DELEGATED DECISION REPORT

SMD/2018/0056 **Valid 25/01/2018**	**JAYS BARN BRADLEY LANE THREAPWOOD ALTON**	**CHANGE OF USE FROM A SELF CATERING HOLIDAY LET TO A SINGLE DWELLING** **(FULL - MINOR)**

MAIN ISSUES

- Principle of development;
- Whether there is sufficient evidence to demonstrate that the use of the property for tourist accommodation is no longer viable;
- Impact upon the character and appearance of the area;
- Neighbour amenity;
- Highway safety.

DESCRIPTION OF SITE

The application site is a rectangular shaped parcel of land containing a detached, pitched roof, holiday accommodation building. Internally the accommodation offers a bathroom, one bedroom and an open plan kitchen/lounge area. There is external amenity space and off road parking. A Public footpath runs to the north-west of the application site. Bradley Hall Farm and a pair of semi-detached dwellings lie to the south and west and to the north is open countryside. The application site is located within the open countryside but does not have a Green Belt designation. There are no Listed buildings either within or near to the application site.

PROPOSAL

The applicant has described this proposal as a 'change of use from a self-catering holiday let to a single dwelling,' The application is accompanied by a Supporting Statement and is a resubmission of refused application reference SMD/2016/0417.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS6c	Other Rural Areas Area Strategy
SS&	Churnet Valley Area Strategy
SD1	Sustainable Use of Resources
DC1	Design Considerations
DC3	Landscape and Settlement Setting
R1	Rural Diversification
R2	Rural Housing

T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 to 17
Section(s)

5: Delivering a sufficient supply of homes.
6: Building a strong, competitive economy.
9: Promoting sustainable transport.
12: Achieving well designed places.
15: Conserving and enhancing the natural environment.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SM98/0669	Change of use to holiday let. Approved.
11/00257/FUL	Single storey side extension to existing holiday barn. Refused.
11/00647/FUL	Single storey extension to existing barn to provide bedroom. Refused and dismissed at appeal.
SMD/2016/0417	Change of use from a self-catering holiday let to a single dwelling. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 21/2/18
Neighbour consultation period ends: 16/2/18

Public Comments: None received.

Alton Parish Council: No objections.

OFFICER COMMENTS

The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998). Core Strategy (CS) Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as is contained within the National Planning Policy NPPF (NPPF) where:

(1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:

I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,

II. Specific policies in that Framework indicate that development should be restricted.

Paragraph 67 requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land, increased to a 20% buffer where there is a persistent under-delivery in past years. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The policies contained in the NPPF as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

Policy SS6c of the Staffordshire Moorlands Core Strategy Development Plan Document 2014 sets out a strategy for “Other Rural Areas” which comprise of the open countryside and Green Belt outside of the development and infill boundaries of the towns and villages. These areas will provide only for development which meets an essential local needs, supports rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Policy R1 seeks to support rural diversification and states, amongst other things, that wherever possible development should be within suitably located buildings which are appropriate for conversion with priority being given to the re-use of rural buildings for commercial enterprises, including tourism uses.

Policy R2 of the Core Strategy states that other than sites allocated for housing development in the Site Allocations DPD, only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of towns and villages; affordable housing; a new dwelling that meets a local need; replacement dwellings and extensions to dwellings.

The conversion of non-residential buildings for residential use will be permitted where the building is suitable and worthy in physical and architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable. A marketing exercise should be carried out by a suitably qualified professional or other evidence provided that the building would be unsuitable for a commercial use or that the conversion to residential use would enable a building or particular merit to be safeguarded.

The Council refused the previous application (SMD/2016/0417) for the following 3 reasons;

1. The application site lies outside any recognised development boundary within an area of attractive open countryside. The nearest village, Alton is located approximately 2km away and the nearest town, Cheadle, is located 3km away. The absence of footways and street lighting are barriers to walking to the closest bus stop and the sites accessibility is further weakened by the infrequency of the single bus service to be able to access essential services and facilities. On this basis, it is considered that the future occupiers of the dwelling would most likely rely on the use of the private car to access essential services and facilities. In this respect the proposal would not amount to sustainable housing as it would not be sustainably located and would therefore conflict with Policies SS1a of the Staffordshire Moorlands Core Strategy and guidance contained in the National Planning Policy Framework. The contribution that a single dwelling would make to the shortfall in the 5 year supply of housing would not outweigh the harm identified above.

2. Adopted Staffordshire Moorlands Core Strategy Policy R2 ""Rural Housing"" permits the conversion of non-residential rural buildings for residential use, where, in this case, it can be demonstrated that the agricultural of commercial use is not viable or suitable and requires marketing or other evidence to be submitted to justify a departure from these strict policy requirements. It is not considered that the information submitted adequately demonstrates that the existing tourism use is no longer viable or that alternative commercial uses have been adequately explored as required by policy R2 of the adopted Staffordshire Moorlands Core Strategy and the Framework.

