

Application No: 18/3879N
Location: Ridley House Farm, WHITCHURCH ROAD, RIDLEY, CW6 9RX
Proposal: Conversion of the traditional barn into two residential units (Use Class C3)
Applicant: Cheshire East Council, Cheshire East Council
Expiry Date: 11-Jan-2019

SUMMARY

The application site lies entirely within the Open Countryside where Policy PG 6 (Open Countryside) of the CELPS sets out the exceptions for development in the Open Countryside which includes, inter alia, the re use of existing rural buildings which are permanent, substantial and would not require extension alteration, rebuilding or extension.

The design is acceptable and the impact on the surrounding amenity, trees, ecology and the highway network will not be significant.

On the basis of the above, it is considered that the proposal represents sustainable development and is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR DEFERRAL

This application was deferred at the Southern Planning Committee meeting on 31st October 2018 for the following reasons;

- A committee site inspection
- Consultation with ANSA to ascertain whether they are prepared to collect bins associated with the proposal from the highway
- A review of accident statistics for roads in close proximity to the site

REASON FOR REFERRAL

This application is referred to Southern Planning Committee by Cllr Davies for the following reason:

“the planning application put forward for this site would cause significant highways issues on the already dangerous A49.”

PROPOSAL

This is a full planning application for the conversion of the traditional barn into two residential units (including the demolition of two open sided agricultural buildings constructed from metal, referred to as building A and building B).

SITE DESCRIPTION

The application site comprises an existing, single storey agricultural building constructed from red brick with a profile sheet roof as well as two open sided agricultural buildings constructed from metal (building A and building B).

The application site is characterised by its rural location and agricultural use. The application site is located to the east of Whitchurch Road with public footpath Ridley FP4 dissecting the application site and running through the existing brick outbuilding.

RELEVANT HISTORY ON SITE

None.

LOCAL & NATIONAL POLICY

Development Plan:

Cheshire East Local Plan Strategy (CELPS) (Adopted)

MP1 - Presumption in Favour of Sustainable Development
PG1 - Overall Development Strategy
PG6 - Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 - Efficient Use of Land
SE3 - Biodiversity and Geodiversity
SE4 - The Landscape
SE5 - Trees, Hedgerows and Woodland

Borough of Crewe and Nantwich Replacement Local Plan 2011 (Saved Policies)

NE.5 - Nature Conservation and Habitats
NE.16 - Re-use and Adaptation of a Rural Building for Residential Use
BE.1 - Amenity
BE.3 - Access and Parking
BE.4 - Drainage, Utilities and Resources
RES.5 - Housing in the Open Countryside

Extensions and Householder Development Supplementary Planning Document (the SPD)

Development on Backlands and Gardens Supplementary Planning Document (the SPD)

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Neighbourhood Plan

There is no Neighbourhood Plan covering Bulkeley and Ridley Parish

CONSULTATIONS:

Head of Strategic Infrastructure (HSI) – No objection subject to conditions, see Highways section of report.

Environmental Protection – No objection subject to conditions and Informative, see Amenity section of report.

Public Rights of Way – No objection, see Public Rights of Way section of report.

VIEWS OF THE PARISH COUNCIL:

Bulkeley and Ridley Parish Council – make the following observations:

1. This was a smallholding of 80 acres and for many years has been used only for rearing beef cattle and sheep, neither of which activities need many daily vehicular movements on and off the holding.
2. The tenants before 2000 went on a First Aid course because there were so many accidents near the holding. Statistics of accidents do not reflect how many near misses occur.
3. The readings from the strips tell one story, but residents know from experience that many vehicles travel much faster than the figures given in the application and they know how difficult it is to turn out onto the A49. Lowering the hedges and creating a wider splay will not help much as the high hedges about 100 metres north and which are not part of the holding will still make visibility difficult.

The Parish Council are currently engaged in asking the Highways department to lower the speed limit or introduce other methods of reducing the accident rate.

REPRESENTATIONS:

None received.

