



Planning Policy Statement

Planning application to convert an existing building to
a dwelling house with associated landscaping (resubmission
of application reference 12/00467/FUL)

Applicants; Mr and Mrs Bevan

MD Ref: 12/0807J

February 2014



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1.00 INTRODUCTION

1.01 This statement is submitted in support of a planning application for the conversion of an existing building previously used for storage associated with agriculture to a dwelling house at a site known as '*The Fir Trees*', Pines Lane, Biddulph. The application is submitted by Mellor Dowd Planning Consultants on behalf of Mr and Mrs P Bevan (the applicants), and comprises the resubmission of an earlier planning application, reference 12/00467/FUL, which was refused on 5th July 2012. Since the initial application was refused, the proposal has been significantly altered following pre-application discussions with the local planning authority.

1.02 In addition to this statement, the planning application is accompanied by the following supporting documents:

- Existing and proposed floor plans and elevations;
- Structural Report;
- Bat survey and report;
- Landscape Visual Impact Assessment;
- Proposed site layout with proposed hard and soft landscaping scheme

2.00 SITE LOCATION AND CONTEXT

2.01 The application site lies to the northwest of Biddulph and within the green belt and special landscape area, as defined in the local plan. Access to the site is from Pine Lane, via an existing track that leads up to the existing building on site. The access is approximately 300 metres south of the junction of Pines Lane with Dial Lane. There are various residential properties interspersed along Pines Lane, including a detached dwelling house known as The Pines, which is located immediately adjacent to the site.

2.02 The existing building is single storey and was previously used for agriculture/storage. It is constructed of red coursed sandstone and red brickwork with a roof made from asbestos /cement sheeting. The structural report included as part of the application concludes that the property is in stable condition and fit for conversion to a residential dwelling.

2.03 The boundaries comprise dry stone walling, post and rail fencing and laurel hedging. The southern boundary is a common boundary shared with the adjacent domestic property. The land to the east of the site (rear of the existing building) is higher than the land upon which the building sits. The applicant owns additional land surrounding the site, both to the east and west, but this land is not included in the site edged red.

2.04 The land to the west of the buildings is open scrub land with mature trees on it. Land to the north of the existing site access contains a pine wood and the land immediately adjacent to the buildings comprises a concrete apron which connects with the stoned access track.



3.0 PROPOSAL

3.01 The application proposes to convert the existing storage/agricultural building into a utilitarian single storey dwelling house. It would reuse the existing access track and proposes a tight domestic curtilage around the house by reusing the existing hard surfaced areas. A small area of domestic garden would be provided to the front and south of the proposed dwelling house. The open area of land between the building and Pines Lane would remain open and would not be domestic, as would land to the east and north of the existing buildings.

3.03 The conversion of the building would provide a moderate family home comprising a dining/family room adjacent to a kitchen, three bedrooms with one en-suite, a family bathroom, a small study, utility room and integral car port.

4.00 PLANNING HISTORY

4.01 99/007668/FUL

Change of use of farm building to form dwelling Approved 2.9.1999

4.02 12/00467/FUL

Change of use of redundant site to form dwelling Refused 5.7.2012
for the following reasons

“1. Policies N2 and H7 of the Staffordshire Moorlands Local Plan, policy D5B of the Staffordshire and Stoke-on-Trent Structure Plan and the National Planning Policy Framework including Chapter 9 'Protecting Green Belt Land' have been taken into consideration during the determination of the above planning application. New build residential development within the Green Belt is considered to be inappropriate development which is, by definition, harmful to the Green Belt, unless it is essential in relation to agriculture or forestry, is a replacement dwelling, constitutes village infilling or involves the conversion of existing rural buildings. The new dwelling does not comply with any of the aforementioned tests and as such is considered to be inappropriate development. No very special circumstances have been advanced by the applicant to demonstrate why the development should be allowed.

