

TWC/2015/1059

Wellbank Villa, Pickstock, Newport, Shropshire, TF10 8AH

Erection of an educational facility building, siting of 3no. shepherds huts for overnight accommodation (retrospective) and extension to and conversion of existing stable block to provide showers, toilets and facilities (retrospective) *** Amended description and red line change ***

APPLICANT

Derick Eggerton

RECEIVED

02/02/2016

PARISH

Chetwynd CP

WARD

Edgmond and Ercall Magna

OFFICER Marie Smyth

OBJECTIONS RECEIVED: Yes

CLLR. STEPHEN BURRELL HAS REQUESTED THAT THIS APPLICATION IS DETERMINED BY THE PLANNING COMMITTEE

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey building for use as an educational facility (use class D1). The application also seeks retrospective consent for the siting of 3 no. Shepherds Huts for overnight accommodation and the extension and conversion of an existing stable block to provide showers, toilets and facilities such as a lounge and kitchen. The application site is land to the south west of Wellbank Villa, Pickstock, Newport.
- 1.2 The proposed 'U' shaped, pitched roof education building will measure 21m wide x 15.6m deep x 2.6m high to the eaves and 3.45m high to the ridge. The timber clad building would be located to the north east corner of the site. The Shepherd Huts are already in situ; two located along the south east boundary within former pig pens and one to the north west corner of the site. The huts measure approximately 2.5m wide x 4.5m deep and are constructed with timber cladding and a corrugated sheet roof. They are movable structures although are positioned on concrete slabs and provide sleeping accommodation. Facilities for the huts are available within an existing stable block which has been extended, repaired and converted to accommodate two shower/toilet rooms and a kitchen/lounge area. The site will be accessed via the existing driveway to the north east with an area for parking identified adjacent to the shower block providing six spaces.
- 1.3 During the process of the application revised site location and layout plans have been submitted. The revisions to the site location were to exclude land within the ownership of the neighbouring East View Cottage, which was incorrectly included, and also to separate the residential curtilage of Wellbank Villa from the site. The site plan was further amended to include the visibility

splays. The revision to the site layout was to accurately reflect the location of the Shepherd Huts.

1.4 The application is accompanied by a Design Statement.

2. SITE AND SURROUNDINGS

2.1 Pickstock is located within the rural area approximately 5 miles to the north of Newport. It is a small linear settlement comprising residential properties and also some businesses, including Shropshire Lavender directly opposite the site.

2.2 To the north east of the site is Wellbank Villa, also within the applicant's ownership, which fronts the road with an outbuilding to the rear and gardens either side. Adjacent and also to the north east of the site is East View Cottage, 12 Pickstock. The garden and land associated with this neighbouring property extends along the entire side, south east boundary of the application site and also continues around to a section adjacent to the rear, south west boundary, in between the site and the River Meese. The boundary with East View Cottage is defined by a mix of post and wire fencing, hedges/planting and trees. The river continues along the remainder of the site's rear boundary, which is located within Flood Zones 2 and 3. To the north west of the site is open agricultural land.

2.3 The roughly rectangular shaped site measures approximately 1.4 hectares and will utilise the existing access from the north east. The site slopes from the north east to the south west towards the river. The site is a small holding and was formerly used to farm rare breed pigs and sheep. The applicant worked in association with Harpers Adams and students would visit the site as part of their studies. The fencing of the pens remains, and two of the Shepherds Huts are now located in this area. There are two barns to the north east corner of the site which will be removed to accommodate the propose education facility. The converted stable block is located adjacent to this, directly to the rear of an outbuilding associated with Wellbank Villa. The site is grassed with trees to the boundaries with a row of trees centrally.

