

DELEGATED DECISION REPORT

HPK/2023/0515
Valid 12/12/2023

**HOW GREEN BARN, HOW
GREEN FARM, SHILOH
ROAD, NEW MILLS,
DERBYSHIRE, SK22 4QR**

**CONVERSION OF
REDUNDANT STABLE
BUILDING TO DWELLING AND
REPLACEMENT OF EXISTING
MENAGE WITH GRASSED
AREA TO BE RETURNED TO
AGRICULTURAL USE**

(FULL - MINOR)

MAIN ISSUES

- The principle of a new dwelling in the green belt
- Impact on the character of the surrounding area
- Impact on neighbouring amenity
- Impact on highway safety

DESCRIPTION OF SITE

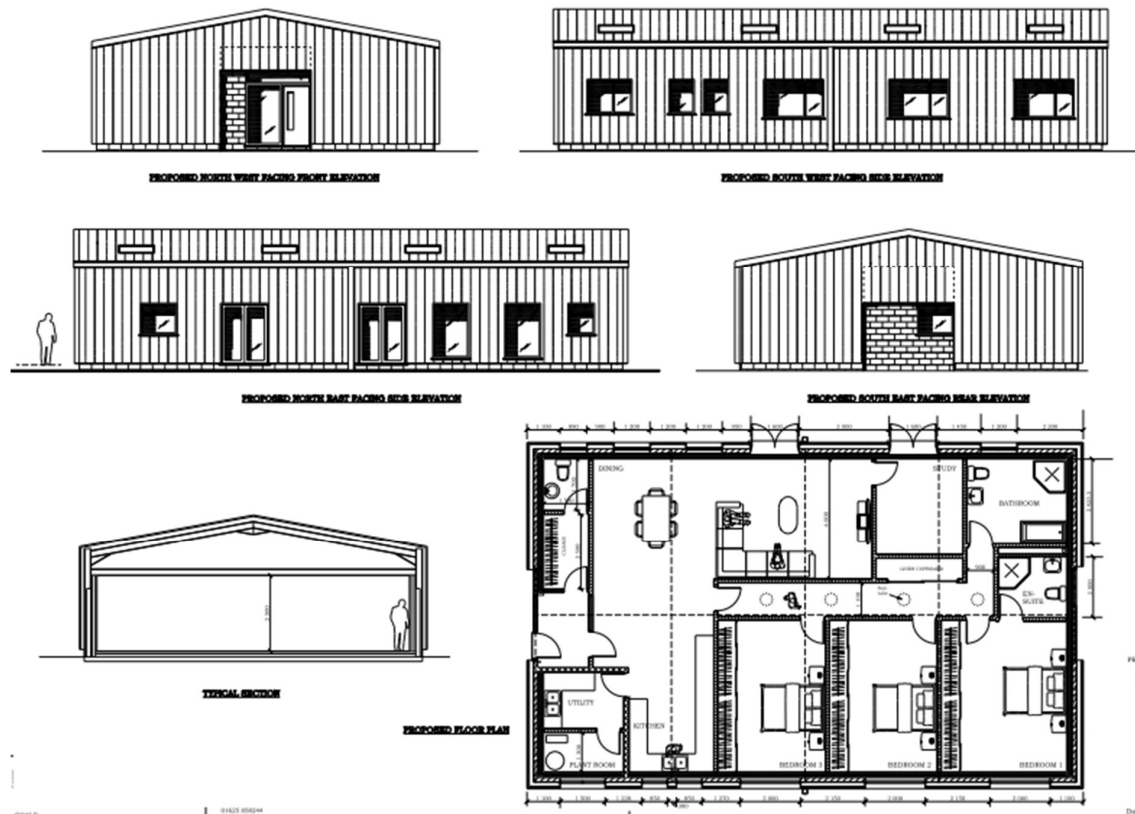
The application site is located outside any recognised settlement boundary in the development plan, the site lies within the countryside as designated within the High Peak Local Plan and the North West Derbyshire Green Belt. The site area is situated on land accessed by a single track from Shiloh Road and then to the east of the existing group of dwellings. At present there is a stable building located on an area of hard standing and an existing ménage. These have been granted under separate planning permissions for private use.



For the purposes of planning policy consideration, the application site is located within Sett Ward, and it is not in a Conservation Area, there are no Listed buildings/structures or protected trees which need to be considered. The stable building sits between the paddock and the manege, with parking and turning facility. The site sits below road level (as do the established cottages) is relatively flat, the rear part of the site inclines upwards.

