

DELEGATED DECISION REPORT

SMD/2025/0249 Valid 28/05/2025	STANLEY FARM BUNGALOW DIAL LANE CONGLETON	DEMOLITION OF 2 AGRICULTURAL BUILDINGS TO BE REPLACED BY CUSTOM SELF-BUILD HOUSE; INSTALLATION OF A PACKAGE SEWAGE TREATMENT PLANT, INSTALLATION OF GROUND SOURCE HEAT PUMP PIPE WORKS, SOLAR PANELS AND THE CONSTRUCTION OF 1.5M BOUNDARY WALL (FULL - MINOR)
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MAIN ISSUES

Whether or not the proposal amounts to inappropriate development in the Green Belt
The principle of the proposal
The impact on the character and appearance of the area.
The impact on residential amenities.
The impact on highway safety
The impact on the ecological value of the site

DESCRIPTION OF SITE

The site is in the open countryside about 2 miles to the west of Rushton Spencer. It comprises a former farm on the south-west side of Dial Lane, which also provides the access to the site. The property comprises a row of three buildings in the north part of the property closest to the road and about 11 hectares of open land to the south, on the west side of Long Edge Road. Another country lane lies opposite the side to the east, Red Lane, connected to Dial Lane. The property is largely surrounded by open land although there is one dwelling a short distance to the west on the other side of Red Lane. The site is in the Green Belt.

The row of buildings comprises a 2-bed timber clad bungalow at the top of the site, up a slope, the furthest from the road and access, a typical portal framed concrete and metal clad modern storage building sits in the middle and the other is a green metal Nissen/Dutch style barn closest to the site access.

The bungalow was provided in 1995, perhaps as an agricultural dwelling, via a temporary planning permission but remains following further approvals to renew the permission. An application to remove the temporary restriction altogether and allow it to become a permanent dwelling was refused in 2023. In 2024, a planning

permission was granted to retain the dwelling but with a condition requiring its removal by 11.1.26.

In 2023, a Class Q approval was given to convert the modern portal frame building into a dwelling.

In 2024, a Class Q approval was given to convert the Dutch barn/nissen hut type building into a dwelling.

The above Class Q approvals have not been implemented and there is no evidence of any works towards the new uses.

There are several mature trees within the site, particular in the north part of the site and also on the north-eastern perimeter along the site frontage. The site is covered by a Tree Preservation Order (TPO).

PROPOSAL

This is a full planning application to remove the two agricultural buildings and provide one new-build dwelling in the part of the site occupied by both buildings. This is a resubmitted application following the refusal of a previous full planning application to replace all three buildings with one dwelling, which followed the Class Q conversion approvals for the two buildings.

The previous application (SMD/2024/0524) was refused for the following reasons:

1. *The application site is in the Green Belt. Policy SS10 'Other Rural Area's Strategy' of the Council's Local Plan (adopted September 2020) requires strict control over inappropriate development in the Green Belt. The National Planning Policy Framework (NPPF) in paras 154 and 155 sets out the forms of development which are not inappropriate development in the Green Belt. It does not include new-build dwellings and the particular residential proposal applied for does not accord with any of the other exceptions listed in those paragraphs. The proposal is therefore deemed to be inappropriate development in the Green Belt. There is also in this case conflict with the purposes of including land within the Green belt. Inappropriate development should only be approved where very special circumstances, considered to outweigh the harm to the Green Belt, have been demonstrated. However, the Council does not consider that such very special circumstances exist. The proposal is therefore contrary to Section 13 of the NPPF and Policy SS10 of the adopted Staffordshire Moorlands Local Plan (2020).*

2. *The proposed dwelling, by virtue of its flat-roofed form, design and materials does not harmonise with the rural character and appearance of the area amounting to significant harm to the visual amenities of the area. The proposal does not comply with policies SS10, H1 'New Housing Development' or DC1 'Design Considerations' of the adopted Staffordshire Moorlands Local Plan (2020), the Council's adopted Design Guide Supplementary Planning Document (2018) or Section 12 of the NPPF.*

