

Application No: 22/3942C

Location: The Teardrop Paddock, HALL DRIVE, ALSAGER, ST7 2UD

Proposal: Conversion of part of stable block to a single residential dwelling and ancillary works

Applicant: Hilda Baier

Expiry Date: 30-Nov-2022

SUMMARY

Taking the above into account, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

RECOMMENDATION

APPROVE with conditions

REASON FOR REFERRAL

This application is referred to Southern Planning Committee as the agent for the application is an immediate family member of a member of staff employed within the development management service area and representations objecting to the application have been received.

DESCRIPTION OF SITE AND CONTEXT

The application refers to a site located on Hall Drive, approximately half a mile south of Alsager town centre. The site contains a detached stables faced in timber cladding, sited in a fairly isolated location away from the highway and away from neighbouring dwellings. The wider site contains significant curtilage. The site lies adjacent to public footpath 13, Alsager.

The site is within the Green Belt, the Open Countryside and the Alsager Neighbourhood Plan boundary

DESCRIPTION OF PROPOSAL

Planning permission is sought for conversion of part of the stable block to form a single residential dwelling and ancillary works. The proposed development would use the same facing material as existing with some alterations to fenestration and access.

The agent has confirmed in writing that the dwelling is to be inhabited by the current stables owner, with the remaining stable block not converted for residential use becoming ancillary to the dwelling.

RELEVANT PLANNING HISTORY

32372/3 – PROPOSED STABLE ACCOMMODATION - Approved with conditions / 06-Nov-2000

31864/3 – GRAZING OF HORSES - Approved with conditions / 12-Jun-2000

RELEVANT POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP 1 - Presumption in Favour of Sustainable Development

PG 2 – Settlement Hierarchy

SD 1 - Sustainable Development in Cheshire East

SD 2 - Sustainable Development Principles

SE 1 – Design

SE 3 – Biodiversity and Geodiversity

SE13 – Flood Risk and Water Management

PG 3 – Green Belt

PG 6 – Open Countryside

Appendix C – Parking standards

Site allocations and Development Policies Document (SADPD)

PG 9 – Settlement Boundaries

GEN 1 – Design Principles

ENV1 – Ecological Network

ENV2 – Ecological Implementation

ENV16 – Surface Water Management and Flood Risk

HOU 11 – Extensions and Alterations

HOU 12 – Amenity

HOU 13 – Residential Standards

INF 3 – Highway Safety and Access

INF 9 – Utilities

RUR 11 – Extensions and Alterations to buildings outside of settlement boundaries

RUR 12 – Residential Curtilage Outside of Settlement Boundaries

RUR 14 – Re-use of Rural Buildings for Residential Use

Alsager Neighbourhood Plan (Alsager NP)

H3 – Infrastructure and Sustainable Housing Development

H6 – Housing Design

TTS3 – Parking and Electric Charging Points

Other material planning considerations

CONSULTATION RESPONSES (External to Planning)

Alsager Town Council: This application should be refused as it is in the Green Belt.

Environmental Protection: Request conditions relating to contaminated land and Electric Vehicle Infrastructure as well as informatives relating to hours of construction.

Flood Risk Manager: Surface water drainage information is required, and the Flood Risk Manager agrees that this could be secured via the imposition of a planning condition.

Public Rights of Way: The property is adjacent to public footpath no.13, Alsager as recorded on the Definitive Map held at this office (working copy extract enclosed). It appears unlikely, however, that the proposal would affect the public right of way, although the PROW Unit would expect the planning department to add an advice note to any planning consent to ensure that developers are aware of their obligations

REPRESENTATIONS

12 letters of representation have been received as a consequence of this applications publicity. A summary of the issues raised are set out below:

- The conversion of part of the stable block into a dwelling will cause overlooking and loss of privacy
- The conversion will result in a detrimental effect on the visual amenity of the area
- The conversion would lead to an increase in noise and disturbance
- The conversion would destroy nearby wildlife
- Concerns over the nearby railway bridge, increased traffic, and access to the site
- Concerns over ancillary works
- The proposed development defies Green Belt policy
- Concerns regarding creation of isolated home
- Inaccuracies within the application form, bat survey and supporting statement
- Conflict of Interest
- Concerns regarding other potentially unlawful development on site