2. By reason of its overall size, design, bulk and massing the appearance of the proposed dwelling is unacceptable for its proposed location. Green Belt and Special Landscape Area policies require well designed development, in that siting, scale, design and materials must be suitable for their proposed location. In particular it is important that a development sits comfortably against its surroundings that it is informed by and sympathetic to landscape character and quality and should contribute to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape. In this case the proposed dwelling would appear completely out of context when



viewed in relation to its nearest neighbour, a property to the south known as The Pines which appears as a simply designed Moorlands style farmhouse. The application site is designated as Gritstone Highland Fringe which is highly sensitive and vulnerable to change including the presence of urbanised style dwellings. The application site occupies a visually prominent location and can easily be seen from the public domain and as such would add an incongruous feature to a sensitive countryside area. The application is therefore contrary to policies N7, N8, N9 and B13 of the Staffordshire Moorlands Local Plan, Adopted Supplementary Design Guidance 'Design Principles for Development within the Staffordshire Moorlands,' policies NC1, NC2 and D2 of the Staffordshire and Stoke on Trent Structure Plan, Staffordshire and Stoke-on-Trent Structure Plan Supplementary Planning Guidance 'Planning for Landscape Change' and the National Planning Policy Framework including Chapters 7 'Requiring Good Design' and 9 'Protecting Green Belt Land.'

5.00 PLANNING POLICY

- 5.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 contains the only guidance in planning law as to how the balance of decision making is to be tackled, which states the following:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

- 5.02 The other “material considerations” to which Section 38(6) refers include national and regional planning policy, emerging local policies and guidance and site specifics.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (July 2012)

- 5.03 The NPPF sets out the government’s national planning objectives and guidance, confirming that there is a presumption in favour of sustainable development, and that the NPPF is a material consideration in planning decisions. For decision-taking this means approving proposals that accord with the development plan without delay, unless material considerations indicate otherwise.

“planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.”

- 5.04 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision taking which in terms of decision taking means approving development proposals that accord with the development plan without delay.

5.05 The NPPF advises the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development; economic, social and environmental. These roles should not be taken in isolation because they are mutually dependent.

5.06 The NPPF identifies a set of core land use planning principles which should underpin both plan and decision-making processes of local planning authorities.

5.07 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5.08 Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns;
- and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.09 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.10 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘*Very special circumstances*’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.11 Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a green belt location;
- ***the re-use of buildings provided that the buildings are of permanent and substantial construction***; and
- development brought forward under a community right to build order.

DEVELOPMENT PLAN

5.12 The Development Plan incorporates the Local Development framework (LDF) for the area and 'saved policies' carried over from the local planning authorities adopted local plan. The LDF for Staffordshire Moorlands is currently being prepared. It consists of a portfolio of Local Development Documents (LDDs) that set out the spatial planning strategy for the District.

5.13 Although the reasons for refusals refers to Structure plan policies - The Government Order to revoke the Regional Strategy for the West Midlands and the Staffordshire and Stoke-on-Trent Structure Plan came into effect 20th May 2013.

5.14 Therefore the development plan now solely comprises the saved policies of Staffordshire Moorlands Local Plan and the following are considered to be of relevance.

Policy N2 - The Green Belt

5.15 Except in very special circumstances, there will be a presumption against inappropriate development in the green belt, including the construction of new buildings for purposes other than:-

- a) agriculture and forestry;



b) essential facilities for outdoor sport and outdoor recreation provided that the associated built development is of a scale appropriate to the green belt; cemeteries and other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land in it;

c) the conversion of rural buildings of permanent and substantial construction to suitable alternative uses in accordance with policy B21;

d) limited extension, alteration or replacement of existing dwellings in accordance with policies H11, H12 & H13;

e) limited infilling in villages listed in policy N3;

f) limited infilling or redevelopment of the major existing developed site listed in policy N5 and in accordance with policy N4;

g) limited affordable housing in accordance with policy H15

Policy N7 - Green Belt

5.16 Development which would injure the visual amenity of the green belt by virtue of its siting, materials or design will not be permitted in locations which are within or visually conspicuous from the green belt.

