

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

18th July 2024

Application No:	SMD/2023/0543	
Location	Birchendale Farm, Hollington Fields, Hollington	
Proposal	Conversion of existing building to form dwelling	
Applicant	Mr Charlie Dean	
Agent	JMI Planning	
Parish/ward	Checkley / Checkley	Date registered 31 st October 2023
If you have a question about this report please contact: Arne Swithenbank tel: 01538 395578 or e-mail arne.swithenbank@staffs Moorlands.gov.uk		

REFERRAL

The application is a Full - Minor and is referred to committee at the request of Cllr Deaville to consider the sustainability of the location and impact on surroundings.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site comprises an extended former Dutch Barn with steel frame, breeze block lower wall sections and metal sheet panel cladding above. The roof is of corrugated cement fibre boards.
- 2.2 The building is obviously dilapidated with some cracking evident in the block work. There are two generations of steel work – an obviously older Dutch barn frame to the taller section and more recent steel work to form what is effectively a lean-to along the long south side elevation.
- 2.3 The building stands 10m to the east of a previously extended onetime farm house now occupied as a dwelling. To the west of the house are two small stone outbuildings of obvious age and character. Beyond these there is evidence of floor and footings to further outbuildings now demolished.
- 2.4 The original vehicular access came in along the north side of the buildings from the road to the east. This has until recently been out of use and impassable to vehicular traffic. A new drive to the property under a 2004 consent sweeps in on a curving route from the south east across the field at the front (south). A public footpath follows the old access route and a

second public footpath joins with this close to the east side of the application building and heads south west. The old access route has lately been made open once for vehicle use use.

- 2.5 Internally the building appears in mixed use for miscellaneous storage, some of a domestic nature, and otherwise for workshop activities of a hobby nature. It is understood that farming activity at the property ceased some years ago when a small sheep flock had been kept as a hobby along with other livestock.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 To change the use of the building to residential accommodation. The application is accompanied with a Planning Statement, a structural survey and an ecology survey.

4. RELEVANT PLANNING HISTORY

- 4.1 DET/2021/0023 – Change of Use from agricultural building to dwelling – (Prior notification) – Refused

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS3 Future Provision and Distribution of Development
- SS4 Strategic Housing Land Supply
- SS10 Rural Areas Area Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

Checkley Neighbourhood Plan

Following a positive result at Referendum, Staffordshire Moorlands District Council resolved to make (adopt) the Checkley Neighbourhood Plan (CNP) 15th May 2024.

HSG1 Housing and Site Allocations

National Planning Policy Framework December 2023

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 8 Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed and

beautiful places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

6. CONSULTATIONS CARRIED OUT

Public

- 6.1 The last consultation expiry date was 13th December 2023 (site notice). A single neighbouring dwelling was notified directly by letter.
- 6.2 No public representations have been received.

Checkley Parish Council

- 6.3 Comments that: The proposal appears to be sound provided it is in keeping with neighbouring property and there are no local objections and it conforms with planning policies as defined in the Checkley Parish Council Regulation 16 Neighbourhood Development Plan and the Staffordshire Moorlands District Council Core Strategy [sic] and the National Planning Policy Framework.

SCC Highways

- 6.4 The following is the Highways response to the scheme.

Recommendation Summary: Conditional

Site visit conducted on 20-Jun-2024

Personal Injury Collisions Current records show that there were not any Personal Injury Collisions on Hollington Fields within 215 metres of the access track from 30/12/2019 to 29/12/2022.

Background

The site is located off Hollington Fields (Road No. C0010), a C classified rural road, subject to a 60mph speed limit, with no footways or streetlights.

Public Right of Way footpath Checkley 34 and 35 run through the site. It would appear that SCC PRow Team have not been consulted regarding the application.

Previous Application:

DET/2021/0023 - Change of use from agricultural building to Dwelling – Refused

Description of Proposal

Conversion of existing building to form dwelling.

Comment: The proposal is for the conversion of an existing building (barn) to form a 3-bedroom dwelling.