APPRAISAL

The key issues to be considered in the determination of this application are set out below.

Principle of Development

Policy PG 6 (Open Countryside) of the CELPS sets out the exceptions for development in the Open Countryside which includes, inter alia, the re use of existing rural buildings which are permanent, substantial and would not require extension alteration, rebuilding or extension.

To consider if the building is permanent and substantial the application has been supported by a structural survey/building report. The submitted report concludes that the outbuilding can be converted to form habitable accommodation without recourse to major structural works or rebuilding.

The Council's Structural Engineer has advised that there are no major structural alterations to the existing building although the existing roof trusses require strengthening were a new first floor has been created. As a result the conclusions of the applicants report have been accepted which deems it to be both permanent and substantial without major re-building.

Saved Policy NE.16 (Re-use and Adaptation of a Rural Building for Residential Use) of the Crewe and Nantwich Local Plan also allows for the reuse of rural buildings for residential use, although this policy does require consideration of alternative uses in the first instances. There is no requirement to consider alternative uses in the CELPS, while the NPPF (Para's 83 and 148) also allows for the conversion of rural buildings to dwellings. Therefore residential conversion can be considered in the first instance.

The proposed conversion of this rural building is considered to be acceptable as a matter of principle.

Design

Policy SE1 (Design) of the CELPS sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings. Policy NE.16 (Re-use and Adaptation of a Rural Building for Residential Use) of the Local Plan requires the form, bulk and general design of the building to be in keeping with its surroundings.

It is noted that the traditional brick features are to be retained where possible. The bulk and mass of the building would be retained and no extensions are proposed.

The following changes are proposed to the existing building:

West Elevation

- No new openings proposed

North Elevation

- Increase 2 windows to doorways
- 4 new roof lights

South Elevation

- Remove existing metal single storey extension
- One new ground floor window opening
- 5 new roof lights

East Elevation

- Increase 1 window to doorway

It is noted that the majority of the existing openings are being reused. It is not considered that the proposed alterations would cause significant harm to the character of the building and its rural character would be maintained and as such the design of the proposed development is acceptable

and in accordance with Policy SE 1 (Design) of the CELP and Policy NE.16 (Re-use and Adaptation of a Rural Building for Residential Use) of the local plan.

Landscape and Trees

Additional information provided in respect of a Hedgerow Regulations assessment indicates there is evidence to suggest that the sections of hedgerow immediately adjoining the A49 (Whitchurch Road) may have formed an integral part of a field system pre-dating the Inclosure Acts. The roadside hedgerow is also identified as having the potential to support nesting birds which are protected under the Wildlife and Countryside Act 1981 (as amended). It is therefore concluded that the hedgerow would qualify as 'Important' under the Regulations in relation to two of the specified criteria. Policy SE 5 (Trees, Hedgerows and Woodland) of the CELPS sets out that this is a material consideration.

There are some trees present with lengths of established boundary hedgerow. Whilst the location plan shows two tree symbols, (one labelled to be retained), no other existing vegetation is shown. The tree identified for removal is a poor multi-stemmed Sycamore. The other tree is an Ash. Neither tree is of outstanding value. The roadside hedge is typical boundary treatment in the area. The northern hedge is tall and unmanaged.

It is considered that the removal of the hedgerow along the eastern boundary of the application site is acceptable as it would assist with an improved visibility splay and highway safety. It is noted that a replacement hedgerow will be planted behind the visibility splay.

Ecology

The Council's Ecologist has confirmed that no objections are raised subject to a condition relating to nesting birds and a condition relating to the implementation of the Ecological Enhancement Strategy as per the submitted Ecology report.

Amenity

Policy BE.1 (Amenity) of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance. Furthermore, the level of private amenity space and the separation distances are a material consideration as detailed within the Supplementary Planning Document on Development on Backland and Gardens (The SPD). The SPD sets out that there should ideally be a distance of 21m between principal elevations, 13.5 m between a principal elevation with windows to habitable rooms and blank elevation and in the case of flats there should be 30m between principal elevations with windows to first floor habitable rooms and that each application will be judged on its own merits dependent upon the context and character of the site involved.

