

The Application is for full planning permission for the conversion of a stable block to a residential dwelling, involving partial demolition and rebuild.

The existing access would be utilised off Keele Road which serves the application site and a neighbouring residential dwelling.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration (policy N21), as indicated on the Local Development Framework Proposals Map.

**The 8 week determination period expires on the 3<sup>rd</sup> April 2016.**

### **RECOMMENDATION**

**Permit, subject to the following conditions**

- 1. Commencement of development within 3 years**
- 2. Development in accordance with the submitted plans**
- 3. Materials**
- 4. Submission and approval of a method statement for conversion works, including large scale joinery plans/ details**
- 5. Submission and approval of boundary treatments to rear garden (patio area)**
- 6. Design Measures to Secure Noise Levels**
- 7. Visibility Splays shown on drawing no. 380-01/GA-02 rev A and kept free from obstruction**
- 8. Access, parking and turning areas provided prior to occupation**
- 9. Removal of Permitted Development Rights for extensions, roof alterations and outbuildings**
- 10. No conversion/ construction works during March-August inclusive**
- 11. Prior approval for proposals for the treatment of the roadside hedgerow and a soft landscaping scheme**
- 12. Erection of bat and bird boxes**

### **Reason for Recommendation**

Whilst the proposal includes inappropriate development in the Green Belt it is considered that the openness of the Green Belt would be preserved. Taking the visual improvements that would arise from the development in addition to the lack of harm to openness, it is considered that this represents the very special circumstances necessary to justify the development. Whilst there would be reliance upon the use of private motor vehicles to access daily services this would not significantly and demonstrably outweigh the benefits identified. In these circumstances, planning permission should be granted

### **Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

Pre application discussions were undertaken between the applicant and the LPA and this has resulted in a number of supporting documents and plans being submitted with the planning application and no further documents have had to be submitted during the application. The development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

## **KEY ISSUES**

The application is for the conversion of the stable block to a residential dwelling. The proposal includes partial demolition and rebuild.

The site lies within the open countryside which is designated as being within the Green Belt and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The existing access would be utilised off Keele Road which serves the application site and a neighbouring residential dwelling.

The main issues for consideration in this application are;

- Is the proposal appropriate development within the Green Belt?
- Does the proposal comply with policies on the re-use of rural buildings which include the achievement of sustainable development objectives?
- Does the proposal comply with policies on the location of new housing?
- Residential amenity issues,
- Highway matters, and
- Should it be concluded that the development is inappropriate in Green Belt terms do the required very special circumstances exist?

### Is the proposal appropriate development within the Green Belt?

Paragraph 79 of the NPPF indicates that “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.”

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 89 of the NPPF indicates the types of development involving the construction of new buildings that are not inappropriate in the Green Belt. Paragraph 90 sets out that “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 include the re-use of buildings provided that the buildings are of permanent and substantial construction.

The building consists of a brick built barn with an attached timber stable which is of a plywood and timber frame construction. The applicant indicates that the brick built stable can be converted without substantial works but the plywood stable would need to be replaced.

The existing barn and stable buildings have a combined volume of 210 cubic metres and the proposed resultant building would have a volume of 270 cubic metres. The volume of the building would therefore be increased by 60 cubic metres which would amount to a percentage increase of approximately 28%. This is not considered to represent a disproportionate addition and as such it is concluded that it amounts to appropriate development as set out in paragraph 89 of the NPPF.

The submission demonstrates that the building is of permanent and substantial construction and is capable of reuse without substantial elements of repair and rebuild. Whilst the new build element of the proposal is larger than the wooden stable it replaces it is considered that the openness of the Green Belt will be preserved given the limited scale of the proposed extension and its location in a position where an existing structure already has an impact on openness. In light of these factors, and as the proposal would not conflict with any of the purposes of including land in Green Belt, it is concluded that it also amounts to appropriate development as set out in paragraph 90 of the NPPF.

The proposed change of use of land from paddock and stable yard to domestic curtilage does not amount to appropriate development as set out in the NPPF, however.

Given that the proposal involves inappropriate development within the Green Belt, consideration of any very special circumstances will be addressed below.