Policy N8 - The Special Landscape Area

5.17 In the special landscape area, permission will not be given for development which would materially detract from the high quality of the landscape because of its siting, scale, design and materials, and associated traffic generation. In areas where the special landscape overlaps the green belt there will be a presumption against most development in accordance with policy N2.

Policy N9 – The Special Landscape Area

5.18 Within the special landscape area the local planning authority will promote and require especially high standards of design for development.

Policy B13 - Design

5.19 Within the plan area development proposals will be expected to:

(a) demonstrate a good quality of design which takes account of the scale, character, siting, alignment, mass, design, colour and materials of their surroundings.

(b) provide design and landscaping of the spaces between and around buildings throughout the whole site which takes account of and enhances the scale and character of their surroundings. Existing site features such as trees and walls should be maintained where they contribute to the character and appearance of the site and its surroundings. Where hard landscaping is appropriate, natural materials should be used where possible, particularly in the special landscape area, in conservation areas and within the setting of listed buildings. Where soft landscaping is appropriate, it should follow ecological principles and incorporate plant species which are indigenous to the locality.

(c) provide satisfactory standards of amenity for existing and proposed users of buildings through the space between buildings, their design, interrelationship, window sizes and positions.

(d) mitigate adverse environmental effects, including noise, as far as possible through the location of noise sensitive developments away from existing sources of significant noise and through the location of noisy developments where noise is less important as a consideration or where its impact can be minimised through design or conditions.

(e) make adequate provision for people with restricted mobility through the design of site layouts, the relationship between buildings and parking areas and the provision of access to shops and other public services and facilities.

(f) make provision for safety and security by maximising opportunities for natural surveillance through the relationship

between adjoining land uses and through the layout and design of buildings and spaces.

Policy B21 - Conversion of Rural Buildings

5.20 The conversion of rural buildings to other uses will be permitted provided that the following criteria are satisfied:

- a) the buildings are suitable for conversion with only limited rebuilding works necessary; without significant alteration, extension or rebuilding.
- b) the materials used are compatible in character and appearance with the materials of the existing building and local usage.
- c) where the building is isolated the activities generated by the proposed use can be satisfactorily contained within the building. where the proposal forms part of a group of buildings activities outside the building may be accepted provided that they do not detract from the appearance of the area.
- d) the uses are appropriate to the scale of the buildings and are compatible with the conversion. these may include conversion to stabling for private or livery use, small workshops, storage and related employment uses, bearing in mind the traditional use of such buildings would normally have been non-residential and because such uses are more likely to be in character and less likely to require additional works.
- e) traffic generated access and parking provisions and environmental considerations such as noise, smell, fumes etc. do not have a significant detrimental impact on the character of the buildings and surroundings.
- f) where residential use is proposed, either the applicant has made every reasonable attempt to secure suitable business re-use or residential use forms a sub-ordinate part of a scheme for business use. Outside development boundaries the proposed

development should not lead to the dispersal of economic activity on such a scale as to prejudice town and village vitality.

Policy H7 – Open countryside

5.21 Planning permission will not be granted for residential development in the open countryside, other than where such development:

a) is essential to the operation of farming or forestry and must be located in the countryside rather than in a nearby town or village.

b) involves the conversion of existing rural buildings in accordance with policy B21;

Any proposed development must be of a scale and character appropriate to the local environment.

Policy N15 Nature conservation

5.22 Where development is to be approved which could adversely affect any site of significant nature conservation value, appropriate measures shall be required to conserve the sites biological or geological interest and to provide for replacement habitats or features where damage is unavoidable.

SPG - Planning for landscape change

5.23 This guidance was originally prepared to support the Staffordshire and Stoke on Trent Structure Plan, and although this has now been revoked the Staffordshire and Stoke on Trent Joint Waste Local Plan (2010 – 2026) (Adopted March 2013) requires that regard is given to Planning for Landscape Change or its successor document which will remain a material consideration.

