

The application seeks full permission for the change of use of a garage into a 3 bedroom dwelling as well as seeking temporary permission for the siting of a static caravan on the site to provide temporary accommodation for a farm worker.

The site lies in the village of Scott Hay and on land which is designated as being within the Green Belt and an Area of Landscape Regeneration as indicated on the Local Development Framework Proposals Map. The application site is also recognised as being an historic farmstead.

The 8 week determination of this application expired on 12th March 2021, however the applicant has agreed to extend the determination date until the 29th of April 2021.

RECOMMENDATION

Permit, subject to conditions relating to the following: -

- 1. Time limit condition**
- 2. Approved plans**
- 3. Approved materials**
- 4. Removal of caravan with 2 years of any permission**
- 5. Construction hours**

Reason for Recommendation

The proposal is, in part, inappropriate development within the Green Belt in that the proposal will result in some minor harm to the openness of Green Belt due to the temporary retention of a mobile caravan on the site. However the caravan will only be used for a temporary period during the conversion and it is not viewable from nearby highways or any public vantage points, and it is concluded that very special circumstances exist to justify inappropriate development in the Green Belt in this case. There are no other material considerations which would justify a refusal of this application.

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

Amended plans have been submitted at the request of the Local Planning Authority and the development is considered to be a sustainable form of development in accordance with the National Planning Policy Framework.

Key Issues

The main issues for consideration are 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?
- Is the principle of residential development in this location acceptable?
- Are the impacts on residential amenity acceptable?
- Impact on the Historic Farmstead
- Parking requirements and highway safety
- Other Matters

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.

Change of use of the garage

As the proposal involves the conversion and minor extension of an existing building then paragraph 145 of the NPPF, which sets out where the construction of new buildings are appropriate, and 146, which addresses other forms of development, are relevant.

Paragraph 146 indicates that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and does not conflict with the purposes of including land within it. This includes the reuse of buildings providing that the buildings are of permanent and substantial construction. It is considered that the conversion of the garage would fall within this exception.

In paragraph 145 it states that *“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”* is appropriate within the Green Belt.

The proposal would result in the extension of the building through the addition of new dormer windows on the northern elevation of the building, this dormer extension does not extend the footprint of the structure and given the small scale would not be considered a disproportionate addition to the size of the building. On the basis of the above there is no requirement to demonstrate that very special circumstances exist, and the proposal therefore complies with policy S3 of the local plan and the guidance and requirements set out in paragraph 145 of the NPPF.

The garage conversion element of the proposal is therefore considered to be appropriate development in the Green Belt and in accordance with local and national policy.

Temporary Caravan

The proposal also seeks temporary permission to retain a caravan on the application site for 24 months whilst the conversion of the garage to a dwelling is completed. Supporting information submitted with the application indicates that the caravan will provide temporary accommodation for the primary farm worker of Scot Hay Farm until the proposed residential property is ready for occupation.

Neither Local nor National Guidance set out specific policies which relate to the provision of temporary caravans within the Green Belt. In terms of identifiable harm, the temporary retention of the caravan at the site would not result any recognisable visual impact on the immediate area as it would not be visually prominent. The openness of the Green Belt, however, has a spatial aspect as well as a visual aspect and the absence of any visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result. It therefore has to be concluded that this element of the proposal is inappropriate development within the Green Belt.

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful the Green Belt and should not be approved except in very special circumstances.

At paragraph 144 of the NPPF states that 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 resulting from the proposal, is clearly outweighed by other considerations.

Considerable weight must however be given to the fact that the caravan is required for a temporary period only and also to the fact that the caravan is positioned within a secluded courtyard, which effectively screens the caravan from view from any nearby highways or public vantage points. It is therefore concluded that in the absence of any identified harm as set out below, in addition to that arising by virtue of it being inappropriate development in the Green Belt, very special circumstances exist to justify inappropriate development in the Green Belt in this case. Subject to a condition being applied to any permission which will require that the caravan be removed from the application site within 24 months of the decision notice, the proposal is considered to be compliant with the requirements of paragraphs 143 and 144 of the NPPF.

Is the principle of residential development in this location acceptable?

Local and national planning policy seeks to provide new housing development within existing development boundaries on previously developed land where available.

Saved Newcastle Local Plan (NLP) policy H1 supports new housing within village envelopes. ASP6 of the Core Spatial Strategy (CSS) advises that, by 2026, there will be a maximum of 900 net additional dwellings of high design quality located primarily on sustainable brownfield land within the village envelopes of key rural service centres.

The National Planning Policy Framework (the Framework) seeks to support the Government's objective of significantly boosting the supply of homes. It also sets out that there is a presumption in favour of sustainable development.

Paragraph 117 of the Framework states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 11 of the Framework states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Planning Inspectors have only given limited weight to NLP Policy H1 and CSS ASP6 in as far as they define the village envelopes (Policy H1 and ASP6) and limit the number of additional dwellings in key rural service centres (Policy ASP6).