The previous application was for a modern contemporary two-storey dwelling, whereas this new application proposes a dwelling with a more traditional rural

design, in the form of two parallel stone “long-barn” type buildings but joined by a single-storey flat-roofed modern, largely glazed link. It has been designed to respond to the contours of the sloping site with a two-storey “long barn” on the lower ground in the north-east part of the site and a lower single-storey barn in the upper south-west part of the site, which due to the sloping land, would have a roof ridge appearing only slightly lower than the two-storey roof ridge. There would be rooflights and solar panels on the roofs.

The materials would also change, from the pink sandstone and timber cladded previous modern scheme, to the more traditional and rural stone walls (local pink grit stone) of the new scheme and with Staffs Blue roof tiles. The fenestration would also be more traditional in style, with square and rectangle windows (below stone lintels) sporadically placed, particularly on the primary NE elevation (facing the road) and where a vertically timber boarded front door would also be placed. The SE side elevation would have more modern fenestration with large openings (to make use of views across lower land) but in the form of a tall “cart opening” with recessed glazing and on the upper building, “hidden” double sliding doors, stepped back behind an “under-croft” opening. The flat roofed link would be entirely glazed on this elevation.

There is a mix of floor-to-ceiling large windows and smaller more traditional windows on the other elevations, including on the SW and NE less visible elevations. The frames would be light grey aluminium.

The proposed dwelling and the layout of development has been the subject of a number of amendments to the plans. The final set of elevation and layout amended plans was added to the application file on 24th September 2025. Previous versions included an integral garage at the end of the lower barn, also contained within a single-storey lean-to and also a new driveway leading round to the garage. This would have involved new development outside of the existing built footprint of the buildings and yards and interference with protected trees. Those aspects were removed from the scheme and the final amended footprint of development is largely contained within the existing footprint of development.

The timber mobile dwelling, which has been in place via numerous temporary approvals from 1994 onwards, would be retained and reduced in size to provide garaging and a store.

A depleted dry-stone wall would be re-built along the Dial Lane frontage but set back from the road, on top of the embanked verge on the line of the current depleted wall. Amended plans received on 29th September 2025, showing the wall reduced in height to 1.5m and the stepped layout and supporting columns/buttresses (on the dwelling side of the wall) removed. A covering email from the agent confirms it will purely be a dry stone wall with no ground extraction required. A native hedgerow would be placed behind the wall.

A previously proposed modern close timber boarded entrance gate has been replaced with a traditional timber five-bar farm gate.

There would be ground source heat pumps in the field to the south along with foul drainage package treatment plant and soakaways, which were also included in the previous scheme.

The application is accompanied by a Site Survey (Ground Contamination) Report, Arboricultural Report, Biodiversity Net Gain Report, Design & Access Statement and a Planning Statement.

The proposed dwelling is a “Self-Build” dwelling. An email from the agent accompanying the previous application states:

“The applicant lives on site and has taken the site over from his late grandfather. The applicant has built many houses in the past as property and construction is his line of work. This time he wishes to build a house for himself, and his family on a site which he has a family connection to. The applicant has also guided the design and specification of the proposal to the specific requirements of himself and his family and for the long-term with a highly sustainable proposal.”

In early October 2025, a Remediation Report (to tackle any ground contamination), Finished Ground and Floor Levels drawing and amended Location Plan (showing the red edge boundary reduced to restrict the residential curtilage) were received.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (Adopted Sep 2020)

SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
H1 New Housing
NE1 Biodiversity
NE2 Trees, Hedges and Woodland

National Planning Policy Framework (NPPF) (Dec 2024)

Sections 5 (Housing), 12 (Design), 13 (Green Belts) and 15 (Natural Environment).

National Planning Practice Guidance (NPPG) (Updated 27.2.25)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SM94-0628 Temporary 3 year permission for dwelling. Approved.

SM98-0875 Renewal of temporary permission. Refused.

