

BARN AT REAR OF SANDFIELD HOUSE, BAR HILL, MADELEY  
DR D HODGKINSON. 12/00694/FUL

**The Application** is for full planning permission for the conversion of redundant agricultural building to one dwelling. The proposal also involves the creation of a new vehicular access on the Bar Hill (A.525).

The site lies within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The application is brought before the Planning Committee at the request of two Councillors due to there being local concern regarding the construction of a new vehicular access and highway safety concerns.

**The statutory 8 week determination period for this application expires on 5 January 2013.**

**RECOMMENDATION**

**Refuse, for the following reasons:**

- (i) The proposal is located in unsustainable location away from services and public transport links.**
- (ii) The proposal would result in development that would permanently harm the open countryside character of the area by the introduction of incongruous features.**

**Reason for Recommendation**

Whilst the proposal would not conflict policy H9 of the Local Plan which relates to the conversion of rural buildings the site lies within open countryside beyond a rural service centre in an unsustainable location which is poorly served by alternative modes of sustainable transport and has limited access to facilities and services. The proposal involves the introduction of a number of incongruous features which would permanently harm the open countryside character of the area.

**Statement as to How the Local Planning Authority Has Worked in a Positive and Proactive Manner in Dealing With This Application**

It is considered that the proposals are unsustainable and do not conform with the core planning principles of the National Planning Policy Framework. The applicant is fully aware of the concerns of raised given this application is a resubmission of a previously refused scheme and the amendment within this proposal do not address those concerns adequately.

**Policies and Proposals in the Approved Development Plan Relevant to This Decision:-**

Staffordshire and Stoke-on-Trent Structure Plan (SSSP) 1996-2011

Policy D1:	Sustainable Forms of Development
Policy D2:	The Design and Environmental Quality of Development
Policy D4:	Managing Change in Rural Areas
Policy H11:	Housing in Open Countryside
Policy T1A:	Sustainable Location
Policy NC1:	Protection of the Countryside: General Considerations
Policy NC2:	Landscape Protection and Restoration
Policy T12:	Strategic Highway Network
Policy H6:	Conversions

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

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 (NLP) 2011

Policy N21: Area of Landscape Restoration  
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 T16: Development – General Parking Requirements

**Other Material Considerations include:**

National Planning Policy Framework (March 2012)

Circular 11/95 The Use of conditions in Planning Permissions

**Supplementary Planning Guidance**

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

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Madeley Village Design Statement

**Views of Consultees**

The **Environmental Health Division** comments are awaited, however, on the previous scheme they raised no objection to the proposal subject to the imposition of conditions relating to construction, recyclable materials and refuse storage and disposal arrangements and contaminated land conditions.

The **Landscape Development Section** has no objection to the proposal subject to a landscaping condition to include hedge and tree planting.

**Madeley Parish Council** strongly objects to the proposal and fully supports the objections received.

The **Highway Authority** has no objections to the proposal subject to:

- The access being completed prior to works on the conversion commences
- The provision of the proposed visibility splays
- The new access is surfaced in a bound material for a minimum of 5 metres
- The proposed parking and turning area are provided
- Location of any gates.
- Control of surface water drainage

**Representations**

13 letters of objection have received raising the following concerns:

- Alternative access available from Red Lane.
- Not significantly different from the previous proposal.
- Highway danger.
- No need for a new house in Bar Hill.
- The plan incorrectly identifies land outside the site as being an allotment.
- Damage to nature and the appearance of the area.
- No change in policy since the last refusal.
- On street parking issues.
- Most of the traffic exceeds the 30mph speed limit.
- The proposal has been previously refused on sound grounds.
- Reduction in the bus service.

- Incorrect interpretation of planning policy in the submission.
- Flooding issues.
- Harm to open character of the countryside.
- Does not help with affordable housing provision.
- Does not assist the sustainability of Madeley as a Service Centre.
- Not a sustainable site.

