

BETLEY COURT FARM, MAIN ROAD, BETLEY
MR AND MRS F SPEED

19/00183/FUL

The application is for full planning permission for the conversion and extension of the existing brick built farm building to holiday let accommodation at Betley Court Farm, which is located beyond the village envelope of Betley within the open countryside on land designated as Green Belt and An Area of Active Landscape Conservation (policy N18), as defined by the Local Development Framework Proposals Map.

The site is also located within the Betley Conservation Area and within the 500m buffer of the Betley Mere Site of Special Scientific Interest (SSSI).

The 8 week determination period expired on the 9th May but the applicant has agreed and extension of time to the statutory determination period to the 24th May 2019.

RECOMMENDATION

Permit with the following conditions

- 1. Standard Time limit for commencement of development**
- 2. Approved plans**
- 3. Restriction to use as a holiday let**
- 4. Sample facing and roofing materials**
- 5. Joinery details – doors and window frames**
- 6. Window reveals**
- 7. Boundary treatments**
- 8. Archaeological building recording**
- 9. Electric vehicle charging provision**
- 10. Parking area provision**

Reason for Recommendation

Whilst the proposed development represents inappropriate development within the Green Belt it would result in a limited amount of additional harm to the openness of the Green Belt and the purposes of including land within the Green Belt to that which currently exists. Any harm would be outweighed by the benefits, namely the acceptable design and the enhancement to the conservation area and landscape and the development supporting sustainable rural tourism. It is therefore considered that very special circumstances exist that justify approval of planning permission.

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

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework and no amendments or further information were necessary.

KEY ISSUES

The application seeks full planning permission for the conversion and extension of the existing brick built farm building to holiday let accommodation at Betley Court Farm, which is located within the open countryside on land designated as Green Belt and an area of active landscape conservation (policy N18), as defined by the Local Development Framework Proposals Map.

The site is also located within the Betley conservation area and within the 500m buffer of the Betley Mere SSSI.

No objections to the application have been received from the Environmental Health Division and Highway Authority, subject to conditions which are considered necessary to make the development acceptable.

The key issues in the determination of this planning application are therefore as follows:

- Is the proposal appropriate or inappropriate development in the Green Belt and if inappropriate, do the required very special circumstances exist to justify approval?
- Does the proposal comply with policies on the re-use of rural buildings which include the achievement of sustainable development objectives?
- Is the design acceptable and would there be any adverse impact on the character and appearance of the Betley Conservation Area and Historic Environment? And
- Would there be any adverse impact on the Betley Mere SSSI?

Appropriate or inappropriate development in the Green Belt?

Paragraph 134 of the NPPF indicates that the Green Belt serves five purposes, one of which is to assist in safeguarding the countryside from encroachment.

Paragraph 143 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 146 states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One of the exceptions listed is the re-use of buildings provided that the buildings are of permanent and substantial construction.

The NPPF further indicates in paragraph 145 that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, however exceptions to this include, amongst other things, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The proposal is to convert and extend the single storey former piggery building into holiday let accommodation. The extensions would result in a new roof, which would extend over and enclose an existing open yard to provide internal living accommodation.

The existing building is of a permanent and substantial construction and the proposed extensions would enclose the existing open yard area, which would increase the footprint and volume of the building. The increase in footprint and volume is considered to result in a disproportionate addition over and above the size of the original building which is modest in scale.

Therefore, the proposed development represents inappropriate development within the Green Belt and should not be approved except in very special circumstances.

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

The NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework.

Paragraph 83 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural areas both through conversion of existing buildings and well-designed new buildings, promote agricultural and land based rural businesses, support sustainable rural tourism, and promote the retention and development of local services.

Policy E12 of the Local Plan is concerned with the conversion of rural buildings for new employment purposes. 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. It lists a series of criteria 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 holiday let is considered to be a business use. The building is structurally sound and the design of the conversion is considered in the section below.

In terms of sustainability, the building is located outside of the village envelope of Betley but is within walking distance of the services and amenities of Betley. There are also public transport opportunities nearby.

The proposal involves the re-use of an existing building and it is not uncommon for holiday lets to be located in rural locations. It is considered that the use of this redundant building for tourist accommodation is a form of use that would have positive benefits for the rural economy and the proposal would sympathetically bring back into use this building. It is therefore considered that the proposal complies with general policies on the reuse of rural buildings and on balance it is considered that refusal on such grounds could not be sustained.

Is the design acceptable and would there be any adverse impact on the character and appearance of the Betley Conservation Area and Historic Environment?

At paragraph 193, the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. This follows the duty that is placed upon the Local Planning Authority in the exercise of planning functions with respect to any buildings in a Conservation Area, under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 124 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 130 it states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Policy CSP1 of the Core Spatial Strategy outlines how the design of new development is assessed which includes amongst other requirements the need to promote and respect the areas character and identity.

Policies B9, B10 and B13 of the Local Plan all concern the prevention of harm to Conservation Areas, and the requirement to preserve or enhance their character. The policies of the Urban Design SPD reflect the aims of the Local Plan Policies, which are consistent with the aims of the National Planning Policy Framework.

