

APPEAL BY MR G IBBS AGAINST THE DECISION OF THE BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR THE CONVERSION OF A STABLE BLOCK TO A DWELLING AT LAND AND BUILDINGS NORTH OF THE HAVEN, BUTTERTON ROAD, BUTTERTON

<u>Application Number</u>	18/00082/FUL
<u>LPA's Decision</u>	Refused under delegated authority 25th January 2018
<u>Appeal Decision</u>	Appeal allowed
<u>Date of Appeal Decision</u>	24th August 2018

The Appeal Decision

The Inspector identified the main issues to be whether the proposal amounts to inappropriate development in the Green Belt and whether the proposal would represent a suitable location for the proposed housing development, having regard to national and local policies which seek to achieve sustainable patterns of development.

In allowing the appeal the Inspector made the following comments:-

- Paragraph 146 of the Framework explains that the construction of new buildings is inappropriate in the Green Belt subject to a number of exceptions. One of these exceptions is the re-use of a building provided the building is of permanent and substantial construction. Since the proposal meets this criterion the proposal would not amount to inappropriate development and as such the effect on openness of the Green Belt and the purposes of including land within it do not need to be further considered.
- The appeal site lies outside any defined village envelope although on the edge of the small settlement of Butterson. There are dwellings to the west and south and development extends southwards in a linear pattern along both sides of the road. Therefore, although the site is within the countryside for planning policy purposes, it is nonetheless part of a small rural community. Consequently, it is considered that redevelopment for residential purposes would relate to this existing pattern of housing and would not appear as an isolated dwelling in the countryside.
- The appeal site is beyond the urban area of North Staffordshire where the majority of employment opportunities and other facilities are located. The closest primary school is about 2km away and the closest shops in Clayton are about 3km away. There are bus stops on the A53 which provide an hourly service but they fall outside the 400m national recommended distance for a suitable walking distance from a property to a bus stop.
- Therefore it is accepted that a new dwelling in this location would conflict to some extent with one of the Framework's core principles, which is to actively manage growth by making the fullest possible use of public transport, walking and cycling, and focussing significant development in locations which are or can be made sustainable. The Council's case rests largely on this issue, saying that future occupiers would be largely reliant on the private car to access day-to-day facilities and needs. Realistically, future residents are unlikely to walk or even to cycle to services and facilities in the closest villages. However, paragraph 84 of the Framework recognises that rural sites may have to be found beyond existing settlements and in locations not well-served by public transport. The appeal site is considered to be one such rural site.
- The proposal would meet the requirement of paragraph 78 of the Framework that housing in rural areas should be located where it would enhance or maintain the vitality of rural communities. The appeal proposal would meet this objective. Whilst it is not accepted that the building is redundant or disused (it is currently used for some storage), the site is not considered to be isolated in the terms of Framework paragraph 79.

- Overall, the appeal site is a suitable location for the proposed development having regard to local and national policies which seek to achieve sustainable patterns of development.
- In relation to highway concerns, the Highway Authority has raised no objections subject to conditions and there is no reason to disagree. Although flooding has been raised as a potential problem, this matter could be addressed by condition.
- The Council's Landscape Development Section requested a public open space contribution but because of the distances from the site to the nearest areas of open space it cannot be argued that the occupiers of this dwelling would place additional pressure on such facilities. As such, the Inspector agreed with the Planning Officer's conclusion that it would be inappropriate to seek to secure an obligation requiring a contribution towards public open space provision in this case.
- Having concluded that the location is suitable for residential development, it is now necessary to determine whether the proposal is sustainable in the context of the Framework's policies taken as a whole. Paragraph 8 identifies a three-stranded definition of sustainable development based on economic, social and environmental factors. The delivery of an additional dwelling, albeit very modest in itself, is nonetheless a social benefit of the scheme given the acknowledged under-supply of housing in the Borough. This is an important material consideration in favour of the proposal. There would also be limited economic benefits arising from the conversion and occupation of the dwelling, and the additional support arising for local employment and services. No environmental harm has been found.
- It is concluded that the appeal should be allowed.

Recommendation

That the appeal decision be noted.