PROPOSAL

Full planning permission is sought to convert the profile metal clad equine building to be used as a 3 bedroom residential dwelling to provide accommodation with associated driveway, parking area and amenity area. The associated manege will be grassed and returned to agricultural use.



The palette of material finishes will be existing green profile metal cladding with inserted fenestration as illustrated. The materials used will be modern and high quality, resulting in an energy-efficient building. The proposed elevations are shown above.

The proposals seek to remove small ancillary existing buildings and structures associated to the manege, together with a significant amount of manege surfacing and hardstanding - the existing manege will be returned to use as an agricultural field.

The proposal would make use of the existing access onto Shiloh Road. Sufficient parking is provided for at least two cars and turning space exists within the site to accommodate any domestic traffic associated with the proposed dwelling.

Landscaping is proposed as part of the scheme. It includes the removal of a significant proportion of the existing hardstanding and the introduction of new soft landscaping areas.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

S1 – Sustainable Development Principles
S1a – Presumption in Favour of Sustainable Development
S2 – Settlement Hierarchy
S6 – Central Area Sub Strategy
EQ2 – Landscape Character
EQ3 – Rural Development
EQ4 – Green Belt Development
EQ5 – Biodiversity
EQ6 – Design and Place Making
EQ10 – Pollution Control and Unstable Land
H1 – Location of Housing Development
H3 – New Housing Development
CF6 – Accessibility and Transport

Supplementary Planning Document

1. High Peak Design Guide Adopted 2018
2. Residential Design SPD2 Adopted 2005
3. Landscape Character SPD 2006

National Planning Policy Framework (2023)

Including sections -

11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt
15. Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2007/0518	New Stable Block And Storage Shed	Approved 2007
HPK/2009/0145	20m X 40m Manege	Approved 2009
HPK/2016/0164	Proposed extension to existing stable block for horses, construction of canopy over open air existing manege for schooling horses and extension of manege with extended canopy	Refused 2016
HPK/2021/0012	Retrospective planning permission for the extension of equestrian ménage and associated access track/landscaping	Approved 2023

CONSULTATIONS

Publicity

Site Notice expiry date: 08/01/2024

Neighbour consultation period ends: 02/01/2024

Public Comments

No representations received

Town / Parish Comments

No comments received

Highways Authority

No highway objections

Environmental Protection

No Objection subject to conditions relating to construction protection

Derbyshire Wildlife Trust

No Objections subject to suggested conditions – birds, lighting, Biodiversity Enhancement Plan

OFFICER COMMENTS

Planning Policies

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.

Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent, or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

Local Plan policy S2 defines this site as "other rural areas", as such development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing in accordance with policies EQ3 and H5.

Local Plan policy EQ2 looks to resist development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement as identified in the Landscape Impact Assessment. New housing in the countryside will generally not be supported.

Local Plan policy EQ3 new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness. New development will be permissible for certain circumstances reflective of the exceptions listed in the NPPF.

Local Plan policy EQ4 is specific to Green Belt development. The Council will seek to protect the Green Belt and maintain its openness and permanence. Within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.

Local Plan Policy H1 (Location of Housing Development) identifies that new housing should be provided on allocated housing sites in the Local Plan or a Neighbourhood Plan, promote the effective reuse of land, support housing on unallocated sites within the defined built up area boundaries, encourage housing in mixed use schemes, support development identified by community right to buy or build order and support self-build scheme. However, the Council will give consideration to approving sustainable sites outside the defined built up area boundaries, taking into account other policies in this Local Plan, provided that:

- The development would adjoin the built up area boundary and be well related to the existing pattern of development and surrounding land uses and of an appropriate scale for the settlement; and
- The development would not lead to prominent intrusion into the countryside or have a significant adverse impact on the character of the countryside; and
- It would have reasonable access by foot, cycle, or public transport to schools, medical services, shops, and other community facilities; and
- The local and strategic infrastructure can meet the additional requirements arising from the development.

Policy H3 requires all new residential development to meet the requirements of affordable housing within the overall provision of new residential development set out in policy H4 and to provide a range of market and affordable housing types and sizes, whilst the mix should contribute positively to the promotion of a sustainable and inclusive community taking account the characteristics of the existing housing stock in the surrounding locality.

