

Application No: 21/6432N

Location: The Royals, WHITCHURCH ROAD, ASTON, CW5 8DJ

Proposal: Proposed conversion of traditional farm range buildings and sub-division of existing farmhouse to form 8 no. new residential dwelling units, with associated parking, means of access, garaging, bin storage and landscaping included.

Applicant: Mr N Goodwin

Expiry Date: 02-Dec-2022

## SUMMARY

The application site is located within the Open Countryside where there is a presumption against inappropriate development. The proposal seeks permission for the conversion of traditional farm buildings and the sub-division of the farmhouse.

CELPS Policy PG6 advises that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted, with the exception of, (amongst other things), para 3(ii) '*for the reuse of existing rural buildings where the building is permanent, substantial and would not require extensive alterations, rebuilding or extensions*'. Policy HOU1 of the Newhall Neighbourhood plan permits the conversion of farm buildings to residential properties where any important characteristics and features of the original building are retained and that urbanisation of the development is kept to a minimum, and development is kept to the footprint of the original building as far as possible.

Furthermore, saved Policy NE.16 of the Local Plan advises that planning permission will not be granted to re-use and adapt a rural building for residential purposes unless it meets a number of criteria. The NPPF also supports the conversion of rural buildings in the supporting of a prosperous rural economy, which states that ... (para 84a) the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well designed new buildings. Furthermore, paragraph 80 of the NPPF states that, '*c) the development would re-use redundant or disused buildings and enhance its immediate setting*'

Emerging SADPD Policy RUR 14 (Re-use of rural buildings for residential use) also supports the re-use of existing rural buildings subject to it being of permanent and substantial construction not requiring extensive alteration or re-buildings and of a size which is able to accommodate a satisfactory living environment as a new dwelling. The proposal should be sympathetic to the buildings architectural character and historic interest, amongst other things.

The residential re-use of these buildings is therefore considered to be acceptable in principle subject to its impact upon the intrinsic character and beauty of the countryside, its design, impact upon local amenity, highway safety and impact upon protected species.

Planning permission (18/2239N) was previously granted on the site for the re-use of the buildings for residential, however this application has since lapsed. At the time of the original permission the buildings were not redundant or dis-used, as there was still cattle using the buildings, and the intention was to relocate the farm elsewhere. There is extant permission for new farm buildings near the entrance of the site which include a new form of farming practice. However the buildings which relate to this application are now no longer in use. Furthermore, it is clear that the brick buildings are no longer suitable for modern farming purposes (and this was accepted in the previous application) and to safeguard them from dereliction or future loss it is considered that conversion is an acceptable form of development, subject to the development not proposing substantial rebuilding, alterations or extensions.

Furthermore, subject to suitable landscape scheme and material details to be agreed there are no design concerns raised with the development.

It is therefore considered that the proposal is recommended for approval subject to conditions accordingly.

### **RECOMMENDATION – Approve with conditions**

### **REASON FOR REFERRAL**

The application site has a site area of over 1ha and therefore is a small-scale major development.

### **PROPOSAL:**

Full Planning Permission is sought for the proposed conversion of a range of farm buildings & sub-division of existing farmhouse to form 8 new residential dwelling units, with associated parking, access, garaging, bin storage and landscaping.

### **SITE DESCRIPTION:**

The application site relates to a former farm complex in Aston, which is situated within the open countryside. There are a number of modern and traditional farm buildings on the site and a large farmhouse and this application seeks to convert the barn buildings and split the farm house into two properties.

Planning permission was previously granted for the same development under planning application reference 18/2239N, however that permission has now lapsed.