OFFICER APPRAISAL

Development within the Green Belt

The application site lies within the Green Belt. The Government attaches great importance to Green Belts. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The construction of new buildings is regarded as inappropriate in the Green Belt, in accordance with paragraph 149 of the NPPF (2021) and Policy PG3 of the CELPS. However, there are exceptions as follows;

C - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; (para. 149)

D - the re-use of buildings provided that the buildings are of permanent and substantial construction; (para. 150)

CELPS policy PG 3 aligns with the national green belt criteria and the same exceptions are permitted. SADPD policy RUR 14 is also relevant in the assessment of the application.

RUR 14 states that residential re-use of existing rural buildings will be permitted where the building is:

- i. of permanent and substantial construction so as not to require extensive alteration or rebuilding;*
- ii. of a size that is able to accommodate a satisfactory living environment in the new dwelling and any extension required must be in accordance with the requirements of Policy RUR 11 'Extensions and alterations to buildings outside of settlement boundaries'.*

The curtilage of the new dwelling must be limited to the original curtilage of the building unless an extension can be justified under Policy RUR 12 'Residential curtilages outside of settlement boundaries' and must not have a harmful effect on the character of the surrounding countryside.

Creation of new Residential Curtilage

This application would create a new residential curtilage within the green belt, by changing the use of part of the site edged red. The creation of such would not necessarily constitute a greater encroachment into the green belt compared to existing, however the domestication of this land must be considered in relation to harm to the green belt.

In this instance, the site edged red on the proposed plans, correlates to a degree with the placement of post and rail fencing to the front of the site, with the existing access being utilised. This fencing aids in separating the stables from the wider site. In this instance, it is considered the extent of the proposed residential curtilage would be appropriate, with the northern extent of the site comprising parking space. It is worth noting that the neighbouring dwellings adjacent to the site feature more extensive residential grounds, within the same green belt setting. Whilst the change of use would potentially enable a spread of domestic paraphernalia, the relatively modest curtilage in relation to both the wider site and the scale of neighbouring grounds leads the Officer to conclude this would not necessarily cause unacceptable harm to the Green Belt beyond the conditions present on surrounding sites. The removal of appropriate permitted development rights will be imposed by condition in any case to prevent uncontrolled development that could injure the amenity of the countryside by virtue of spread of development.

The Re-Use and Alteration of a Rural Building

The creation of residential curtilage in this instance has been considered acceptable. The next facet to consider in this case would be the appropriateness of converting the existing building

it, re-using it as a residential unit. There are four key tests which must be satisfied in this instance to conclude the re-use/alterations would be acceptable:

- 1) The building is of permanent and substantial construction and would not require extensive alterations
- 2) The proposed dwelling must be able to accommodate a satisfactory standard of living accommodation
- 3) The alterations or extensions to create the dwelling must not result in disproportionate additions over and above the size of the original building
- 4) The proposed new dwelling must not disrespect the character of the countryside by virtue of excessive scale, bulk or visual intrusion

Whilst no structural survey has been advanced as part of the submission of this application, the building is currently in use and has stood for over 20-years. Following a site visit, the Officer is confident in concluding that the building is of permanent and substantial construction, the conversion of which into a residential dwelling would not require extensive alteration. The footprint and scale of the existing building would remain unchanged with the existing material palette also retained. The only external alterations are spawned from the introduction of a new style of glazing and door. The vast majority of the existing building character would remain unchanged in terms of appearance; thus, the rural appearance is sufficiently retained. The rural stable use would also be retained and become ancillary to the dwelling.

In terms of satisfactory living accommodation, the proposed development would provide 61.5m² of residential floorspace, which is in excess of the Nationally Described Space Standards which requires a single storey dwelling to provide 50m² for a single bedroom, two-bedspace dwelling, or 61m² for a two-bedroom dwelling which includes one single room and one double room (three bedspaces). The dwelling would contain an adequately sized dining/living area and bedroom with sufficient access to light, with the agent confirming that the doors are to be glazed.