APP/B3438/A/99/1023357 – Appeals against enforcement notice and refusal of planning permission allowed and new personal permission granted.

SMD 2023 0425: Removal of Condition 1 of permission SM 98 0123 (to allow permanent occupation of the bungalow). Refused.

DET/2023/0003: Conversion of barn into one dwelling. Approved.

DET/2024/0011: Conversion of barn into one dwelling. Approved.

SMD/2024/0215: Removal/Variation of Condition 1 of above appeal approval.
Approved with a new condition requiring the removal of the bungalow within 18 months of the date of the SMD/2024/0215 approval.

SMD/2024/0524: Demolition of agricultural buildings and erection of one dwelling.
Refused 7.3.25.

CONSULTATIONS

Publicity

Site Notice expiry date: 23.7.25
Neighbour consultation period ends: 23.7.25.
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

Rushton Parish Council strongly object to this Planning Application as we are unable to view the proposed development.

Local Highways Authority

No objection subject to conditions requiring visibility splays at the access, the provision and retention of parking and turning areas and the surfacing of the driveway 5m back from the entrance. The following comments were also provided:

Access to the site is existing. It has been surfaced but the material is breaking up, particularly adjacent to the carriageway. This would benefit from resurfacing for 5m rear of the carriageway edge.

Access is gated with gates set back approx 6m.

Visibility to the south is acceptable due to the alignment of Beat Lane. To the north, visibility is constrained by the brow of a hill and a bend in the road. Visibility to the north can be improved by the cutting back of vegetation between a height of 600mm and 2m above the adjacent carriageway level to create a visibility envelope. This will require cutting back of vegetation and trimming of low tree branches, but not the removal of any trees.

Note on drawing C545-25/1N states Dial Lane sight line 2.4m x 96m, though this is not shown on the plan. It is not clear that 96m can be provided. Either way, visibility

splay of 67m or 96m to the north should be clearly shown on a plan and maintained, in the interests of highway safety.

Current records show that there were no Personal Injury Collisions on Beat Lane or Dial Lane within 215m either side of the property access in the previous five years.

Environmental Health

No objection subject to conditions requiring restrictions during the construction phase (including working hours), details of lighting to be submitted for approval, testing of any imported soil and remediation works to tackle any ground contamination in accordance with a strategy to be submitted for approval. The following comments were also provided regarding contamination:

The applicant has submitted a phase 1 site investigation by Peak Environmental Solutions Ref: 42334R1.

The report is considered a good assessment of the potential contamination risks associated with the development. It identifies a low/moderate risks to the site users and other receptors associated with potential land contamination from sources. This is accepted.

The consultant recommends the following actions to ensure the identified risks are mitigated

*1. Adoption of The 'Land Contamination Discovery Strategy (presented in appendix F). o This is accepted ***

*2. A strategy should be developed to ensure that near surface soils in the future garden/soft landscaped areas do not represent a risk to the future site occupants. The strategy may involve testing of the existing materials and/or importing and placing a suitable thickness of appropriately validated subsoil/topsoil across all of the soft landscaped areas. The strategy should be agreed in advance with SMDC and should be followed by appropriate validation, including a validation report that can be submitted to the local planning authority. o This should be provided in a remediation strategy***

*3. New site services should be laid in clean service corridors.***

***The above is agreed but as noted no information is provided regarding point 2. The applicant therefore should provide a remediation strategy including the validation criteria to be included in the subsequent validation report. The remediation strategy should also include reference to points 1 (appendix F is fine for point 1) and 3.*

A condition is recommended.

Consultation comments in response to the submission of a Remediation Strategy Report (4.11.25):

The applicant has submitted a remediation strategy produced by Peak Environmental Solutions Ref: 42334R2/Iss/Rev-A, land contamination remediation strategy Land at Stanley farm, dial lane, Congleton Cheshire, SK11 0RU. This is accepted.

The applicant will still be required to verify that the remediation has taken place (in line with the strategy) and a condition is recommended.