### **Applicant/Agent's Submission**

The applicant's agent has submitted the following in support of the proposal:-

- Bat and Barn Owl Ecological Survey
- Supporting Highway Documentation
- Planning, Design and Access Statement
- Marketing Report
- Structural Engineers report
- Preliminary Phase 1 Environmental Assessment

The **Design and Access Statement** (DAS) identified the following key issues:

- Acceptability in Principle: sustainable development and Residential Conversion
- Impact on Open Countryside
- Impact on Residential Amenity
- Impact on Highway Network/Safety
- Impact on Protected Species

The DAS concludes that the proposal conforms to the development plan and national planning guidance.

The **Marketing Report** identifies how the premises have been marketed for an alternative use, other than residential for a period between February 2010 and August 2010, an update by the Estate Agent forms part of this report.

The **Structural Engineers** report identifies the building could be converted without prejudicing the stability of the building and without the need for substantial demolition and rebuilding.

The **Ecological Report** identifies

- The aims of the survey
- The relevant nature conservation legislation
- The Methodology employed
- Survey result
- An Evaluation and Recommendation

These documents are all available for inspection at the Guildhall, and by using the following link;  
[www.newcastle-staffs.gov.uk/planning/SandfieldHouse](http://www.newcastle-staffs.gov.uk/planning/SandfieldHouse)

### **Key Issues**

This is a planning application for permission to convert an existing agricultural building to one single detached dwelling. There is an open sided Dutch barn on the site which would be removed as part of the proposal. The proposal involves the introduction of a new vehicular access onto A525 Bar Hill Road. The site is within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

This application is a re-submission of a previous similar proposal on the site which was refused planning permission in November 2011 for the following reasons:

- "1. *The proposed development, because of its location away from services and public transport links, would ensure that residents would be dependent on the use of private motor vehicles. This would*

*undermine the aims and objectives of development plan and national planning policies that advises that housing development should be located, wherever possible, so as to provide a choice of means of travel to other facilities and promotes sustainable patterns of development. The development would be contrary to policies H1 and H9 of the Newcastle under Lyme Local Plan 2011, policies D1, H6 and T1A of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policy ASP 6 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS1, PPS3, PPS7 and PPG13.*

2. *The proposed development would permanently harm the open countryside character of the area, by virtue of introduction of the new access and the domestic paraphernalia associated with the proposed residential use. The proposal is therefore contrary to policies N17 and N21 of the Newcastle-under-Lyme Local Plan 2011, policies D2, D4, D6, NC1 and NC2 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policies CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, the aims and objectives of PPS1 and PPS7 and the guidance found in Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.”*

The current scheme to convert the barn is similar to the previously refused scheme. The major difference between the two schemes is the alterations to the proposed vehicular access off the A.525 and this proposal now seeks to remove an existing Dutch Barn on the site.

The proposal that was refused involved the removal of an existing road side hedge for a length of approximately 20 metres. There is a difference in ground levels between the existing carriageway and the land adjacent of approximately 1.4 metres and the proposed access in the refused scheme would have had to be cut into the site for a distance of approximately 24 metres. The proposed access in that scheme would allow two vehicles to pass for a distance of approximately 5.5 metres the access then would reduce to a width of 3.5 metres.

The current proposal amends this element of the scheme. Approximately 6 metres of the existing road side hedge would be removed and a 3.5 metres driveway cut into the field for a similar distance, but the proposed access in this case would sweep round towards the site boundary. A hedge is proposed to be planted alongside the access for a short distance from the highway verge.

Since the proposal was refused National Planning Policy Framework was introduced in March 2012 which replaced/ superseded the majority of the Planning Policy Guidance notes and Planning Policy Statements.

Given the location of the site and the siting and appearance of the resultant dwelling it is not considered that the proposal will lead to a material loss of residential amenity to any neighbours and will provide suitable living conditions for the occupiers of the proposed dwelling. It is therefore considered that the key issues to be addressed in consideration of this application are as follows:-

- 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?
- Visual impact on the surrounding countryside.
- Impact on the landscape.
- Highway Safety.
- Are there any extenuating circumstances which would warrant approval of a development that is contrary to policy?
- Impact on protected species.

