

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**13<sup>th</sup> July 2023**

Application No:	SMD/2023/0135	
Location	Woodend Manor, Mill Lane, Wetley Rocks, ST9 0BU	
Proposal	Operational development following approval of application DET/2022/0043 (for change of use of agricultural building into two holiday lets).	
Applicant	Mr Oliver Pointon	
Agent	Wharfe Rural Planning	
Parish/ward	Cheddleton	Date registered: 17.04.2023
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 <a href="mailto:christopher.johnston@staffsmoorlands.gov.uk">christopher.johnston@staffsmoorlands.gov.uk</a>		

## **REFERRAL**

The application is before committee because the applicant is a District Councillor.

### **1. SUMMARY OF RECOMMENDATION**

<b>APPROVE</b>
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### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The site lies in the countryside to the north-west of Wetley Rocks and south-west of Cheddleton and comprises part of a large field which is part of a very large farm estate ("Pointons" land). The site has a farm storage/livestock shelter building with a footprint of 20 x 10 metres and which consists of a dilapidated metal frame covered in metal corrugated sheets but with two of the bays "open" and not covered, for access. It is placed next to the southern edge of the field. The estate is reached via long private roads and tracks which serve other properties such as the Cicely Haughton School and Lodge Farm Equestrian Centre and which meets the public highway at Mill Lane, a main country road a short distance to the west of Wetley Rocks village. A farm track a short distance to the north of the main hall or residence on the estate, along the estate access road, leads in a north-westerly direction to the field. The field is surrounded by other fields and Rownall Road, a country lane, lies a short distance to the west. The site is in the Green Belt. The field is fairly flat but the land around it generally slopes downwards towards the east.

### **3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL**

3.1 This is a full planning application for the required works to be undertaken to facilitate the necessary works required to support the change the use of the building into a pair of serviced holiday lets/aparthotel units, the change of use of which was approved in January 2023 under the Town and Country Planning (General Permitted

Development) Order 2015 (as amended) i.e. the Town and County Planning (General Permitted Development) Order 2015, Class R of Part 3 (“Changes of Use) of the GPDO:

*“Agricultural buildings to a flexible commercial use.”*

3.2 The above legislation allows for the change of use under permitted development rights without needing full planning permission providing a “Prior Approval” application is submitted which must meet certain tests before the approval can be granted. However, unlike other changes of use under Part 3, such as barn conversions into dwellings under Class Q of this Part, the previous approval for this site under Class R is solely for the actual change of use of the building and not the physical building works required and any other associated works within the site needed in order for it to operate as a commercial use (in this case serviced holiday lets) and therefore a full planning application is required for these.

3.3 Also, in Class R(3), one of the conditions requires that full planning permission is granted for “associated operational development” that is needed to implement the change of use, before the time period set out for the approval in the Prior Approval application expires i.e. works must commence within three years of the date of the Prior Approval decision notice.

3.4 The conditions also state that “associated operational development” means building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class R.

3.5 This is the purpose of this new full planning application. The works applied for include the filling-in of the current steel-framed open barn with stone walls and dark grey aluminium windows and external doors and the provision of hard surfacing to form an extension of the access up to the site and a parking area with two spaces per unit. The existing metal sheet roof would be replaced with new profiled metal cladding.

3.6 This is shown on amended plans which differ from the original plans which show two front doors per unit, areas of timber cladding and three parking spaces per unit.

3.7 A Planning Statement has been submitted with full details of the proposal and details of an appeal case allowed for a similar application involving a Class R agricultural to commercial use (hotel) proposal.

3.8 The application files including the drawings, reports and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=169124>

#### **4. RELEVANT PLANNING HISTORY**

DET/2022/0043: Notification of Prior Approval application for change of use from agricultural building into aparthotel under Part 3 Class R of the GPDO. Approved on 19.1.23.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS10 – Other Rural Areas Strategy
- E1 – New Employment Development
- DC1 – Design Considerations

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development

Section 6: Building a Strong Competitive Economy

Section 12: Achieving Well Designed Places

Section 13: Protecting Green Belt Land

#### **6. CONSULTATIONS**

6.1 A site notice was posted and displayed next to the entrance to the long access road off Mill Lane on 9<sup>th</sup> May 2023.

##### **Public response to consultation**

6.2 None received.

##### **Parish Council**

6.3 No objection provided it is suitable for conversion and does not need major alterations externally but as commented for the previous application that it is in the green belt and not exceptional circumstances.