Does the proposal comply with policies on the re-use of rural buildings which include the achievement of sustainable development objectives?

Local Plan policy H9 indicates that before the conversion of rural buildings for living accommodation can be considered, evidence must be provided to show that the applicant has made every reasonable attempt to secure a suitable business use for the premises, subject to Policy E12. Where this has been done the residential conversion of buildings in sustainable locations can be considered favourably provided a series of criteria are met that include the requirement that the building does not require reconstruction, extension or substantial alteration and its form bulk and general design is in keeping with its surroundings. A further requirement is that a survey must be undertaken to ascertain whether any statutorily protected wildlife species are present and if so, measures must be taken to provide for their conservation.

The NPPF states, at paragraph 55, that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. LPAs should avoid new isolated homes in the countryside unless there are special circumstances such as where such the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

The application site is within the open countryside and no evidence has been submitted by the applicant to show that any attempt has been made to secure a suitable business use for the property. However, the NPPF does not suggest that the employment reuse of a building should be ruled out before residential reuse can be favourably considered. This aspect of Development Plan policy is not, therefore, consistent with the NPPF and limited weight can therefore be given this policy requirement.

An Ecological Report has been submitted which concludes that the buildings at the site are likely to be used by nesting birds during the breeding bird season but not by any other protected species. Therefore it is recommended that construction works avoid taking place during the breeding bird season (March-August inclusive). Further enhancements which include bird and bat boxes are also advised to comply with the NPPF.

Consideration is given as to whether the site is in a sustainable location in the next section.

Does the proposal comply with policies on the location of new housing?

Policy H1 of the Local Plan does refer to the acceptability of housing conversions that comply with Policy H9.

As indicated above, Policy H9 of the Local Plan requires potential conversions to living accommodation of a rural building to be in a sustainable location.

Policy ASP6 of the adopted Core Spatial Strategy states that there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements. The site also lies beyond the Major Urban Area of North Staffordshire and is not within a Rural Service Centre. It is not considered that the proposed dwelling would serve a wider local need nor would it support local services.

As discussed Paragraph 55 of the NPPF states that LPAs should avoid new isolated homes in the countryside unless there are special circumstances such as where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting.

The Local Planning Authority is currently unable to demonstrate a five year supply of specific, deliverable housing sites (plus an additional buffer of 20%) as required by paragraph 47 of the Planning Policy Framework (NPPF).

The NPPF advises in paragraph 49 that: "Housing applications should be considered in the context of the presumption in favour of sustainable development. 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.”

Accordingly policies such as NLP H1 and CSS ASP6 have to be considered to be ‘out of date’, at least until there is once again a five year housing supply.

Paragraph 14 of the NPPF details that at the heart of the Framework is a presumption in favour of sustainable development and that for decision-taking this means where the development plan is absent, silent or relevant policies are out of date 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 Framework taken as a whole, or specific policies in the framework indicate development should be restricted. The examples given of specific policies in the footnote to paragraph 14 indicate that this is a reference to area specific designations such as Green Belts. This site is within the Green Belt and whilst it is considered to be inappropriate development within the Green Belt if there are very special circumstances which outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm.

As set out above, it is acknowledged that the application building is located within the open countryside away from any services and amenities. The site has footpath links to the villages of Keele, Madeley and Madeley Heath, however, and a bus service operates along Keele Road. Therefore whilst it is reasonable to conclude that the occupiers of the property would be primarily reliant on travel by private car to access local services such footpath links and public transport would offer some encouragement to utilise other modes of travel in addition to the private car. The location of the site does, however, weigh against the proposal.

The proposed development provides some benefits. The proposal does make a small contribution to the supply of housing in the Borough. In addition there are some economic benefits that arise from the works required to convert the building, and from its occupation. Such benefits can be given modest weight. The environmental benefits that arise from the re-use of an existing building, which is inherently sustainable, can be given significant weight. In addition a further benefit that arises from the development is the visual enhancement that arises from the change of use of the stable yard to residential curtilage. In light of this visual enhancement it is considered that the proposal would not be in conflict with paragraph 55 of the NPPF and in light of this lack of conflict it is concluded that the proposal could be refused due to the conflict with NLP H9 regarding the requirement that conversion of buildings to residential use can only be supported where they are in sustainable locations.