3. The application building benefits from an attractive open countryside setting. Whilst the change of use to the holiday accommodation has resulted in some domestication of the site, the agrarian origins of the building and its setting continue to be discernible. The change of use of the building to allow it to be used as a permanent residential dwelling would result in further domestication of the barn and its setting which would be harmful to the rural character and appearance of the area. In this respect the proposal would be contrary to Policy DC3 of the adopted Staffordshire Moorlands Core Strategy which seeks to protect and where possible enhance the local landscape and setting of Settlements in the Staffordshire Moorlands.

The main difference between the submissions for the current and the previously refused applications is the applicant's reference to an appeal decision at Oakamoor (APP/B3438/W/17/3171736 in relation to refused application SMD/2016/0770). The appeal was allowed for the conversion of a bunk barn to a dwelling. In this case, in Oakamoor, another "small village", the main issues were considered to be the location of the site in relation to services and facilities (i.e. how sustainable is the location), whether or not the proposal would lead to the loss of a valuable commercial use/building and the impact on the Conservation Area in which the site sits. It was considered that as external alterations were minimal, the conversion would not harm the Conservation Area. However, more crucially, the Inspector gave "limited weight" to Policy R2 and did not consider it to be of concern that there was

no information to show that the current commercial use was unviable, instead commenting that the change of use to a dwelling would lead to comparable vehicle movements than the bunkhouse and provide some benefits, however marginal, to providing more dwellings in an area of undersupply and that new occupants would make use of nearby facilities year-round. The Inspector concluded that the adverse impacts identified with the proposal were limited and did not outweigh the benefits, however marginal.

Sustainability of Location

Paragraph 79 of the NPPF states that local planning authorities should avoid isolated houses in the countryside unless there are special circumstances. The application building occupies a location which is approximately 2km from the village of Alton which is recognised as a larger village with the Core Strategy and has some limited services. The nearest town Cheadle is located c.3km away.

The previous application noted the absence of footways and street lighting linking the application site from the nearest village, Alton. It was considered that the lack of lighting and pavements were barriers to walking to the neighbouring village and the sites accessibility was further weakened by the infrequency of the bus service to be able to access essential facilities and services and would not provide a realistic alternative to the private car. The Planning Supporting Statement acknowledges that 'the most attractive and convenient means of accessing services and facilities would be by private car.' In light of the recent appeal decision referred to above, it is considered that the number of trips made by private car would be similar whether the building is used for tourist accommodation or as a private dwelling.

Viability

This matter was considered and assessed in depth by the planning officer during the determination of application SMD/2016/0417. The previous submission included details such as occupancy levels and rates and where the building was advertised. The application concluded that it had not been adequately demonstrated that the holiday let business is no longer viable or that it has no potential for tourism accommodation or that alternative commercial uses have been explored. No further information concerning these matters has been submitted, as with the appeal case.
The proposal must be considered in accordance with paragraph 11 (NPPF) where there is the opportunity to consider whether any adverse impacts would significantly/demonstrably outweigh the benefits of granting planning permission. Indeed it cannot be discounted that the site lies on the very edge of the Churnet Valley where there is specific support for tourist accommodation (both long and short term). Allowing the building to become a permanent residential property would remove an accommodation option for visitors to the area and likely reduce the number of visits to nearby services. For example tourists could generate numerous trips to Alton Towers or local pubs whereas a resident may only use the facility once or twice.

Amenity

Policy DC1 states that all new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Due to its isolated location and current use the proposed development is not considered to

raise any adverse amenity issues in terms of impact on any of the surrounding residential properties or neighbouring land uses.

Highway Safety

In accordance with Policy DC1 all new development should provide for safe and satisfactory access and make a contribution to meeting the parking requirements arising from the development. The application does not propose to make any amendments to the existing highway access or off road parking provision which have previously been held to be acceptable.

CONCLUSION / PLANNING BALANCE

The NPPF makes it clear that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The proposal would bring social benefits in terms of making a contribution albeit small to housing provision in the District. The proposal may also have some benefits in terms of generating additional household expenditure in the area.

An appeal decision which has been allowed in Staffordshire Moorlands has recently changed the position regarding the conversion of tourist accommodation to permanent residences. Here the Inspector gave weight to the housing land supply position and the contribution which this dwelling would make to the supply of housing. They also commented that the proposed change of use would lead to a comparable amount of vehicle movements. It is considered that the case is the same here and that the application should be approved, subject to conditions.

OFFICER RECOMMENDATION : Approve

Case Officer: Laura Barnes
Recommendation Date: 14/09/2018

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On behalf of Staffordshire Moorlands District Council