggest that ideally species ID should be confirmed and a bat mitigation plan (i.e. bat box number, location and specs) and sensitive lighting plan for during and after construction should be provided. Ultimately, however, a bat license is required prior to development and the terms of any license would require mitigation and the provision of displacement habitat.

The applicant has taken due care of protected species on site and acknowledges the need to obtain a bat license before the development commences and that it should be carried out in accordance with the license. There would be no conflict of policy NE1 of the SMDC Local Plan and policy NE1 of the Biddulph Neighbourhood Plan.

Other Matters

Points have been raised in respect of an EV charging point and energy efficient provision. Given the scale of the development neither of these requirements are a policy requirement and therefore cannot be secured.

CONCLUSION / PLANNING BALANCE

Conversion and reuse of redundant farm buildings that would not be inappropriate in the Green Belt. The development would make contribution to housing supply in a relatively sustainable location within proximity of the settlement. There would be no harm to highway safety or the character and appearance of the area. No conflict with the Local Plan policies listed above or the terms of the NPPF.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Ben Hurst

Recommendation Date: 16/01/2025

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council