6.00 PLANNING POLICY ASSESSMENT OF PROPOSAL

6.01 The applicant has taken into account the comments made in the officers report in relation to the previous refusal and a new scheme has been drafted in the light of these comments. Also pre-application discussions have taken place with the authority in accordance with advice detailed in the NPPF.

6.02 This resubmitted proposal now complies with National Guidance and the saved policies of the Staffordshire Moorlands Local plan as it is;

- A single storey building rather than two storey reducing the amount of visual impact on the openness of the green belt ;
- No longer a new build but a true conversion of an existing building, therefore is no longer inappropriate development in the green belt;
- Does not result in any loss of amenity to the adjacent property known as The Pines;
- Has an integral car port rather than a separate garage, thereby reducing visual impact on the green belt; and
- Appropriately landscaped in relation to the sensitive landscape area.

The following expands upon particular policy issues as cited in the previous reason for refusal.

Green Belt

6.03 The amended proposal now accords with the principles of green belt policy as laid out in the NPPF and saved policy N2 of Staffordshire Moorlands Local Plan. The NPPF specifically states “*Certain forms of development are not inappropriate in the green belt, provided they preserve the openness of the green belt and do not conflict with the purposes of including land in green belts*”. One such development is the reuse of buildings provided the buildings are of permanent and substantial construction. These principles are reflected in subsection (c)

of policy N2 of the local plan. The following sections will address the structural stability of the building and the openness of the green belt, visual impact, landscape and other matters.

Structural stability

6.04 A structural report prepared by Northern Structural Services forms part of the application. It concludes that apart from the small lean-to, the building is in a stable condition. (The lean-to is less than 5% of the overall structure – approx 4%). The roof is sound but it is considered that by replacing the corrugated sheeting with natural slate, it would assist with the buildings appearance and it would be more traditional in appearance and appropriate in the landscape. The amount of rebuild is minimal and it is therefore submitted that building is permanent and of substantial construction and is capable of being converted without significant alteration and therefore accords with the principles of green belt policy.

Visual amenity

6.05 In respect of visual impact and saved policy N7 of the local plan the siting, materials and design of the proposed dwelling are appropriate and not visually conspicuous from the green belt. A detailed visual impact assessment is submitted to fully address this matter and it concludes that the proposal will allow an improvement in the visual impact of the site, as it is currently slightly detracts from the overall visual amenity of the area.

6.06 The VIA states *“the site is largely visually enclosed due to the rising topography and the dense woodland to the north and east of the site. Where the site is visible from public footpaths and roads it is generally from a substantial distance and the proposed refurbishment to the building will have negligible impacts to the general quality of the views. Native hedgerows could be introduced along the southern and western boundaries to partially screen views and help to enhance the quality of*

the wider landscape. The highest visual impact will be from outside of the site although the red sandstone and new roof will improve the appearance of the building as the materials have been chosen to be similar to the existing and complimentary to the landscape and the character of the area”.

6.07 In respect of saved policies N8 and N9 of the local plan regarding the special landscape area, the visual impact assessment quotes that *“there is a need for small scale landscape conservation scheme to prevent further loss of landscape quality. Landscape treatments will be implemented to ensure that the proposals are in accordance with this policy”*. Therefore as the site is located in an area identified as *“Landscape at risk of rapid loss of character and quality”* the proposed enhancement of hedges, stone walls and the refurbished building would help to meet the objectives of this designation and prevent the loss of character and quality of the area.

Design

6.08 The proposal takes account of the scale and character of its surroundings. It remains single storey building and reuses the existing natural materials, of red sandstone and red brick. Where necessary it uses timber cladding to soften and blend the building into the landscape. The landscaping proposed is simple and proposes that only the area immediately around the buildings is used for domestic curtilage. The existing open areas to the front and rear of the building will remain natural in appearance. The stone walls are to be retained, as is native species planting. Overall the building and surrounding will appear simple and not lose its existing character.