Access: The initial proposal suggested accessing the dwelling through an existing access and track located north of the Birchendale Farm entrance. However, this access route was in poor condition, appeared unused, and had severely limited visibility in both directions. Therefore, the proposal was refused due to an intensification of use of an access onto Hollington Fields which had restricted visibility.

The proposal has now been revised to use the existing access to Birchendale Farm, which is in daily use, for vehicular access, as detailed in the submitted plan Drawing No. 23037-SDA-V1-XX-DR-A-0001_P1.

Parking: Staffordshire Moorlands Parking Standards state: Detached/Semi-detached property of up to 3 bedrooms will require 2 spaces (2.4 x 4.8m each space) for residents and visitors and a property. Submitted Drawing No. 23037-SDA-V1-XX-DR-A-0001_P1 identifies parking considered sufficient for 2 vehicles and therefore meets the Parking Standards.

I have no objection to the proposal (application number SMD/2023/0543) subject to the following condition.

The development hereby permitted shall not be brought into use until the parking and turning area has been provided in accordance with the approved Drawing No. 23037-SDA-V1-XX-DR-A-0001_P1. The parking and turning area shall thereafter be retained unobstructed as parking and turning for the life of the development.

The southern access to the site within the red outline plan as detailed in Drawing No. 23037-SDA-V1- XX-DR-A-0001_P1 should be the sole form of access to the proposed dwelling.

REASONS:

To comply with NPPF; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

NOTES TO PLANNING OFFICER

Revised plan Drawing No. 23037-SDA-V1-XX-DR-A-0001_P1.

The rural location for the residential dwelling is not in a sustainable transport location or an existing community. There is no footway provision or streetlights, no amenities such as a local shop or access to any medical or educational facilities or public transport. All trips to such facilities are more than likely to be made via a private car.

Severn Trent Water

- 6.5 No objections subject to condition: shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Reason: to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.
- 6.6 There is a public 100mm pressurised foul sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. Applicant is advised to contact Severn Trent Water to discuss the proposals. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval. Note that there is no guarantee that it will be possible to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee of being able to undertake those works on a self-lay basis.
- 6.7 Severn Trent would not permit a surface water discharge into the public foul sewer, and recommend the applicant seeks alternative arrangements.

SMDC Heritage Conservation Officer

- 6.8 Recommends refusal as contrary to DC1 and DC3. Birchendale Farm is situated close to the surviving historic farmstead of Lower Whitley Farm and is within a rural open vicinity marginally aloft to the north-east of Fole Lane. The collection of buildings are situated together in an east to west arrangement with respective courtyards or yards. Nearby ridge and furrow field archaeology registered in the historic environment record forms part of the landscape here and encompasses the area from the south of the buildings, to the ford and stream. It is dissected by a public footpath that follows the land gradually descending toward the watercourse.
- 6.9 This establishes a context for this vicinity typical of the Moorlands identity and backdrop, with survived vernacular farm buildings set irregularly within the landscape. Some aesthetic value and historic interest remains and is legible through materials and relationship to the landscape and historic field networks.

- 6.10 The proposal entails the re-use of a large existing modern agricultural building as a dwelling. The location is closest to Fole Lane, within the open vicinity and within the immediate context of the above features.
- 6.11 Due to its extensive scale and form, dark cladding and abnormal fenestration the design does not successfully transform the existing into a quiet, appropriate domestic building. The scheme looks to drastically alter the humble visual qualities of the area and would not make a harmonious addition.

SMDC Environmental Health

- 6.12 An asbestos survey and risk assessment should be carried out prior to the development of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended they are contacted directly by the applicant / developer to discuss the requirements: <http://www.hse.gov.uk/>.
- 6.13 Full contamination assessment not required but advised that all soft landscaped / garden areas are tested for contaminants (including Asbestos screen) to ensure suitability of the area for garden use.

Public Footpath user representatives

- 6.14 Ramblers Association and Peak and Northern Footpath Society. No objections raised but comment that Checkley footpaths 34 and 35 must be kept safe and open for use at all times.

SMDC Waste Collection Services

- 6.15 No issues raised.