## **RELEVANT HISTORY:**

22/2202D - Discharge of Condition 10 on approval 19/1462N for erection of new farmstead buildings with new vehicular access and associated landscaping - not yet determined

21/6469D - Discharge of condition 10 on approval 19/1462N - Part Approved 7<sup>th</sup> March 2022

19/5590N – Proposed residential extension – not determined

19/0991D – Discharge of condition 14 on approved 18/2239N – Approved 16<sup>th</sup> April 2019

19/5843N – Certificate of lawful proposed use for domestic garage comprising 2no. secure bays and 1no. attached car port. Single storey in height with no accommodation with loft space – not determined

19/1123N – Proposed residential extension and domestic garage – Refused 14<sup>th</sup> October 2019

19/1122N - Construction of stable block and menage for private dwelling and formation of access track – approved with conditions 15<sup>th</sup> November 2019

19/1462N - Proposed erection of new farmstead buildings with new vehicular access and associated landscaping - Approved with conditions 12<sup>th</sup> August 2019

18/2239N – Proposed conversion of farm range buildings & sub-division of existing farmhouse to form 8 new residential dwelling units, with associated parking, access, garaging, bin storage and landscaping – approved with conditions 3<sup>rd</sup> August 2018

7/19369 - Erection of open silage clamp – Approved 1<sup>st</sup> February 1991

## **POLICIES**

### **Cheshire East Local Plan Strategy**

PG 6 - Open Countryside

SD 1 – Sustainable Development in Cheshire East

SD 2 - Sustainable Development

SE 1 – Design

SE 2 – Efficient Use of Land

SE 3 – Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 7 – The Historic Environment

SE 12 – Pollution, Land Contamination and Land Instability

SE 13 – Floodrisk and water management

EG 2 - Rural economy

IN 1 - Infrastructure

Appendix C: Parking Standards

## **Saved Policies of the Crewe and Nantwich Local Plan**

RES.5 Housing in the Open Countryside,  
RES.11 Improvements and alteration to existing dwellings,  
BE.1 Amenity,  
BE.3 Access and Parking,  
BE.4 Drainage, Utilities and Resources,  
BE.6 Development on Potentially Contaminated Land,  
NE.5 Nature Conservation and Habitats,  
NE9 Protected Species,  
NE.13 Rural Diversification,  
NE.14 Agricultural buildings requiring planning permission,  
NE.15 Re-use and adaptation of rural building for a commercial, Industrial or Recreational use,  
NE.16 Re-use and adaption of a rural building for residential use,  
NE.20 Flood Prevention

## **Newhall Neighbourhood Plan – Made 27<sup>th</sup> February 2020**

HOU1 – New Housing  
LC1 – Character and Design  
LC2 – Landscape Character  
NEGS1 – Natural Environment and Biodiversity  
T1 – Footpaths, Cycleways and Towpaths  
CF3 – Foul and Surface Water Drainage

## **Relevant Emerging policies for Site Allocations and Development Policies Document (SADPD)**

*The Site Allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Council received the Inspector's Report on 17 October 2022, completing the examination stage of the Plan. The Report concludes that the SADPD provides an appropriate basis for the planning of the Borough, provided that a number of Main Modifications are made to it. The Council can now proceed and adopt the Plan, which is expected to be decided at the Full Council meeting on 14 December. Having regard to paragraph 48 of the National Planning Policy Framework, relevant policies, as amended by the Main Modifications, may be given substantial weight in determining planning applications.*

PG9 Settlement Boundaries  
GEN 1 Design principles  
ENV 1 Ecological network  
ENV 2 Ecological implementation  
ENV 3 Landscape Character  
ENV 5 Landscaping  
ENV 6 Trees, hedgerows and woodland implementation  
ENV 15 New Development and existing uses  
ENV 16 Surface water management and floodrisk  
HER 8 Archaeology  
RUR2 Farm Diversification

RUR14 Reuse of rural buildings for residential use  
HOU 10 Amenity  
INF 3 Highway Safety and access

## **National Planning Policy**

National Planning Policy Framework

## **Material Considerations**

The EC Habitats Directive 1992  
Conservation of Habitats & Species Regulations 2010

## **CONSULTATIONS (External to Planning)**

**Environmental Health:** No Objections subject to conditions for Electric Vehicle Infrastructure, low emission boilers, soil importation, watching brief, scope of works and remedial scheme and informatives for contaminated land.

**Highways:** No objections, queries regarding refuse collection

**Archaeology:** No objections subject to a programme of further archaeological mitigation should be undertaken, this can be conditioned.