Principle of Development

The site lies outside the built up area boundary within the Green Belt and Open Countryside and does not adjoin the built up area boundary and is thus subject to Local Plan Policies EQ3 and EQ4 (which relate to Rural Development and Green Belt Development respectively), and relevant restrictive policies under Chapter 13 of the NPPF.

Sustainable development principles underpin the Local Plan, policies are clear that new development should be located in areas with good accessibility to local shops, community facilities and good connections to public transport. Related to this, is Policy S2 which puts forward a clear hierarchy of locations in order to concentrate development in places where there are a range of services, employment and facilities, and where there is a choice of means of transport in order to minimise the need to travel and reduce the reliance on the private car.

The building is located off Shiloh Road, accessed by a single track and to the east of the existing group of dwellings, surrounded by open agricultural land. The site is located approximately five kilometres east from the centre of Marple with infrequent bus service and approximately 1.5 kilometres to the hamlet of Mellor along national speed limit roads with no pavement or lighting.

The site has no direct access to public transport and due to the distance from and accessibility to the amenities within Marple and very limited available facilities at Mellor the site is currently considered rate poorly in respect of its ease of accessibility to local services and facilities. Any future occupants of the dwelling are likely to be strongly dependent upon the use of the car for all day to day activities. In this respect any future residents would not likely help support the services of nearby rural settlements and as such would be unlikely to significantly contribute to the vitality of the surrounding rural community.

The site is considered physically and functionally separate and remote from any identified settlement boundary within the Local Plan. The site is clearly within the 'countryside' for the purposes of the adopted Local Development Plan and represents the creation of 'isolated homes' in respect paragraph 84 of the NPPF.

Residential Conversions

Local Plan Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness and supports re use of redundant and disused buildings and/or the redevelopment of a previously developed site, where it does not have an adverse impact on the character and appearance of the countryside. Where the existing building is in an isolated location the development should lead to an enhancement of the immediate setting.

There is no evidence that the development would meet this requirement. While it might provide some housing choice, a personal preference for living in the countryside does not constitute a particular 'need' in planning terms. Moreover, no evidence has been submitted that demonstrates the development could not be accommodated in a location consistent with the above housing strategy.

The Applicant has highlighted that the building has an agricultural appearance. A very similar building has been converted nearby under class Q. However it is accepted that its equine use prevents the conversion being undertaken via a Class Q prior approval which would normally be the route taken for such a scheme.

Without this avenue being available to the applicant, they have sought planning permission, offering betterment given the re-use of the building along with returning to agricultural use the existing large manege area adjacent to the building.

The Council wouldn't normally support the conversion of modern agricultural buildings to dwellings. Obviously some are approved as permitted development under class Q and are not assessed against Local Plan policy which says (EQ3) re use of redundant and disused buildings and/or the redevelopment of a previously developed site, is supported where it does not have an adverse impact on the character and appearance of the countryside.

The applicant contends that the proposal would remove some hardstanding and a large riding arena. However, the new development would involve the introduction of new residential garden space that would intensify the residential uses in lieu of the existing equine current use of part of the site, inevitably increasing the associated domestic paraphernalia, thereby eroding the character of the countryside.

It is indicated by the applicant that the building is currently redundant and not used, and it should also be noted that following visiting the site the stable appeared still in use to some capacity with bedding and equine paraphernalia evident in the building, thus not considered redundant or disused. For this reason the proposals do not relate to the reuse of a redundant or disused building and as outlined above does not lead to any enhancement to the immediate setting, as such it is not considered that this conversion would meet these requirements and this position further weighs against the proposals.

The character, appearance and function of the building would be substantially changed from that of a complementary / functional building to that of a building in primary residential use, surrounded by its own curtilage and comprising a separate planning unit. Such is the utilitarian form and type of the host building it is not considered suitable for residential uses. Surrounding rural housing is characterised by stone/brick built dwellings, farm steads and converted stone/brick buildings. The resulting residential development within a large utilitarian building would be wholly out of character. The proposal would result in a building which appears neither as a typical low-key agricultural / equestrian building, nor as a high quality well designed dwelling in keeping with the rural landscape. The application would merely serve to perpetuate the existence of a necessarily functional building which detracts from the rural landscape beyond the end of its working life as an equestrian facility.