United Utilities

United Utilities has no further comment on this application.

Tree Officer

Subject to conditions (requiring tree protection fencing, construction methods of paths around the lower barn part of the dwelling and the provision of a landscaping and new planting scheme), I have no objection to the proposed dwelling as now amended, nor to the proposed ground source heat pump and sewage treatment installations, nor to the proposed conversion of the existing bungalow to provide garage and storage space. However, objection remains in respect of the proposed new site boundary wall.

OFFICER COMMENTS

The site is in the countryside (those areas deemed to be outside of the Development Boundaries which are drawn around the towns and large villages as shown in the Local Plan) and is also in the Green Belt. The Strategy for the Countryside, Policy SS10 states there will be strict control over inappropriate development in the Green Belt. Paras 154 and 155 list the forms of development which are exceptionally, not inappropriate in the Green Belt. It was determined as part of the previous application, that a proposed new-build dwelling would not fall under any of the criteria in paras 154 and 155. This included an assessment which also concluded that the site also did not fall under a “Grey Belt” classification. Therefore a new-build dwelling is deemed to be inappropriate development in the Green Belt, which by definition in the NPPF, is harmful to the openness of the Green Belt and which should not be approved unless there were considered to be very special circumstances which outweighed the harm. It was not considered there were any very special circumstances which outweighed the harm. The previous application was therefore deemed to be unacceptable in principle and refused permission.

For the previous application, the applicant’s agent considered that the “fall-back” position of approvals given to convert the two existing barns into two dwellings (under “Class Q” (of the GPDO) was a material planning consideration, particularly as there have been court cases which have supported this in the Green Belt on similar schemes (i.e. replacing farm buildings which have Class Q approvals with a new-build dwelling in the Green Belt). Details of those cases were provided in the previous Planning Statement and also in a separate letter from the agent dated 3rd March 2025. These also referenced an approval for a new-build dwelling in the Green Belt in the District in place of an agricultural building with a Class Q approval on the basis of this being a “fall-back” a short distance away within the District (at Wragg Hall near Biddulph - SMD/2023/0485).

The Council considered if this was sufficient to be a very special circumstance which would outweigh the harm to the Green Belt. The Council considered that this would be the case, only if such a “fall-back” position would lead to significantly more harm to the openness of the Green Belt and to the environment in general (including the impact on the visual amenity and the landscape) and that the proposed new-build dwelling in their place would amount to a significant improvement in relation to the conversion schemes (the “fall-back” scheme). The Council did not consider that the previous scheme would achieve such an improvement, this was despite the overall volume of development being reduced via the redevelopment.

The design of the previous scheme, a flat-roofed contemporary dwelling and with materials not in common with the traditional rural area, was also considered to result in further harm to the environment therefore reducing the benefits of the proposal against the approved fall back scheme. The previous application was also refused for this reason.

This new application seeks to address these reasons for refusal and aims to result in a significant improvement on the fall-back position of the conversion scheme in order to demonstrate “very special circumstances”. More recently a relevant appeal decision was made involving the replacement of two modern portal frame barns in Bradnop, with two new dwellings of similar size and siting (SMD/2024/0308). The two existing barns had a Class Q approval to convert them into dwellings, which had not been implemented. Although the planning application was refused on principle grounds due to conflict with Policy SS10, the strategy for the countryside, which does not allow new-build dwellings, the Planning Inspector at appeal, clearly attributed weight to the fact that two new dwellings had already been approved for the site under a Class Q conversion scheme and that this would be a material consideration in the assessment of an alternative scheme involving the provision of two new dwellings, overriding the conflict with Policy SS10. However, the Inspector also makes clear that any such new scheme should result in no more harm than the scheme which was previously approved.