**Environment Agency:** No objections

**PROW:** No objection, PROW management document is acceptable

**Flood Risk Officer:** No objections subject to conditions for a detailed drainage strategy

**Manchester Airport:** No objections, informative requested.

**Town/Parish Council:** None received at time of writing this report.

**REPRESENTATIONS** - None received at time of writing this report.

## **OFFICER APPRAISAL**

### **Principle of Development**

As the site falls within the Open Countryside, and is subject to Policy PG 6 of the Cheshire East Local Plan Strategy. Policy PG.6 advises that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted, with the exception of, (amongst other things), para 3(ii) 'for the reuse of existing rural buildings where the building is permanent, substantial and would not require extensive alterations, rebuilding or extensions'.

Policy HOU1 of the Newhall Neighbourhood plan permits the conversion of farm buildings to residential properties where any important characteristics and features of the original building are retained and that urbanisation of the development is kept to a minimum, and development is kept to the foot print of the original building as far as possible.

Furthermore, saved Policy NE.16 of the Local Plan advises that planning permission will not be granted to re-use and adapt a rural building for residential purposes unless it meets a number of criteria. As some of the policy requirements of Policy NE.16 regarding the residential re-use of rural buildings are not referred to in the NPPF, and therefore those parts are no longer directly relevant for the purposes of this assessment.

The NPPF also supports the conversion of rural buildings in the supporting of a prosperous rural economy, which states that ... (para 84a) *the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well designed new buildings*. Furthermore, paragraph 80 of the NPPF states that, 'c) *the development would re-use redundant or disused buildings and enhance its immediate setting*'

Emerging Policy RUR 14 (Re-use of rural buildings for residential use) also supports the re-use of existing rural buildings subject to it being of permanent and substantial construction not requiring extensive alteration or re-buildings and of a size which is able to accommodate a satisfactory living environment as a new dwelling. The proposal should be sympathetic to the buildings architectural character and historic interest, amongst other things.

The residential re-use of these buildings is therefore considered to be acceptable in principle subject to its impact upon the character and appearance of the countryside, its design, impact upon local amenity, highway safety and impact upon protected species.

Planning permission (18/2239N) was previously granted on the site for the re-use of the building for residential, however this application has since lapsed. At the time of the original permission the buildings were not redundant or dis-used, as there were still cattle using the buildings, and the intention was to relocate the farm elsewhere. There is extant permission for new farm buildings near the entrance of the site which include a new form of farming practice. The buildings which relate to this application are now no longer in use. Furthermore, it is clear that the brick buildings are no longer suitable for modern farming purposes (and this was accepted in the previous application) and to safeguard them from dereliction or future loss it is considered that conversion is an acceptable form of development, subject to the development not proposing substantial rebuilding, alterations or extensions.

It is therefore considered that the principle of the development is still acceptable, subject to compliance with all other relevant policies of the development plan.

## **Design**

The NPPF highlights design aspirations and requires developments to be 'sympathetic to local character and history' and 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'. The plans and design of the barn conversions and subdivision of the farm house are generally sympathetic to the traditional character and architectural design of the buildings. The plans remain the same as previously approved, and include additional alterations to the stable which were agreed through discharge of condition.

The application site relates to a number of traditional farm building, and some more modern buildings. A number of newer additions will be removed as part of the scheme, retaining the more traditional elements. In particular there is a long three storey agricultural building to the rear of the site which is to be retained and converted into three residential units which is of particular special interest. The majority of original openings of the buildings are retained, door and window openings retained in situ where appropriate, and number of roof lights are acceptable. The layout and level of parking is acceptable.

Boundary treatment and surfacing materials proposed do however conflict with advice given, and therefore to ensure this is dealt with properly conditions are proposed for these elements.

Furthermore, the original application (18/2239N) included an area of garden proposed within an existing hard landscaped courtyard, and a communal garden is now proposed in this area with some plans showing a communal allotment and others a large lawn. A condition in relation to this matter was proposed to ensure the amenity space is reduced and hard landscaping reconsidered in this area and the wider site, this has not yet been resolved as part of the revised application and therefore the condition will remain, therefore requiring the landscaping scheme to be submitted again for future approval.

The subdivision of the dwelling house remains as approved previously, and although there are outstanding applications which relate to the dwelling and proposed garage this element is still acceptable as part of this development.

It is therefore considered that subject to conditions the proposal is acceptable in principle.