The scale of the development in terms of alterations, and in terms of residential accommodation is considered acceptable.

Isolated Homes

The dwelling lies approximately 110 metres south of the Alsager settlement boundary, separated by a railway bridge, and is accompanied in the vicinity by approximately 8 residential units at Lake View.

The dwelling would be only a short walk from the amenities and services offered by Alsager town centre.

With all of the above considered, it is concluded that the principle of converting part of the existing stables into one residential unit, as well as creating residential curtilage via the change in land use within the green belt is acceptable in this case. The development would not require substantial alteration of the existing building, which is of permanent and substantial construction. The proposed development therefore complies with the NPPF paragraphs 149 and 150, as well as CELPS policy PG 3 and SADPD policies RUR 14.

Design, visual appearance and impact on the character of the area

CELPS Policy SE1 states that “development proposals should ensure a retained sense of place and management of design quality”. CELPS Policy SD2 further details the design matters that should be considered, including height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene.

The SADPD which forms the second part of the Cheshire East Local Plan also has some relevant policies relating to design and character. Policy GEN 1 states that in line with CELPS policies SE 1 and SD 2, proposals should create high-quality places which maintain a strong sense of quality and place and reflect the principles of the Cheshire East Borough Design Guide supplementary planning document for residential schemes, relevant design policies in Neighbourhood Plans and the Design Guide and National Model Design Code.

Furthermore, SADPD policy HOU 11 states that extensions and alterations should be consistent with the design principles of the Cheshire East Design Guide, whilst being of a scale, character and appearance which is in keeping with the surroundings. HOU 11 also emphasises that extensions should convey a subordinate appearance.

At a more local scale, the Alsager Neighbourhood Plan policy H6 emphasises that developments must demonstrate good quality design that responds to and integrates with the local surroundings and landscape context as well as the built environment.

The scale of the proposed development has already been deemed acceptable within the previous section. The design of the proposed scheme would clearly retain most of the existing building design, with the bulk, scale and majority of the material palette remaining unchanged.

The proposed dwelling is noted considered to alter its appearance to a degree significant enough to erode the character of the existing streetscene. Dwellings of greater prominence are clearly observed along Lake View.

Therefore, with these factors considered it is determined that the proposed development would not unduly impact upon the character of the surrounding area and would therefore comply with the design principles of policies SE 1 (Design) and SD 2 (Sustainable development in Cheshire East) of the Cheshire East Local Plan, SADPD policies HOU 11 (Extensions and Alterations) and GEN 1 (Design Principles) and Alsager Neighbourhood Plan policy H6 (Housing Design).

Impact on the amenity of neighbouring occupiers

Policies SD2 and SE1 of the CELPS seek to ensure an appropriate level of privacy for new and existing residential properties. SADPD policy HOU 11 states that proposed extensions and alterations should not cause unacceptable harm to nearby occupiers or the future occupiers of the dwelling. Furthermore, policy HOU 12 states that development must not incur amenity harm in terms of loss of privacy, loss of light, visual intrusion, pollution or traffic generation and loss of access.

SADPD policy HOU 13 sets out the required space standards between buildings as to protect neighbouring amenity.

Alsager Neighbourhood Plan policy H6 states that development must demonstrate that the amenities of neighbouring dwellings will not be adversely affected through overlooking, loss of light or outlook, over-dominance or general disturbance.

It is noted that representations have been made regarding visual intrusion and loss of privacy to neighbouring dwellings as a consequence of the proposed conversion. The dwelling is sited a significant distance from neighbouring site boundaries (35m at the nearest point), would not have a direct line-of-sight into these dwellings and is single storey, therefore potentially lacks the required elevation to overlook into neighbouring sites (notwithstanding separation distance).

Concerns have also been raised regarding increased noise and disturbance. No evidence has been advanced within the objections as to why the noise level would increase to an unacceptable level via the part conversion of this stable block. The dwelling comprises of one bedroom, with a likely maximum parking demand of two cars. This, when coupled with the separation distance from neighbouring dwellings, would not significantly alter the volume of noise emanating from the site beyond the existing.