The proposed development is considered to represent appropriate re use of a building within the Green Belt and so does not conflict with specific policies of the NPPF as referred to in 11(d) (i).

The Council is currently able to demonstrate a five year supply of specific deliverable housing sites, with the appropriate buffer, with a supply of 7.3 years as at the 31st March 2019 (or 5.2 as at 31st March 2020 if it is accepted that the content of the 5 year Housing Supply Statement reported in this agenda represents the current position of the Council). Given this, it is appropriate to consider the proposal in the context of the policies contained within the approved development plan.

Local Plan Policy H9 sets out the criteria for the conversion of rural buildings for living accommodation. It 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. However, the NPPF predates the NPPF and sets out at paragraph 79 that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of circumstances apply, including the re-use of redundant or disused buildings that enhance the immediate setting.

The application site is located Scot Hay, which is not classed as a village, thus being within the open countryside.

Development for residential purposes is not supported by policies of the Development Plan therefore however the proposed conversion is an inherently sustainable act that would have positive benefits for the rural economy. It is considered therefore, that on balance, a refusal on housing policy grounds could not be sustained.

Are the impacts on Residential Amenity acceptable?

Criterion f) within Paragraph 126 of the National Planning Policy Framework states that development should create places that are safe, with a high standard of amenity for existing and future users.

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

No objections have been received from the Environmental Health Division and the proposal is compliant with the requirements of the SPG, therefore it is considered that there would be no harm to the residential amenity as a result of the proposal.

Impact on Historic Farmstead

The application site is recognised as being a historic farmstead, and whilst the site does not benefit from any statutory forms of protection, the Local Planning Authority recognise that non designated heritage assets can make a positive contribution to local character and distinctiveness. Consideration is therefore required as to whether the proposed conversion harms or enhances the historic character and significance of this site.

A Heritage Statement has been provided with the application which notes that the conversion of the garage would not require any demolition to take place, and that the installation of new doors would be done so that they are in line with the existing brickwork openings. The Heritage statement also noted that the proposed materials for the new dormer windows will match the existing building as closely as possible to further limit any harm.

Whilst the garage has limited architectural merit overall, it does contain an attractive stone framed window in its eastern elevation, which provides a positive contribution to the street scene. The council's conservation officer has been consulted on the application and has recommended a number of alterations to the proposed dormer and ground floor windows designs. Amended plans have been submitted in response to these concerns which have provided alterations to the dormer windows including a list of proposed materials which are considered to be an improvement over the original design. Further amendments regarding the removal of the small high level window panes on the ground floor openings have been requested and are expected to be received prior to the planning committee meeting.

Subject to the receipt of the amended plans and conditions to control the use of materials, it is considered that the historic character and quality of the building can be protected. It should also be noted that the proposed conversion will likely improve the long-term sustainability of the building.

Parking requirements and Highway Safety

The application site includes a large yard area directly to the north of the existing garage building which can comfortably accommodate a number of vehicles with ease and the proposal will utilise an existing access point onto the site. Given the above, and in the absence of any objections from the Highways Authority, the proposal is considered to be acceptable in terms of its impact on highway Safety and parking requirements.

Other Matters

Audley Parish Council have objected to the proposal as they do not consider that a genuine case for the proposed dwelling to be used in connection as a farm manager accommodation has been provided. Whilst this comment is noted, there is no requirement in this case for the dwelling to serve a function as an agricultural workers dwelling, given that the proposal is converting an existing garage rather than creating new building within the Green Belt. Whilst it is expected that the proposed dwelling will provide accommodation for the worker of Scot Hay Farm and their family, no condition will be attached to this permission requiring that the dwelling remain solely available for the farm worker of the site as such a condition could not be justified.

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

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

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H9: Conversion of Rural Buildings for Living Accommodation
Policy S3: Development in the Green Belt
Policy E12: The Conversion of Rural Buildings
Policy N17: Landscape Character - General Considerations
Policy N22: Area of Landscape Regeneration
Policy T16: Development – General Parking Requirements
Policy B8: Other Buildings of Historic or Architectural Interest

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework](#) (February 2019)

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

Supplementary Planning Guidance/Documents

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

[Space Around Dwellings SPG](#) (SAD) (July 2004)

Relevant Planning History

None.

Views of Consultees

Audley Parish Council object to the proposal as they consider that it not being considered a genuine case for a farm manager accommodation. They also request that the planning department apply a time limit to the static caravan if the permission is granted and the caravan is retained as part of this development

The **Highways Authority** raise no objections subject to the proposal being completed in accordance with the submitted drawings.

Landscape and Development Section raise no objections to the proposal

Environmental Health raise no objections to the proposal

The **Conservation Officer** has recommend a number of alterations to the new window arrangements so that they reflect more traditional and uniform appearance. It is also advised that a list of proposed materials be shown on the submitted plans.

Representations

None.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Heritage Statement

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/20/00005/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

15th April 2021