## **Ecology**

The application included a Protected Species survey. The Council's ecologist has considered the detail of the survey and made the following comments.

### Bats

Evidence of bat activity in the form of several minor roosts of 3 relatively common bat species has been recorded within the buildings. The usage of the buildings by bats is likely to be limited to small-medium numbers of animals using the buildings for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have a medium impact on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted *Protected species Report and Mitigation Plan* recommends tree mounted bat boxes, bat boxes on new buildings, and a bat loft (ridge height 2m) with access hole, raised ridge tiles and internal bat boxes, as a means of compensating for the loss of the roosts and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a

European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favorable conservation status of the species will be maintained.

It is considered that the retention and re-use of the traditional farm buildings is of overriding public interest, particularly given the unusual three storey nature of some of the buildings. The only alternative would be to leave the buildings as is, but given they are not suitable for modern farming practices they would likely become derelict and potentially lost. The Council's Ecologist has confirmed that if planning consent is granted the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned. A condition is proposed to ensure the Mitigation proposed is implemented.

### Ecological Enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. It is therefore recommended that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

### **Amenity**

The proposal is for the creation of 8 new units, converting 4 agricultural buildings and subdividing the farmhouse into 2 units. The buildings are sited in close proximity to one another but generally meet acceptable separation standards, and have sufficient private amenity space for each unit, and communal space for the whole site to use.

The garden area associated with unit 8 'The Shippon' could be reduced in size to a more modest private amenity space and a wider hard landscaped communal courtyard created. This is subject to condition.

There may be some issue of overlooking due to the close proximity of the buildings to one another, however this is the general nature of such a conversion development and lower levels of privacy are generally accepted, with low boundary treatments which keep the rural appearance of the site.

There are no neighbouring properties which will be affected by means of over looking or overbearing impact and therefore will not be adversely affected.

Environmental protection team have not objected to the development with regard to amenity, but recommend an informative in relation to construction hours of operation.

It is therefore considered that the proposal will not have any significantly adverse impact on neighbouring amenity or future occupier amenity.



## **Highways**

The Strategic Highways Officer notes that having regard for the existing site use, which would include large slow moving agricultural vehicles, use of the existing site access to serve the site, albeit widened adjacent to the A530 to allow exiting and entering vehicles to safely pass, is acceptable. The proposed passing bays on the access road, which are intervisible, are also acceptable.

There is sufficient space set aside within the site for off-street car parking provision to be in accordance with CEC parking standards and all vehicles can safely enter and exit the site in a forward gear.

The commuter peak hour and daily traffic generation associated with the proposal, would not be expected to have a material impact on the safe operation of the adjacent or wider highway network. The Strategic Highways officer highlights that the site is relatively unsustainable in locational terms however, in light of the low volume of traffic movements expected to be associated with the proposal; they do not consider there to be sufficient grounds for refusal based on sustainability

The Strategic Highways Officer raised no objections therefore it is considered that the proposal is acceptable in terms of highway safety.

## **Trees and Landscape**

There is tree cover on the site. The original application was supported by an Arboricultural Impact Assessment. The report covered 22 individual trees and 3 tree groups. None of the trees are subject to TPO protection. The tree officer noted that it appears that one low grade tree would need to be removed to accommodate proposed parking bays. Further tree removal is recommended on the grounds of the low value /poor condition of the specimens concerned. No additional information has been submitted within this application and therefore it is considered reasonable to condition an updated Tree Protection scheme and AMS to be submitted.

With regards to the landscape concerns these are noted within the design section and conditions are proposed for surfacing materials to be submitted, and the area between units 6 & 8 would be better served as a communal hard landscaped area than a shared garden area. A landscape scheme has been submitted as part of the application but this issue has not been resolved. Further details are subject to condition.

## **Archaeology**

The original application was supported by an archaeological assessment (Aeon Archaeology: April 2018), which utilised the data held in the Cheshire Historic Environment Record (CHER) and historical cartographic and documentary sources, alongside the results of a site walkover survey. The report concluded that the proposed development would have a significant impact on the character and appearance of the application area and would result in the loss of some historic building fabric. As such the report recommended that a drawn and photographic record of the historic buildings to be converted would preserve information which is lost during alteration.