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

Structure Plan Policy H6 indicates that residential conversions should not create sporadic development in the countryside where first preference will be given to the reuse of existing buildings or employment purposes. 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. It concludes by listing 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 marketing report has been submitted in support of this proposal which indicates the premises have been actively marketed and advertised for a non residential use over a period of six months ending in August 2010, and it would appear that it has continued to be marketed by way of a sign board close to the site beyond that period. The report indicates that all but one of the enquiries for the premises was regarding the potential of the premises for residential use. The one commercial use enquirer dismissed the use of the building due to its limited size and its limited vehicular access.

It is considered that the marketing exercise undertaken is appropriate and demonstrates that the securing of a business use for the premises has been fully explored and is not achievable.

The submitted structural survey indicates that the conversion can be carried out without prejudicing the stability of the building and without the need for substantial demolition and rebuilding. Whilst it is proposed to reroof the building, the proposed amendments to the building retain its simple character and would not have a detrimental impact on the character of the wider area subject to the imposition of conditions relating to the landscaping of the site and the removal of permitted development rights.

Whilst the site is close to Madeley village centre and there is a limited bus services on the adjacent A525 past the site (four a day on each week day and no service at weekends) this is unlikely to provide a realistic alternative to the car for many journeys to work, visiting large supermarket or visiting entertainment and leisure facilities in larger settlements.

The applicant's agent has provided further information in the submission regarding additional more frequent public transport connections available from Madeley village to larger settlements of Crewe and Hanley. The submission also provides details of services and facilities within Madeley which are potentially in walking distance of the proposal.

Whilst the submitted information demonstrates there is opportunity to future occupiers of the proposed development to access services and facilities, it is more likely, given the walking distance involved, that the occupiers will use the private car for the majority of trips and whilst the reuse of a building as opposed to the erection of a new one is inherently sustainable, its location is a significant factor against the proposal. This is considered further below.

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

Policies D4 and NC1 of the SSSP generally seek to protect the open countryside for its own sake.

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

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 should be categorised as not previously developed land (Greenfield) given its previous agricultural use, the site also lies beyond the Major Urban Area of North Staffordshire and is not within a Rural Service Centre. It is considered the proposed dwelling would not serve a wider local need nor would it support local services.

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.

NPPF advises at para. 55 that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Given the indication above, that the site is not in a sustainable location and the occupiers would rely upon the car for the majority of trips, it is considered that there is conflict with policies relating to the location of residential development in addition to the conflict with policies relating to conversion to residential use.

### Visual impact on the surrounding countryside

NPPF advises at para.61 that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Para. 64 advises 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.

SSSP Policy D2 states that development should generally conserve and, where possible, improve the quality of life and the environment and should be informed by, or sympathetic to, the character and qualities of its surroundings, in its location, scale and design.

Policy NC1 of the SSSP advises the countryside will be safeguarded for its own sake and non-renewable and natural resources will be afforded protection. It goes on to advise that new buildings in the open countryside will be strictly controlled. New development should respect the character of the countryside and maintain or improve the environment. Where development is considered acceptable the proposal should include measures for adequate mitigation of, or compensation for, adverse environmental impacts.

The site falls within an Area of Landscape Restoration as defined by the Local Development Framework Proposal Map and Local Plan Policy N21 indicates that the Council will support, subject to other plan policies, proposals that will help to restore the character and improve the quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

The site is within the open countryside. There is ribbon development on the opposite side of the A525 and a small cluster of dwellings immediately adjacent to the railway bridge to the east of the site. Sandfield House stands in isolation on the south side of the A525, with the buildings the subject of this proposal sited to the rear of Sandfield House. The existing access to the agricultural buildings is off the unmade track/lane to the rear (Red Lane).

As stated previously the proposal involves the installation of a new vehicular access off the A525 through an existing agricultural field as described above. The new access would be sited in an area which currently forms part of an agricultural field and it is proposed to fence a portion of this field off adjacent to the proposed driveway. It would be fenced by 1200mm high post and rail stock proof fence and the area of land is annotated as pasture land and not forming part of the residential curtilage.

