

Buildings at 2 Waterside, Dolly Lane, Buxworth, High Peak SK23 7QG

## **Proposed Change of Use of Redundant Farm Buildings to Residential**

### **PLANNING STATEMENT**

#### **Present situation**

The group of buildings known as Waterside are located in the Green Belt to the west of Dolly Lane in Buxworth along a private track.

Waterside Cottage (probably the original farmhouse) and numbers 3-7 are in good condition, are all inhabited, and form an attractive group of residential buildings.

The agricultural barn that is the subject of the application is attached to Number 3 Waterside Cottages and is currently vacant and its poor state of repair detracts massively from the otherwise good quality houses.

The building is a late seventeenth century/early eighteenth century stone, redundant farm building. It is L-shaped with a two storey height barn which is effectively the end of the continuation of the adjacent building, and a one and a half storey wing at right angles to the barn.



Courtyard and South Elevation



1.5 storey wing



North west corner



North/Rear Elevation

Planning permission was obtained, in July 2005 to extend Number 3 Waterside Cottages into the 2 storey barn to create an extra bedroom and living accommodation for the existing cottage.

Since this permission, the ownership of Number 3 and the barn have changed and a long term tenant is now resident in Number 3 Waterside Cottages. This prevents the applicant from reviving the approval for the extension into the barn.

## **Proposals**

The proposal is to repair and convert the existing redundant farm building into a small 2 bedroom house.

The proposals would require no extension and would be contained within the existing stone buildings on the site. Two new openings are proposed and will be detailed with stone heads and cills to continue the existing character of the building and surrounding properties.

The repair and conversion of the buildings would vastly improve the appearance of the hamlet and enhance the existing properties that surround it.

## **Policy Context**

Section 38 of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations in planning decisions. The proposed local plan is also a consideration but it carries limited weight at this time.

## **NATIONAL PLANNING POLICY AND GUIDANCE**

### **NPPF (2012)**

The relevant sections of the NPPF are outlined below, however the overriding aim of the NPPF is to promote sustainable development and indeed there should be a presumption in favour of sustainable development in any decisions made.

This means approving proposals that accord with the development plan without delay. Where a development plan is absent, silent or relevant policies are out of date, granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF; or specific policies in the NPPF indicate development should be restricted.

### **Planning Practice Guidance (PPG)**

The PPG was published in its final form on 6th March 2014. The relevant sections of the PPG are discussed below.

### **Development plan context**

The development plan comprises the saved policies of the High Peak Local Plan (March 2005). The NPPF takes priority where policies are not in accordance with it.

The site is located within the greenbelt as defined by the adopted Local Plan, although the building is attached to and within a group of existing dwellings which form a small hamlet.

The following policies are relevant:

- BC1 External Materials
- GD3 Improvement Corridors
- GD4 Character Form and Design

- GD5 Amenity
- OC1 Countryside Development
- OC2 Green Belt Development
- TR5 Access, parking and design

## Planning Considerations

The site falls within an area of Green Belt. The application must therefore be judged against the NPPF Section 9, PPG9 and to a lesser extent, the outdated Local Plan policies OC1 and OC2.

All of the relevant planning considerations agree that the purpose of Green Belt Policy is to "prevent urban sprawl by keeping land permanently open". It is therefore important to resist "inappropriate development" within the Green Belt.

Both the NPPF Section 9 and PPG9 say:

*"inappropriate development is, by definition, harmful to the Green Belt"*

The NPPF Section 9 and PPG9 also state that certain forms of development are *"not inappropriate in Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt"*. These forms of development include *"the re-use of buildings provided that the buildings are of permanent and substantial construction"*.

The proposals are in line with both the NPPF Section 9 and PPG9. The new dwelling will be completely within the fabric of an existing building, a building that will need some repair but is clearly of permanent and substantial construction.

Discussions have been had with Jeremy Toone at High Peak Building Control and with Nigel Garside at WML Consulting regarding the structure of the existing building. The existing structure will require some work, particularly the one and a half storey wing, to enable the successful conversion of the building. The client intends to maintain as much of the existing structure as possible and it will be essential to retain the services of WML Consulting to provide a full structural survey and report, as well as detailed method statements for the contractor, prior to the commencement of any works on site.

The repairs will involve some remedial works to the two storey section of the barn, the partial rebuilding of the 1.5 storey wing and a replacement roof to the 1.5 storey wing. The amount of rebuilding only amounts to approximately 13.5% of the existing buildings when considered as a whole (please refer to drawing 1140.05 Repair works and WML structural report). Notwithstanding this, the work could be completed under Permitted Development as "repair and maintenance" to an existing building, but it is clear that the conversion will achieve a more sustainable future for the building. Despite the repair work required, the building is clearly substantial and permanent and the enhancement that will be achieved through the conversion will far outweigh the repair works required.

As the proposals are contained within an existing structure, they will preserve the openness of the Green Belt and are definitely not *"harmful to the Green Belt"*.