However, in this particular case, it was considered the proposed development would be more harmful than the fall-back position of the conversion of the buildings into dwellings as previously approved. The Inspector considered the design of the conversion scheme was more appropriate to the area than the proposed new-builds and would also lead to less overall environmental harm due to the re-use of materials rather than disposal (*“Notwithstanding the environmental benefits outlined by the appellants in favour of the proposed dwellings, including in terms of energy efficiency standards, it has not been demonstrated that these benefits would offset and exceed the effects of the demolition of existing buildings and the construction of two new dwellings. By comparison, the reuse of existing structures upgraded to modern standards is likely to have considerable environmental benefits”*..... *“It is not shown that the appeal scheme would be clearly superior in design terms to the proposed conversions. Moreover, the latter would reflect a genuine agricultural original whereas the proposed design would not.” “Consequently, overall, the proposal would be more harmful than the fallback scheme. As such, it does not weigh in favour of permitting the appeal proposal, rather the opposite.”*.)

Despite the proposed new-build dwelling at this current application site being deemed inappropriate development, it would result in less actual harm to the openness of the Green Belt due to there being a smaller footprint of development with the new-build scheme and also less than the previous refused scheme. The existing footprint (two buildings to be converted) is 451 sq.m whereas the new footprint would be 404 sq.m (the previous scheme would have been 423 sq.m). There would be a slight height increase. The two parts of the proposed new-build dwelling would have heights of 6.5m and 4.75m, with the taller part on lower ground resulting in the roof ridges appearing only slightly higher than the shorter building on higher ground. The existing heights are 5.75m for the Nissen hut on the lower ground (same siting as the proposed taller part) and 4.2m for the portal frame building on higher ground (similar siting as the proposed single-storey element of the proposed scheme).

As well as resulting in a smaller development footprint with only a limited increase in height, I consider the design and appearance of the new amended scheme to be a significant improvement on both the previous flat-roofed contemporary scheme and the design and appearance of the existing. Although modern portal-frame metal-sheeted or fibre-cement or timber clad barns are a common sight in the countryside they do not possess any real design merit. The Nissen hut meanwhile is a more alien and incongruous feature of the area and not commonly found in the countryside in this area. The conversion scheme would only lead to a slight improvement in design and appearance and the buildings would be no more in keeping with the area than in their current state.

The proposed amended dwelling, meanwhile, has a form and design that is more in keeping with the traditional rural qualities of the area in the form of a stone long-barn with a parallel single-storey stone “out-building” or “cow-shed/milking parlour”. The primary elevation would be the long east “front” elevation facing the road with identifiable front door and sporadic randomly placed simple windows of varying size with stone lintels. The south side elevation would be visible from another road to the south-east. The large windows in the two-storey part are in the form of a cart opening and can be conditioned to be behind a 100mm reveal (including the separating lintel). The sliding doors of the single-storey gable would be obscured by a set-back about half a metre from the main gable wall. The connecting section is a flat-roofed modern feature but is lower than the eaves and fully glazed and would appear subservient to the larger more traditional parts of the dwelling. The modern glazing on the north and west elevations would be obscured from views outside of the site by ample tree/woodland screening.

The existing timber mobile home is a temporary structure and retained under various temporary approvals. This would be permanently retained and reduced in size to provide garaging and storage. The retained part has been included in the proposed footprint calculations. Together with the footprint of the proposed building, there would still be a total reduction in built footprint in relation to the existing and Class Q developments in the interests of the openness of the Green Belt and the visual impact of the development on the landscape. I therefore consider that the scheme now proposed is “clearly superior” to the fallback position.

The proposed frontage boundary dry stone wall along Dial Lane is a replacement of a current very depleted dry stone wall. The proposed replacement has been constantly amended and this now results in a continual sloping wall, flush at the top, instead of the previous stepped approach regarded as being too urban. It would also have a reduced height of 1.5m, taller than the current depleted wall but not untypical of dry stone walls elsewhere in the area. The Tree Officer objected to the wall on the basis of the previous plans due to the wall requiring some form of extraction and together with the buttresses would harm the roots of protected trees. However, the final amended wall has removed buttresses and there is confirmation that no extraction is required for the new wall. The more modern close-boarded entrance gates shown in the previous plans has also been replaced by a standard timber 5-bar gate which is more in keeping with a rural area. A native hedge would be provided behind the wall to provide further screening of the development from the road.