Whilst the proposed driveway has been considerably reduced in scale from the previous proposal and improved in appearance by the inclusion of the proposed hedge arrangement it is considered it still will have a detrimental effect of urbanising this part of the open countryside where such development does not currently exist.

It is considered the separation of this area of land which includes the proposed access road from the remainder of the agricultural land would result in the proposed enclosed area of land being sterilised from any future purposeful agricultural use. This would be contrary to Policy D6 of the Structure Plan however the area of land could be put to other, non-agricultural uses, that would be appropriate within the open countryside, such as grazing land for horses, and as such it is not considered that this constitutes a reason for refusal.

The existing agricultural buildings on the site are of a simple design and layout, typical of agricultural holdings of this size. It is considered the conversion of the building itself, which is addressed above, would not adversely harm the open countryside setting, however, such conversions come with the normal paraphernalia associated with a domestic setting such as garden structures and fences, outdoor play equipment, washing lines, etc. Whilst some of the issues can be controlled by the imposition of conditions it would not be possible to control all ancillary domestic paraphernalia.

It is considered the combined visual impact of the loss of the roadside hedge, the construction and provision of the proposed access including the engineering operations required to cut in and provide the embankment to the access, the subdivision of site, together with domestic usage and paraphernalia of the site would

introduce features that are incongruous to and would permanently harm the sites open countryside setting contrary to the policies set out above.

#### Highway safety

As stated previously the proposal involves the creation of a new vehicular access on to the A525 at Bar Hill. The A525 forms part of the strategic highway as defined by the Staffordshire and Stoke-on-Trent Structure Plan.

This part of the A525 is single carriageway with no specific parking restrictions. The residential properties on the opposite side of this road are predominantly terraced with limited off street parking available resulting in vehicles parking on the highway. The speed restriction on this section of the A525 is 30 mph.

A speed survey has been undertaken relating to this proposal which indicates that speed along this section of the road are generally higher in both directions than the 30 mph restriction and the visibility splays have been provided in accordance with the actual speed of the traffic rather than the 30 mph speed limit, this approach is common practice.

The Highway Authority have no objections to the proposal subject to a number of conditions being imposed, including an increase in the size to the submitted visibility splays, based on the speed survey data. The increased visibility splays can be achieved either in land in the applicant's ownership or in the public highway.

Whilst it is considered the access would have an adverse impact on the character of the open countryside due to its over engineered appearance, it is considered, notwithstanding the concerns raised by the objections received, that a reason for refusal on highway safety grounds would not be sustainable given the conditional support of the Highway Authority on this matter. In reaching this conclusion it is noted that the previous application was not refused for highway safety reasons and that there have been no material changes in circumstances that would justify a refusal on such grounds at this time.

#### Are there any extenuating circumstances which would warrant approval of a development that is contrary to policy?

When dealing with this type of proposal, the Local Planning Authority must consider any circumstance pertinent to the application which may warrant the approval of development which may be contrary to policy. The reuse of rural buildings which are worthy of retention has been considered to be such a circumstance that has justified residential conversion in unsustainable locations. In this instance the buildings to be converted to dwelling/domestic usage are very simple and functional in their design, with no particular architectural merit, consistent with their existing use, as such it is considered no argument could be made, in this instance, that the proposal would safeguard an interesting or historic or architecturally important building.

The applicant agent has provided details of sustainable measures to be employed in the conversion such as rainwater harvesting and air to water heat pump and whilst these measures should be encouraged it is considered they would not outweigh the concerns highlighted above.

#### Impact on protected species

The findings of the protected species survey identifies that the site has a low to moderate ecological value but could provide some limited foraging opportunities for birds, bats and amphibians. It indicates that the proposal will not damage any suitable Great Crested Newt foraging habitat. The survey recommends that the ecological value of the site is improved, that a Great Crested Newt survey is carried out prior to commencement of development due to the small chance that such amphibians could enter the site during construction, and that such species should be protected during the construction period. These recommendations could be secured through the imposition of conditions and therefore it is considered that there are no ecological justifications to resist the application.

#### **Background Papers**

Planning file

Planning documents referred to

**Date Report Prepared**

7 December 2012