7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE

Principle of Development and Main Issues

- 7.1 In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.
- 7.2 The main issues to consider with this application are:

- whether in principle the conversion of this building to a dwelling can be found acceptable in accordance with the Council's adopted Planning Policy
- sustainability of the location
- design
- impact on the living conditions (amenities) of neighbouring residents
- occupier amenity
- highway safety
- impact on biodiversity / protected species

7.3 Policy SS10 for the rural areas is that:

"These areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The Council and its partners will achieve this through the following actions" [inter alia]: "restricting new-build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with H1".

7.4 The relevant section of Policy H1 is H1(5) which addresses the open countryside of the rural areas and at H1(5)(d) supports: *"The conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion."*

7.5 The submitted structural survey describes the building as "a steel framed building consisting of an original duo-pitched frame and a later mono-pitched extension." It identifies:

- i) no evidence of significant movement within the steel frames themselves; however,
- ii) levels of significant corrosion were noted in several of the columns where they meet ground level, and it is recommended that further investigations are undertaken
- iii) size and form of the foundations to the columns are unknown at this stage and these would need to be exposed and confirmed to be adequate during the detailed design stage of the conversion works
- iv) steel member sizes for the rafters and columns to the original barn are relatively small and the sizes would need to be reviewed for suitability and strengthened if necessary to carry increased roof load from new cladding and the inclusion of ceilings and sufficient insulation.
- v) steel sections utilised in the construction of the extension are larger, and will likely be suitable for the proposed conversion, although this would need to be confirmed by a more detailed structural load/capacity assessment. Additional columns may need to be introduced along the right elevation at the ends of the cantilever rafters.
- vi) steel sections utilised in the construction of the extension are larger, and will likely be suitable for the proposed conversion, although this would need to be confirmed by a more detailed structural load/capacity assessment. Additional columns may need to be introduced along the right elevation at the ends of the cantilever rafters.

vii) uncertainty as to the thickness of both the original and extension slab to with core sampling recommended to confirm their thickness, presence of any cast-in reinforcement and the presence of backfill beneath the extension slab.

viii) existing perimeter blockwork walls above ground slab level are in generally good condition, with a few relatively minor defects as identified in this report. The defects can be easily rectified by localised rebuilding, or crack stitching as required, and none of the defects appear to be related to ongoing movement of the walls.

ix) retaining walls are in generally good condition, with the walls within the footprint of the building exhibiting no significant rotation, or displacement.

- 7.6 The structure report concludes at 4.9 that “based on our initial visual inspection, our opinion is that the existing barn is suitable for conversion into a domestic building, although some further investigations, possible repairs and strengthening, as identified in this report, will be required prior to and during the conversion works.” Notwithstanding this opinion submitted in support of the application the issues revealed and summarised at 7.5 above show a series of defects and significant uncertainties to cast doubt on the physical worthiness of structure as it stands. The structure as it stands appears most unlikely to be capable of ready conversion and development would entail significant replacement work amounting to re-building rather than genuine conversion.
- 7.7 Structural worthiness is only one part of the requirement of policy H1(5)(d). The building would also need to be suitable and worthy in architectural and character terms. The officer assessment is that this particular building with cumbersome form and existing ad hoc addition and comprising a high exposed block work base wall and sheet cladding is not a building that can appropriately be ascribed architectural or character merit to make it worthy of conversion.
- 7.8 As a matter of principle therefore it must be concluded that conversion of this building is not supported by the Council’s adopted Local Plan policy. Other main issues are the proposed finished design of the dwelling; highway access; travel sustainability.

Design

- 7.9 Whilst tin shed buildings are a common place of the agricultural scene and often appear somewhat ephemeral as rust and deterioration develops, their aggrandisement into dwellings with prominent expansive glazing establishes a new permanence and very different character impact on their surroundings. As the Conservation Officer has commented this is at odds with the rural scene. The proposal is found contrary to DC1, DC2 and DC3. It is also perhaps unlikely that the proposed new building could be assessed as being ‘beautiful’ as now emphasised by the NPPF.