Elsewhere regarding tree impact, the Tree Report outlines that the better quality trees would be retained and the proposed development would not harm those trees with the safeguard of tree protection measures during the construction phase. There would only be minimal encroachment beyond the existing yard and building footprints, this being along the north edge of the lower barn to provide outdoor steps up towards the upper range. The Tree Officer has not objected to the proposed new dwelling and adjacent works.

The benefits of the scheme include the provision of renewable energy measures (including solar panels and ground source heat pumps) and the reduction in the number of dwellings (if both Class Q approvals were to be implemented) from two to one, therefore leading to a potential reduction in vehicular movements. Whilst renewable energy measures can be applied to any residential development irrespective of design, including conversion schemes, whilst solar panels could be applied to the portal framed building as part of the Class Q approval, this would not be easily possible on the Nissen hut.

The residential amenities of the area would not be harmed as the nearest dwelling outside of the site is about 80m to the east. The impacts on residential amenity would be no different to the Class Q approved scheme. The new-build scheme would still meet the floorspace thresholds as set out in governments Nationally Described Space Standards (NDSS) and the garden areas provided would exceed the garden area standards in the Council's Space About Dwellings SPG. There would be no impact on the residential amenities of existing residential properties and the proposal would provide adequate living conditions and residential amenities for the proposed occupants.

There would be no negative impact on highway safety. The site access is safe with the safeguard of conditions which amongst other things ensure that the required visibility splays are provided.

With regard to ecological impacts, the buildings to be removed are not considered to have potential to be used by bats. This was identified in previous ecology reports submitted with the previous Class Q applications. The proposal would not lead to any harm to the ecological value of the site and would also provide benefits in the

form of additional native hedge planting along the site frontage and further planting which can be achieved via a landscaping scheme required by a planning condition. The existing trees included within the Tree Preservation Order would be retained. The proposal is also exempt from the requirement to provide Biodiversity Net Gain as this is a “self-build” proposal (with a site area of less than 0.5ha) and the Council is satisfied with the information to support the “self-build” status. A standard condition will be added to restrict first occupation to the site owner (who previously resided in the timber bungalow) who will also be building the new house.

CONCLUSION / PLANNING BALANCE

The proposal, in providing a new-build dwelling in the Green Belt, on a greenfield site outside of a village, is deemed to be inappropriate development in the Green Belt (and the site is also not deemed to be a “grey belt” site) which by definition is harmful to its openness and therefore in accordance with the NPPF, should not be approved unless there are very special circumstances considered to outweigh the level of harm to the Green Belt. However, it has been accepted, including at the Planning Appeal stage that a fall-back position of implementing an approved conversion scheme of existing buildings, including agricultural buildings under Class Q of the GPDO, can be considered to be a “very special circumstance”, providing the new-build development is considered to be equal, in terms of impacts, to that of a previous approved conversion scheme. It is considered the proposal would be no more harmful to the impact on the openness of the Green Belt than the approved conversion scheme, as the footprint of buildings would be reduced and would only result in an insignificant increase in height. Furthermore, it is considered that in design and appearance terms, the proposal would be preferable to the previous approved conversion scheme. It would also be marginally more sustainable than the conversion scheme as it would result in one less dwelling in a fairly remote rural unsustainable location.

Overall, it is considered the new proposal would be an improvement, in terms of environmental impacts, and would be clearly superior to, in terms of design, the fall-back position of the approved conversion scheme and therefore “very special circumstances” can be applied to the scheme. The principle of the proposal is therefore acceptable and the development as a whole would also not result in any other harms including to the general visual amenities of the area, residential amenity, the ecological value of the site or highway safety, with the safeguard of conditions. The proposal would therefore comply with Council’s Local Plan and would be in line with the government’s planning guidance contained in the National Planning Policy Framework (NPPF) and therefore should be approved.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 6.11.25

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council