Weighing everything in the balance it is considered that the adverse effect that the proposal would have in terms of its reliance on use of the private motor vehicle to access day to day services does not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

#### The impact on highways safety

The proposed dwelling utilises the existing access onto Keele Road which serves the application site and a neighbouring residential dwelling. The existing lawful use of the site is a stable and paddock for the keeping of horses.

The existing access currently has poor visibility and the supporting Transport Statement indicates that it is necessary to provide improved visibility splays which requires the relocation of an existing hedge.

The submitted plans also show a car parking and turning area for the proposed dwelling.

The Highways Authority has raised no objections subject to conditions which secure the visibility splays and the parking and turning area. Subject to these conditions it is considered that the proposal would provide an acceptable level of off street car parking whilst also improving access arrangements to an acceptable level.

A condition which secures the relocation of the hedgerow outside of the bird nesting season and the details of the relocation are also advised.

Do the required very special circumstances exist (to justify inappropriate development)?

The NPPF indicates that very special circumstances (to justify inappropriate development) will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The extension would also be of a good quality design and replace a structure that has no visual merit within the landscape, thus restoring the character and quality of the landscape as advised by policy N21 of the local plan. These considerations in such circumstances where the development would preserve the openness of the Green Belt would amount to the very special circumstances required to justify the proposed development in this instance.

The submitted plans show a rear patio area for the enjoyment of the proposed single dwelling. However, no details have been submitted for the extent of the residential curtilage of the property. The proposed rear patio area would provide an acceptable level of private amenity space and subject to a condition requiring the submission and approval of a boundary treatment around this area to define the residential curtilage of the dwelling it is considered that the openness of the Green Belt would not be harmed. Permitted development rights should also be removed for extensions, roof alterations and outbuildings to further protect the openness of the Green Belt and protect the amount of private amenity space which is limited.

## **APPENDIX**

### **Policies and proposals in the Development Plan relevant to this decision:**

#### Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009)

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP3: Spatial Principles of Movement and Access  
Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP4: Natural Assets

#### Newcastle Under Lyme Local Plan 2011

Policy S3: Development in the Green Belt  
Policy H1: Residential Development: Sustainable Location and Protection of the Countryside  
Policy H9: Conversion of Rural Buildings for Living Accommodation  
Policy E12: The Conversion of Rural Buildings  
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures  
Policy N12: Development and the Protection of Trees  
Policy N17: Landscape Character - General Considerations  
Policy N21: Area of Landscape Restoration  
Policy T16: Development – General Parking Requirements

### **Other Material Considerations**

#### Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)  
Planning Practice Guidance (2014)

#### Other Guidance

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

Planning for Landscape Change – Supplementary Planning Guidance to the Structure Plan 1996-2011

#### Relevant Planning History

None relevant

#### Consultation Responses

**Madeley Parish Council** raises no objections

The **Highways Authority** raises no objections subject to conditions which secure appropriate visibility splays and the provision of access, parking and turning areas prior to occupation.

**Landscape and Development Section** raise no objections subject to the imposition of a landscaping condition the help blend the development with the surrounding countryside setting and a condition requiring approval for the treatment of the roadside hedgerow to ensure it is protected and managed, and replacement planting undertaken behind the required visibility splay.

The **Environmental Health Division** has no objections to the application subject to a condition which secures appropriate design measures to minimise noise impact on future occupiers from road traffic on the adjacent Keele Road.

**Natural England** have indicated that they have no comments on the application

Representations

No representations received.

Applicants/agents submission

The requisite plans and application forms were submitted. A planning statement, design and access statement, transport statement and ecological appraisal report has been submitted to support the application which seeks to justify the development proposed. These documents can be viewed on the Councils website;

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/17/00073/FUL>

Background Papers

Planning files referred to  
Planning Documents referred to

Date report prepared

14<sup>th</sup> March 2017