Taken together, the resulting nature and function of the building, along with associated effects on the site, would cause significant harm to the character of the area. Paragraph 135 of the Framework also states that development should function well and add to the overall quality of the area and be sympathetic to local character. It is not considered that this conversion would meet these requirements. Guidance within paragraph 84 of the NPPF 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.' For the reasons set out above the application would detract from rather than enhance setting.

As such, the principle of development can only be supported where the application

demonstrates compliance with Policies EQ3 and EQ4 and relevant paragraphs under Chapter 13 of the NPPF.

Impact on Green Belt

Local Plan Policy EQ4 requires development in the Green Belt to comply with relevant national policy.

Paragraph 142 of the NPPF highlights that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 goes on to set out the five purposes of the Green Belt:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to prevent the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 152 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 154 and 155 sets out other exceptions, including:

- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

The proposal is to convert a structurally sound rural building in the countryside into a dwelling. The NPPF allows for conversion of buildings in the Green Belt provided that they are of permanent and substantial construction. There is accordingly no conflict with Green Belt policy.

Design & Landscape Impacts

Policy EQ6 refers to design and states that all development should be well designed and be of a high quality that responds positively to both its environment and the challenge of climate change, whilst contributing to local distinctiveness and sense of place. New development should be well designed to respect the character, identity and context of the High Peak's townscapes and landscapes. Development is expected to contribute positively to an area's character, history, and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The proposed new dwelling will have a utilitarian appearance with outer walls of the steel portal building remaining, with windows and doors inserted. Such is the utilitarian form and type of the host building it is not considered suitable for residential use. Surrounding rural housing is characterised by stone/brick built dwellings, farm steads and converted stone/brick buildings. The resulting residential development within a large utilitarian building would be wholly out of character.

In light of the above, it is considered that the proposed development fails to preserve the existing character of the rural landscape contrary to local plan policies S1, EQ3 and EQ6, and relevant paragraphs of the NPPF.

Residential Amenity

Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties.

Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution, or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

The proposed conversion is positioned away from any other nearby residential properties, windows will not directly overlook towards neighbouring properties.

It is considered that matters relating to amenity have been satisfactorily addressed having regard to Policies EQ6 and EQ10.

Ecology

For the purposes of that application the mitigation measures were accepted as outlined in the Bat Survey report prepared by A. Powell, September 2023. Sufficient information has been provided and subject to conditions relating to breeding birds, lighting, and submission of a biodiversity enhancement plan, the proposed conversion is considered to accord with Local Plan Policy EQ5 and the provisions of Section 15 of the NPPF.

Highway Safety

Whilst recognising that the site access suffers from substandard visibility in the southern direction onto Shiloh Road, it is considered that the low number of additional vehicle movements generated by the proposed dwelling will not have an unacceptable impact on the safe use of the access, such that would warrant an objection on highway safety grounds.

Additionally, the proposal states it will maintain two existing parking spaces on site, which is considered acceptable for a three-bedroom dwelling. There is also sufficient space available for vehicles to manoeuvre, allowing them to emerge from the access in a forward gear 90 degrees from the highway.

The highway authority raise no objection to the proposed conversion, the proposal can be considered to comply with policy CF6 of the Local Plan.

CONCLUSION / PLANNING BALANCE

The proposals would not result in residential amenity, protected species or highways issues. They would generate some limited economic and social benefits which weigh in their favour.

With no existing building character worthy of retention the reuse of the steel portal framed building would not result in any enhancement of the setting, and would prolong the life of a building which has a negative visual impact. It would result in the introduction of landscaping treatments and paraphernalia associated with domestic uses and would be harmful to the development would be harmful to the intrinsic character and beauty of the countryside.

The site is isolated in relation to day to day services and facilities, and as such most trips to shops, schools, places of employment, health, leisure and other services from the new dwelling would be heavily reliant on the private car.

The cumulative effect of allowing new homes in rural areas with limited accessibility to local services and facilities and outside of existing sustainable settlements has the potential to lead to a harmful increase in the amount of unsustainable journeys made and uncontrolled development on the edge of or outside of settlements that would have an impact on the intrinsic character and beauty of the countryside.

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The proposed development represents an unsustainable form of development in conflict Local Plan policies and guidance within the NPPF.

It is not considered that the limited benefits of the scheme outweigh the significant harm identified, and it is therefore recommended that planning permission should be refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: P. Twigg

Recommendation Date: 17.10.2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council