The Cheshire Archaeology Planning Advisory Service (APAS) are in agreement with the conclusions of the assessment, therefore whilst it would not be reasonable to object to the development on archaeological grounds, it is advised that should planning permission be granted for this, or any similar scheme, that a programme of further archaeological mitigation should be undertaken. This mitigation should take the form of a historic building recording of buildings 1 to 7, depicted in Figure 13 of the archaeological assessment (Aeon Archaeology, 2018: 21). This work should conform to a Level II Historic Building Survey in line with the guidance set out in Section 5.2 of *Understanding Historic Buildings: A Guide to Good Recording Practice* (2016), published by Historic England. This work should be secured by means of condition.

Although some information has been submitted as part of this application, the council Archaeology officer has confirmed that the information is not sufficient to address the needs of the condition, and a further condition will be required.

### **Public Right of Way**

The Public Rights of Way Officer advises that that Public Footpath Newhall 8 would be affected by the development and FP Newhall 7 also lies adjacent to the site. Originally a condition was requested for a management plan. However, a Public Right of Way management scheme has now been submitted and the PROW team have confirmed that this is suitable and should be conditioned for implementation, with the addition of additional signage through the site to signpost the relevant way.

### **Drainage and Flood risk**

The LLFA have raised no objections to the proposal, however, seek some additional information above the Drainage Scheme which has been submitted. A condition is recommended to be attached requiring additional drainage information to be submitted for approval prior to the commencement of development.

## **CONCLUSION**

The application site is located within the Open Countryside where there is a presumption against inappropriate development. The proposal seeks permission for the conversion of traditional farm buildings and the sub-division of the farmhouse.

CELPS Policy PG6 advises that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted, with the exception of, (amongst other things), para 3(ii) 'for the reuse of existing rural buildings where the building is permanent, substantial and would not require extensive alterations, rebuilding or extensions'. Policy HOU1 of the Newhall Neighbourhood plan permits the conversion of farm buildings to residential properties where any important characteristics and features of the original building are retained and that urbanisation of the development is kept to a minimum, and development is kept to the foot print of the original building as far as possible.

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Furthermore, subject to suitable landscape scheme and material details to be agreed there are no design concerns raised with the development.

The proposals are acceptable and in general accordance with the Development Plan, and therefore recommended for approval accordingly subject to conditions.

## **RECOMMENDATION: Approved with conditions**

- 1. Standard Time**
- 2. Approved plans**
- 3. Works relate to barns only shown in approved plans/structural survey**
- 4. Materials to be approved**
- 5. Surfacing materials to be approved**
- 6. Windows to be timber and set behind minimum of 75mm reveals**
- 7. Fenestration details of barns to be approved, with detailed drawing of at least 1:20**
- 8. Roof lights to be set flush/conservation style**
- 9. All rain water goods and flues to be black metal**

- 10. Removal of PD for extensions, alterations and outbuilding and boundary treatments**
- 11. Landscaping plan to be submitted and approved – external area of units 6 and 8 to be re-considered**
- 12. Landscape implementation**
- 13. Landscaping plan to indicate boundary treatment**
- 14. Archaeology – Written Scheme of investigation**
- 15. Safeguarding of Breeding birds**
- 16. Biodiversity enhancement strategy to be approved**
- 17. Protected Species report and recommendation to be implemented as approved**
- 18. External light scheme to be approved**
- 19. Drainage scheme to be approved**
- 20. EVI to be approved**
- 21. Contaminated Land report – scope of works and remediation if needed**
- 22. Contaminated Land – Verification report**
- 23. Contaminated land – soil importation**
- 24. Contaminated Land – watching brief and unexpected contamination**
- 25. All buildings shown for removal on plans shall be removed prior to first occupation of the barn conversions**
- 26. Car parking, passing bays, bike stores, bin stores and garages shall be available for use prior to the first occupation of the barns**
- 27. Public Right of Way Management scheme/plan to be implemented as approved**
- 28. Levels details to be approved**
- 29. No trees or hedges to be removed where stated as retained**
- 30. Tree Protection scheme to be submitted and approved**
- 31. Arboricultural Method Statement to be submitted and approved**

**In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice**