The NPPF Section 6 Paragraph 55 also states that *"Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting"*. The conversion of the vacant, derelict building will bring into use a building that is currently detrimental to the appearance of the hamlet and in turn the Green Belt land. Therefore the development will clearly lead to the enhancement of the immediate setting.

It is also worth noting that the site falls within an improvement corridor, as detailed in the High Peak Local Plan and as such must comply with policy GD3.

Policy GD3 states that: *"To help achieve a good quality, attractive and prosperous environment, these roads have been selected as high priority for environmental enhancement. Where appropriate, the council will aim to carry out enhancement schemes on its own land, and encourage private land owners to do the same. The sorts of projects which might be undertaken include tidying eyesores"*

It also states that: *"The river valleys of the Sett, Goyt and Etherow are identified in the structure plan as priority areas for conservation and improvement. The Borough and County Councils will seek to undertake physical improvements within these corridors as resources and opportunities permit. These might include tackling areas of dereliction, removing eyesores"*

The repair and conversion of the existing barn adjacent to 3 Waterside Cottages, provides an opportunity for High Peak Borough Council to *"tackle dereliction"* and to tidy and remove an *"eyesore"* within an identified improvement corridor. Whilst Policy GD3 is part of the outdated Local Plan it must be considered a material consideration when determining this application. It is clear that the work to the existing vacant barn will be a vast improvement and will far outweigh the limited impact a new dwelling in this location will have on the Green Belt.

Any new dwelling must consider High Peak Local Plan Policy GD5 Amenity. This policy is to ensure that any new development does not *"create unacceptable loss of, or suffer from unacceptable levels of, privacy or general amenity"*.

The conversion of the existing barn into a new dwelling will include no windows that overlook existing houses or gardens, it will be contained within existing structures so will not have any effect on existing daylight or sunlight conditions or be overbearing and it will have minimum impact on traffic generation and safety due to its small size.

A small garden has been provided for the new dwelling and it has been sized to match that of the gardens to adjacent properties. The gardens are not overlooked by neighbouring houses and they do not prejudice the openness of the Green Belt any more than the gardens of the adjacent properties.

Whilst it is accepted that during construction, some disruption to the amenity of neighbours will be unavoidable, it will be kept to a minimum and all efforts will be made to minimise the impact of construction traffic on the surrounding properties. This will not be permanent disruption and it will improve the visual amenity of the neighbouring houses in the long term through the removal of an eyesore.

The group of buildings at Waterside are served by a narrow, unmade track and the addition of a new dwelling must be considered under High Peak Local Plan Policy TR5 Access, parking and design.

Extensive consultation with Derbyshire Highways have been undertaken as part of the previous application and the pre-application submission and works to improve the visibility splay at the junction with Dolly Lane have been started and agreed with Sue Murdoch from Derbyshire Highways.

The access to the new dwelling is not ideal, but every effort has been made to improve the situation and it has been accepted by Derbyshire Highways that *"it is not considered that the proposals would cause such significant harm to highway safety in the vicinity that a reason for refusal of the planning permission could reasonably be defended."*

### **Other Material Considerations**

The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014, came into force on the 6th April 2014 and must now be a material consideration in the determination of this application. Permitted development under Class MB allows the change of use from an agricultural building to a dwelling and all necessary building operations in order to convert the building, without the need for planning approval.

Whilst certain conditions must be satisfied in order for Planning Permission to not be required, it must be considered that the changes to Permitted Development Rights for a redundant agricultural building such as this one, must be taken as a material consideration for the approval of the

conversion. Indeed, if it were not for the planning history on this site, it could be reasonably argued that this conversion falls under the new Permitted Development Rights and would not require planning permission.

We must also consider that there is an historical planning permission for the conversion of the barn into residential use. Whilst this was for an extension to an existing dwelling, and has expired, it established the principle of an additional bedroom, and subsequent increase in parking and traffic, on the site. As such it must be a material consideration that the conversion to a new dwelling would have no more impact than the extension previously approved by High Peak Borough Council.

## **Conclusion**

The proposal accords with the outdated High Peak Saved Local Plan Policies, the NPPF and PPG.

The conversion of the existing agricultural building represents a sustainable future for the barn and it provides an opportunity for High Peak Borough Council to remove an eyesore from an identified improvement corridor. The applicant is willing to spend money to bring an empty agricultural building back into use and provide a new small dwelling, ideal for first time buyers or the rental market, within the High Peak.

The conversion is contained within existing structures and as such will have minimal impact on the openness of Green Belt and will enhance the appearance of this attractive group of buildings within the Green Belt, as well as improving the visual amenity of the neighbouring houses.

It is considered that the repair works to the barn in order to convert the building are reasonable when compared with the enhancement of the Green Belt and the Improvement Corridor.

A commercial use for the building is not viable due to its location and the extra traffic generation along the narrow track. There is sufficient parking within the applicant's ownership for a new dwelling so it is considered that a conversion to a dwelling is the most suitable and sustainable future for the building.

We acknowledge the disruption that will be caused to neighbours during the construction phase of the project if approval is granted and every effort will be made to minimise this.