Amenity

- 7.10 No conflicts of amenity are identified either for neighbours or occupiers.

Highways

- 7.11 The recommendation of the Highways Officer should be followed in which it is accepted that access shared with that serving the existing farm house would be acceptable. The amended plan shows the proposal property benefiting from a loop behind the farm house. Some very minor track construction would be required immediately to the west of the buildings but otherwise this would in effect utilise existing an route.

Sustainable Travel

- 7.12 As is well set out in the SCC Highways response this location cannot be considered sustainable as there would be unavoidable and constant reliance on the private car for access to shops, schools and services. Travel distance to Upper Tean is c.6km.

Other matters

- 7.13 The submitted ecology appraisal confirms no bat usage but recommends a working method to minimise impact of potential unforeseen discovery. Work would need to avoid conflict with bird nesting. Bat and bird boxes could be added to the completed scheme.

- 7.14 The applicant has referred to the now adopted Neighbourhood Plan for Checkley. CNP Policy HSG1 for housing is relevant to this application. The policy is to support residential development, appropriate to the Settlement Hierarchy established by Policy SS2 of the Local Plan. Whilst SS10 is not expressly itemised in the policy (whereas SS8 and SS9 are) the reference to assessment “in accordance with strategic and national policy” must be taken to mean that SS10 as the relevant strategic policy should be considered. Indeed this is confirmed in the ‘Interpretation’ section at paragraph 5.29 which says:

Spatial Strategy Policy SS10 covers the Policy for ‘Other Rural Areas’ beyond the development boundaries of towns and Larger Villages, and the countryside surrounding Smaller Villages – this would therefore apply to determination of planning applications within Checkley Parish for development on sites outside of the villages (in the case of housing proposals this Policy would be read in conjunction with Local Plan Policy H1 ‘Housing’ which sets out the broad locational expectations for new housing across the District).

- 7.15 From this it is concluded that the assessment at 7.3 to 7.8 of this report is in line with and not altered by the Checkley Neighbourhood Plan policies relevant to this application.

8. Conclusion and Planning Balance

- 8.1 The application should be refused as not supported in principle by the Council's policy for housing in the rural areas and for reasons of design, character and appearance, and un-sustainable location.

9. RECOMMENDATION

A. Refuse for the following reason(s):

- 1. Taking into account the applicant's submitted structural survey which identifies: levels of significant corrosion in several of the building's support columns where they meet ground level and recommends further investigation; unknown size and form to the column foundations which would need to be exposed and confirmed to be adequate; a need to review rafter and column sizes and confirm by a more detailed structural load/capacity assessment whether suitable for added loading necessary to make the building habitable by conversion; uncertainty as to the thickness of both the original and secondary slab with core sampling recommended to confirm, it has not been established that the building is suitable and worthy in physical terms for conversion and therefore the proposal is found contrary to policies SS1; SS10; and H1.**
- 2. In terms of building design and function the understated and common place characteristic of the existing building as a 'weathered' utilitarian farm store would be replaced with an overtly out-of-place somewhat brutalist structure with prominent expansive glazing and wholly different impact at odds with the rural scene as a result of the design and use of the building and new domestic curtilage as a dwelling and the proposal is therefore found not worthy in architectural and character terms for conversion and along with its proposed design is found contrary to policies SS1; SS10; H1; DC1; and DC3 and to the NPPF.**
- 3. Due to the relatively isolated location of the proposal remote from shops, schools and services and with no viable sustainable travel options the development would be wholly reliant on the private car for essential day-to-day journeys and is therefore found contrary to policies SS1; SS10; DC1 and T1 and to the NPPF.**
- 4. Notwithstanding that the Council cannot currently demonstrate a full five year housing land supply and despite some benefit even from the development of just a single dwelling the adverse impacts of granting permission would significantly and demonstrably outweigh these benefits in this case. The proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.**

Informative

1. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

B In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

10. APPENDICES TO THE REPORT

10.1 The link below to the Council's website is where the detail of this application can be viewed.

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=175325>

10.2 – location plan