Amenity

6.09 In respect of noise, the use of the building for a single dwelling house will not result in disturbance to the amenity of the adjacent property due to the distance between the buildings. There are no noise sources locally

which would affect the amenity of the future occupants of the proposed dwelling.

Landscape quality

- 6.10 The visual impact assessment advises that the site is set within a high quality landscape and the existing building is in poor condition, which slightly detracts from the overall amenity. Therefore there is potential to improve the visual impact the site has on the landscape and the surrounding area by enhancing the existing condition of the building.
- 6.11 The site is largely visually enclosed due to the rising topography and the dense woodland to the north and west of the site. Where the site is visible from public footpaths and roads it is generally from a substantial distance and the proposed refurbishment to the building will have negligible impacts to the general visual quality of the views. Native hedgerows could be introduced along the southern and western boundaries to partially screen views and help to enhance the quality of the wider landscape.
- 6.12 The highest visual impact will be from directly outside of the site on Pines Lane, although the proposed red sandstone and new roof will improve the appearance of the building. The materials have been chosen to be similar to the existing and complimentary to the landscape and character of the area.
- 6.13 The site also sits in an area of Landscape Enhancement therefore there is a need for small scale landscape conservation schemes to prevent further loss of landscape quality. Landscape treatments will be implemented to ensure that the proposals are in accordance with this policy
- 6.14 The site is located within an area identified as “*landscape at risk of rapid loss of character and quality*”. These are priority areas for the targeting

of resources aimed at conserving and enhancing the functional elements of landscape, and the proposed enhancements of the hedge, stone walls and refurbished building help to meet the objectives of this designation.

- 6.15 The suggestions to enhance native hedgerows and retain stone walls could form part of an appropriately worded condition if the LPA are minded to approve.

Access

- 6.16 The relationship between the proposed parking areas and the house would be suitable for occupants with impaired mobility as it is located immediately located to the front of the proposed dwelling, with a level surface. Also the building internally is at a single level

Security

- 6.17 There is a degree of natural surveillance as the only public access to the building is from the front area of the dwelling with the rear boundary of the curtilage being close to the back of the property, therefore there is clear visibility of people approaching the house.

Ecology

- 6.18 A bat and barn owl survey forms part of the application and it concludes that there is no evidence that bats or barn owls are domicile on the site.

Other matters

- 6.19 Traffic, trees and environmental health matters were not raised as an issue during the consideration of the last application and it is not considered that this new application would give rise to any such issues. In terms of reuse of the building for other purposes it has been redundant for some time and this matter has not been raised as an issue as part of the refusal of the previous permission nor was it to in the previous officer report.



Material consideration

6.20 Although the planning authority disagreed with the previous agents assertion that planning approval 99/007668/FUL had been implemented it remains material in the consideration of this application whether extant or not. This statement will not address this particular point at this stage of this resubmission, but the fact that the building has previously had a planning approval to convert it to residential use, is material. Green belt policy has had no significant changes to it since 1999 and the issues of appropriateness and visual amenity remain the same.

6.21 Therefore as this proposal is not inappropriate and all other matters have been addressed the policy presumption remains in favour of the approval of this proposal.

7.00 SUMMARY AND CONCLUSION

7.01 This proposal accords with the development plan and the national planning policy framework as;-

- The proposal is not inappropriate development in the green belt as it reuses an existing building that is sound and capable of conversion without substantial reconstruction;
- It sits comfortably in its surroundings and does not harm the openness or the visual amenity of the green belt, area of special landscape or the gritstone highland fringe;
- Its size, bulk, design, mass, materials and appearance are acceptable in this location;
- There is a strong material consideration of the previous approval 99/007668/FUL

7.02 Therefore it is respectfully requested that the local planning authority grant planning permission