Due to the positioning of the proposed development and that there are no immediate neighbouring dwellings (with the exception of the farm house) it is not considered that the proposed development would give rise to adverse impacts on the amenity of any neighbouring properties. The farm house is within the same ownership as the barns and is located 13m to the south of the barn. This relationship is established and no new extensions are proposed therefore it is not considered that the impact on amenity would be significant to the occupiers of the farm house, over and above the existing scenario.

The internal layout of the dwellings have been designed so that there would be no overlooking when considering future occupiers of the dwellings.

The scheme would provide a satisfactory level of private amenity space to serve the development. The SPD sets out that the dwelling should have no less than 50 m² of private amenity space and the proposal conforms with this as each proposed garden in excess of 100 m².

Environmental Protection have been consulted on the application and have advised that there are no objections subject to conditions relating to electric vehicle charging, land contamination and soil importation and Informatives relating to construction hours of operation and contaminated land.

It is therefore considered that the proposed dwellings would not have any significant adverse impact on the residential amenity of any neighbouring property or the amenity afforded to the future occupier of the dwelling.

The proposal is therefore considered to be in compliance with Policy BE.1 (Amenity) of the adopted local plan.

Highways

This application was previously not objected to by Highways but was deferred at Planning Committee following concerns regarding the use of the northern access. The application has since been amended which shows the existing northern access closed and the development will be served from the existing southern access, which serves the existing dwelling.

The proposed properties will generate little vehicle movement and potentially less than what the existing use would generate. In addition, the use of the access by larger slow moving vehicles will be removed. The hedge along the site frontage is to be set back to improve the visibility in both directions. The southern access is further away from the bend to the north and away from the A534/A49 junction.

The access is shown on the submitted plan to be widened to 4.5m which is sufficient to allow 2 cars to pass each other and not have to rest on the highway.

Refuse collection will take place from the highway as is currently the case. This has been discussed with ANSA and they have confirmed this arrangement is acceptable.

Within the last 5 years there have been 4 accidents at the A534/A49 junction and all took place in 2017. The access opposite this junction will be closed and the southern access is approximately 40m south of it. Nevertheless, with the lawful use in place and the proposal would result in a negligible net highways impact. The visibility would also be improved.

No objection is raised subject to a construction management plan condition and informative.

Public Rights of Way

There is an existing public right of way (footpath Ridley FP4) that runs through the application building. The public rights of way team have advised that there is a proposal for the diversion of

Ridley FP4 and that this is currently being processed, scheduled to be present to the Council in December. The revised footpath route would follow the northern boundary of the application site and across the adjacent field marrying with the existing route. It is considered that this is a betterment as currently the footpath is obstructed and the diversion would result in an unobstructed footpath.

Conclusion

It is considered that the design of the scheme would be acceptable and be respectful of the building's rural history and character. No issues in relation to amenity, highways, trees, hedgerows or ecology would be created. As such, it is considered that the development is acceptable. The proposal adheres with policies PG 6 (Open Countryside), SD 2 (Sustainable Development Principles) and SE 1 (Design) of the Cheshire East Local Plan Strategy and saved policies NE.16 (Re-use and Adaptation of a Rural Building for Residential Use), BE.1 (Amenity) and BE.3 (Access and Parking) of the Crewe and Nantwich Borough Local Plan. The proposal would also adhere with the NPPF.

RECOMMENDATIONS

APPROVE subject to conditions;

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application (including timber windows)**
- 4. Removal of PD (A-E)**
- 5. Boundary treatment pre occupation**
- 6. Construction Management Plan**
- 7. Access to be hardstanding**
- 8. Breeding birds**
- 9. Ecological enhancement**
- 10. Land contamination**
- 11. Verification Report re: Remediation Strategy**
- 12. Electric vehicle charging**
- 13. Soil importation**
- 14. Construction Amendment Plan**

In order to give proper effect to the Board's/Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