##### **Local Highways Authority (SCC)**

6.4 No objection.

Site Visit Conducted on: 03-May-2023

Application is for a barn conversion to two aparthotels further to DET/2022/0043  
Access route is indicated as being along the access to Cicely Houghton school. Red line does not connect to the public highway, but access route is clear and is reasonable for this proposal. Access is existing and in current and regular use for multiple uses

Parking spaces are shown adjacent to the barn. Current records show that there were no Personal Injury Collisions on Mill Lane within 50m either side of the property access in the previous five years.

### **SMDC Environmental Health**

6.5 No objection subject to standard conditions applying to changes of use of agricultural barns into holiday lets.

### **SMDC Waste Services**

6.6 No objection.

## **7. OFFICER COMMENT AND PLANNING BALANCE**

### Introduction

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a 'presumption in favour of sustainable development'. For decision takers 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 more 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 the Framework taken as a whole.

7.2 Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protect, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

7.3 The main issues with the proposal are as follows:

- Whether or not the proposed works are reasonably necessary to use the building or land for the proposed change of use.
- The impact on the openness of the Green Belt, character and appearance of the area and residential amenity.

**Whether or not the proposed works are reasonably necessary to use the building or land for the proposed change of use.**

7.4 It is considered that the proposed works, mainly comprising the provision of external and internal walls and required insulation materials, new roof, windows, doors a driveway connected to the access road and parking spaces would be “reasonably necessary” in order for the new serviced holiday accommodation to effectively operate and that there are no other works which could be deemed to be excessive for the use to operate. There are no extensions proposed for example.

**The impact on the openness of the Green Belt.**

7.5 Policy SS10 requires strict control over inappropriate development in the Green Belt and paras 149 and 150 of the NPPF list the exceptional forms of development which are not inappropriate. The conversion of buildings is listed where they are “permanent” and “substantial”. The building could be described as this but in any case, the principle of the conversion has already been established in the previous Prior Approval application which was granted. Also, there are no extensions proposed and the additional hard-surfacing to create the access track and parking, which, as stated above, can be described as being “reasonably necessary” are not excessive in relation to what is needed to allow infrequent car movements to and from the site and to provide policy-compliant parking spaces (in line with Council parking standards). Given the scope of works which are allowed under Class R, it is not considered that the openness of the Green Belt would be materially harmed by this scheme and therefore the proposed works would not conflict with Policy SS10 or Section 13 of the NPPF.

**The impact on the rural character and appearance of the area.**

7.6 The use of stone finishing materials is in keeping with the rural and traditional qualities of the area and although the window materials, design, shape and colours could be described as modern, it would not introduce a harmful appearance of development given the current shape, materials and modern portal form of the building, with its metal-sheeted structure would remain. A short section of hardstanding would be needed to connect the building to the track in the south-east corner of the field and a parking area adjacent to the building but these works would not be visually intrusive in the landscape. The site is in an Ancient Slope and Valley Farmlands landscape as described in the Council’s Landscape and Settlement Character Assessment and stone buildings are one of the characteristics of the landscape type outlined although the landscape is also described as being “not particularly sensitive to change”. The proposed works would comply with Policy DC1 of the Local Plan in this respect.

## **The impact on residential amenity**

7.7 As the site is a considerable distance from the nearest dwelling outside of what is a very large property, the new use of the building as a result of the works and design of the conversion, would not lead to any harms to residential amenity including by way of noise and disturbance. For this reason, it is not considered necessary and reasonable to impose conditions recommended by Environmental Health to control noise (including construction noise), disturbance and light pollution. The proposed works would comply with Policy DC1 of the Local Plan in this respect.

## **8. CONCLUSION AND PLANNING BALANCE**

8.1 The works to allow the previously approved change of use under Part 3 Class R of the GPDO are acceptable. The works are deemed to be “reasonably necessary” for the previously approved change of use to operate and are not excessive for this purpose. The particular conversion works under this new full planning application would not harm the openness of the Green Belt or the character and amenities of the surrounding area and would therefore comply with the Council’s Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF). Therefore, the application is recommended for approval.

## **9. RECOMMENDATION**

**A. That the application be APPROVED subject to the following conditions:**

**1. The development hereby permitted, including the building materials, shall be carried out in accordance with the following approved amended plans:**

**1441/J230011/001.3 dated 05.06.23**

**1441/J230011/002.3 dated 05.06.23**

**1441/J230011/004.4 dated 05.06.23**

**Reason:-**

**To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.**

**2. The roof materials shall comprise a matt black or grey colour.**

**Reason:-**

**In the interests of the appearance of the area.**

**3. No trees within the site shall be removed without the prior written consent of the local planning authority.**

**Reason:-**

**In the interests of the appearance of the area.**

**4. Before the development is first brought into use, hedge planting shall be undertaken in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall also include:**

- Means of enclosure
- Hard surfacing materials

Soft landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

5. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual and residential amenities 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/in formatives/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.

# Location Plans