The application site is part of an historic farmstead containing a number of agricultural buildings, which are not listed but are included on the Register of Locally Important Buildings.

The works of conversion and extension of the building would bring it back into use. Many of the existing features of the building will be protected, including the feeding troughs. The courtyard, bounded by brick walls, would be incorporated into the building through the addition brick to extend the height of the existing walls and the introduction of a pitched roof above. Whilst a different design approach could have been adopted which would have retained the essence of this courtyard it is nevertheless considered that the building works are sympathetic to the character and appearance of the building. Conditions which secure appropriate facing and roofing materials are necessary, as is the window frames and doors. The Conservation Officer has requested a window reveal of at least 50mm or to match the existing windows on site, which is also considered appropriate and acceptable. Boundary treatments will also need to be clarified.

The Staffordshire County Councils Historic Environment Team has requested that an archaeological building recording Level 2 should also be secured via condition.

Subject to conditions, the proposed development would not harm the character and appearance of the conservation area and the design is acceptable.

Would there be any adverse impact on the Betley Mere SSSI?

Paragraph 175 of the National Planning Policy Framework (NPPF) sets out that development on land within or outside a Site of Special Scientific Interest (SSSI) which is likely to have an adverse effect on a SSSI should not normally be permitted. An exception should only be made where the benefits of the development clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest. Ramsar sites are afforded the same protection.

The application site is within close proximity to Betley Mere Site of Special Scientific Interest (SSSI).

The proposal is for the conversion and extension of an existing building within a complex of existing buildings and the associated hardstandings.

Natural England (NE) has been consulted on the proposal but no comments have been received.

On balance, due to the nature and scale of the proposed development it is not considered that any significant adverse harm would be caused to the SSSI and the proposal accords with the guidance and requirements of the NPPF.

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

The NPPF details at paragraph 144 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 conversion and extension would bring back into use a disused building. The principle of the conversion to holiday let accommodation is acceptable and the proposal would enhance this part of the conservation area and landscape in general. In addition there are economic benefits arising from tourist accommodation and the introduction of rural tourism developments in a sustainable location is supported with the NPPF.

The building is located within a complex of buildings and the proposed accommodation to be created is not considered excessive. Therefore, by extending and enclosing the yard area the harm to the openness of the Green Belt would not be significant.

It is considered that the above represent the very special circumstances that are required to justify the proposed development in this instance, this being in accordance with the requirements of the NPPF.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

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 CSP2:	Historic Environment
Policy CSP3:	Sustainability and Climate Change
Policy CSP4:	Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy S3:	Development in the Green Belt
Policy H9:	Conversion of Rural Buildings for Living Accommodation
Policy E12:	The Conversion of Rural Buildings
Policy T16:	Development – General Parking Requirements
Policy N17:	Landscape Character – General Considerations
Policy N18:	An Area of Active Landscape Conservation
Policy B8:	Other Buildings of Historic or Architectural Interest
Policy B9:	Prevention of Harm to Conservation Areas
Policy B10:	The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13:	Design and Development In Conservation Areas
Policy B14:	Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations include:

[National Planning Policy](#)

[National Planning Policy Framework \(NPPF\) \(2019\)](#)

[Planning Practice Guidance \(March 2014\)](#)

[Supplementary Planning Guidance/Documents](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Relevant Planning History](#)

The buildings associated with Betley Court Farm have been the subject of various planning applications over recent years which has resulted in them being converted to various commercial uses.

[Views of Consultees](#)

The **Councils Urban Design and Conservation Officer** advises that the development is generally sensitive in its approach and the retention of the feeding troughs is supported. A more lightweight infill would have retained the appearance of the courtyard feature and would have been preferable. The applicant has been encouraged to contact the County Council Archaeology department to get their views on recording the building prior to any work being undertaken. Conditions to secure samples of the bricks and the windows to be recessed at least 50mm are advised.

The access door is annotated on the plan to be half glazed but the elevation shows a blank doorway. This needs clarifying and details submitted. Also the access way to the alley where the hot tub will be shows a boundary feature but not sure if this is a fence and gate.

The **Conservation Advisory Working Party (CAWP)** raises no objections to the principle of the scheme if the details can be kept simple because simplicity is essential to retain the character of the existing building. They also support the retention of the feeding troughs but would like the building to be properly recorded prior to any development taking place.

Staffordshire County Council Historic Environment Team advises that there is the potential that the proposals would result in an adverse effect upon the archaeological interest of the proposed development site. Consequently they recommend archaeological mitigation to be secured via condition involving the implementation of an approved scheme of archaeological investigation.

The **Highway Authority** raises no objections subject to the parking area being available prior to the building being brought into use.

The **Environmental Health Officer** has no objections subject to conditions regarding electric vehicle charging provision.

Comments were also invited from **Betley, Balterley and Wrinehill Parish Council**, the **Landscape Development Section** and **Natural England** but in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

None received.

Applicant's/Agent's submission

The application is accompanied by the requisite plans, as structural survey, a Heritage Statement and a Planning Statement.

All of the application documents are available for inspection at the Guildhall and on <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/19/00183/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

8th May 2019