Therefore, with these factors considered it is not considered likely that the proposal will result in unacceptable harm to the residential amenity of adjacent and adjoining neighbours in terms of overlooking, loss of privacy, disturbance or overshadowing. As such the proposed development complies with the principles of Cheshire East Local Plan Strategy policies SE1 (Design) and SD 2 (Sustainable Development Principles), SADPD policies HOU 11 (Extensions and Alterations), HOU 12 (Amenity) and HOU 13 (Residential Standards) and Alsager Neighbourhood Plan policy H6 (Housing Design).

Ecological Impact

The site is located within a rural setting, therefore the site potentially carries greater ecological value and increases the potential for wildlife habitation on site. CELPS policy SE 3 states that all development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. When appropriate, conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and offsetting is effective.

The Councils Ecologist was consulted as part of this application, with a Bat Survey Report also submitted by the applicant. The Ecological Officer advanced no concerns but requested a condition relating to a scheme detailing Ecological Enhancement for nesting birds and roosting bats prior to any building materials being used.

Again, it is observed that numerous objections have been received in relation to the ecological impact of the development, with representations disputing the findings and conclusions of the report. The Officer would comment that the report was undertaken by a suitably qualified persons, with the Ecological Officer of the Council also offering no objections.

Given this, it is considered the suggested Ecological Enhancement condition is a sufficient mitigation measure.

Drainage and Flooding

Numerous objections point to concerns relating to drainage and flooding issues relating to the railway bridge. The railway bridge is located some 100 metres from the proposed dwelling, and no additional hardstanding is proposed beyond the existing. The site is not defined as an area at risk of flooding, with the Flood Risk Summary stating the risk of river and surface water flooding on site is very low.

The LLFA initially objected to the application due to insufficient information regarding surface water management. However, as the development would result in the conversion of an existing building, the LLFA have confirmed that a pre-commencement condition requiring the provision and implementation of a surface water regulation system is suffice. The agent has confirmed their agreement to such a pre-commencement condition.

Parking and Highways

CELPS Appendix C identifies minimum Parking Standards for residential development in Principal Towns and Key Service Centres and for the remainder of the borough. The LPA will vary from the prescribed standards where there is clear and compelling justification to do so. SADPD policy INF 3 states that development proposals should comply with the relevant Highway Authority's and other highway design guidance and provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles.

Alsager Neighbourhood Plan policy TTS3 states that all development proposals must provide a minimum level of on-site parking in accordance with Cheshire East's car parking standards. Developments which lead to a net loss of car parking spaces within the town centre will be opposed.

The site contains space for 3 vehicles via the hardstanding space at the front of the dwelling. Highways were consulted as part of this application and concluded that proposal is accessed off a private drive outside of the jurisdiction of CE Highways. Highways further stated the private drive itself is accessed from the public highway via Hall Drive and this access point is considered acceptable given the limited scale of the development.

Objections have been received relating to increased traffic, however no evidence has been advanced as to why a one-bedroom dwelling would result in an unacceptable increase in traffic in comparison to the existing site.

The proposed development therefore is in accordance with the required parking standards as described within appendix C of CELPS and Alsager Neighbourhood Plan policy TTS3.

OTHER MATTERS

It has been observed by objectors that there was a conflict of interest disclosed within the application form. The application agent is a relative of a member of the planning administration team. However, the agent is of no relation to the planning officer who has written this report, therefore the aforementioned relationship has had no influence on the determination of this planning application.

The Local Planning Authority is satisfied that no conflict of interest has influenced the granting of planning permission in this case.

CONCLUSIONS

Taking the above into account, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

RECOMMENDATION

Approve subject to following conditions

- 1. Standard Time 3 years**
- 2. Materials as per application**
- 3. Development in compliance with the approved plans**
- 4. Removal of Permitted Development Rights – Classes A, AA, B, C, D and E**
- 5. Ancillary stables**
- 6. Electric Vehicle Infrastructure provision**
- 7. Ecological Enhancement**
- 8. Importation of Soil**
- 9. Unforeseen Contamination**
- 10. Proportionate Contaminated Land Risk Assessment**
- 11. Verification Report**
- 12. Surface water regulation system (pre-commencement)**

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 Planning has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