3. RELEVANT PLANNING HISTORY

3.1 None

4. PLANNING POLICY CONTEXT

4.1 National Guidance:
National Planning Policy Framework

4.2 Wrekin Local Plan:
E6 Rural Employment General
UD2 Design Criteria

4.3 Core Strategy:

CS2 Jobs
CS15 Urban Design

- 4.4 Telford & Wrekin Local Plan:
SP3 Rural Area
E6 Rural Employment General
BE 1 Design Criteria
NE 1 Biodiversity and geodiversity

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Drainage: Support subject to conditions
Conditions requested requiring a scheme of foul and surface water drainage to be submitted for approval, to include details of soakaways, appropriate tests and their location. The location soakaways should be no less than 5m from any building or boundary and any drainage field should be no less than 10m from any watercourse or permeable drain and 15m from any building.
- 5.2 Highways: Support subject to conditions
No formal objection in principle subject to a condition requiring visibility splays at a depth of 2m and a length of 33. The visibility shall be kept clear of all obstructions to visibility over a height of 600mm.
- 5.3 Ecology: Comment
No objection to buildings being demolished as they do not meet the trigger for requiring a bat survey. Recommend that the nesting wild birds informative is applied on the decision notice.
- 5.4 Environment Agency: No comment
- 5.5 Shropshire Fire Service: Comment
As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

Neighbour consultation responses

- 5.6 Following the initial consultation and subsequent consultation on the revised plans a total of four letters of objection from the same property have been received. The comments are summarised as follows:
- Not suitable to change from residential to commercial, back land development in an unsustainable location with no regular bus service.
 - Contrary to the National Planning Policy Framework and local policy.
 - Site advertised for uses such as glamping and weddings which are not being applied for. Concern that the education building will be used to support such events.
 - Narrow country road is not suitable to support additional traffic, impact on road users and highway safety.

- Six parking spaces is not sufficient for up to 66 student spaces and teaching staff.
- Applicant should contribute through a S106 towards highway improvements.
- Poor design and layout when considered in this rural context, will not add to overall quality of the area.
- Development along boundary which will not respect residential amenity, appearing as a solid mass.
- Shepherds Huts too close to boundary.
- Noise and disturbance associated with comings and goings and the Shepherd Huts.
- Impact on privacy.
- No information relating to ecology.
- Poor drainage and insufficient waste facilities, also issues with water pressure.

5.7 The following, non-material matter has also been raised:

- Effect on property value.

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of development
- Highways, access and parking
- Character and appearance
- Impact on living conditions of neighbouring properties
- Drainage and flood risk
- Ecology

Principle of development

6.2 The supporting statement accompanying the application advises that the principal function of the proposed educational building is to provide adequate, indoor, multi-purpose space for use by visiting groups of students, clubs and societies to carry out various activities in conjunction with their fieldwork. It goes on to state that the Shepherds Huts are intended to be used for short stop over accommodation for educational groups, artist groups, birdwatchers, ramblers etc. with all washing facilities accommodated in the shower block. The proposal is anticipated to provide one full time employment position. The applicant has also advised officers that the proposed classrooms are not intended to be intensively used, despite the floor plans showing a potential arrangement for 66 students. It is anticipated that the building will be used on a seasonal and more limited basis by small groups such as conservationists, artists and for courses such as forest schools and yoga which will benefit from the rural location. The applicant also confirms that there is room within the site to provide further car parking if required.

- 6.3 The neighbouring property has raised objection to the education facility on the grounds that the site is not suitable to change from residential to commercial and that it is back land development in an unsustainable location. Accordingly the objector considers that the application is contrary to the National Planning Policy Framework (NPPF) and local policy. In addition the neighbour and Cllr. Burrell have raised concern that the site is advertised for uses such as glamping and weddings. There is concern that this is has not been applied for, these uses would not be appropriate and that the educational building may be used for such purposes.
- 6.6 Policies CS2 of the Core Strategy (CS) and E6 of the Wrekin Local Plan (WLP) advocate the diversification of the rural economy and the creation of new job opportunities. The NPPF also advises that to promote a strong rural economy the sustainable growth and expansion of all business types and businesses in the rural areas, both through conversion of existing buildings and well designed new buildings, should be supported. The NPPF also supports diversification of agricultural land. The proposed educational facility will provide a base for courses and activities either directly linked to or benefiting from the quiet rural setting. While it has been suggested by the objector that the site is not within a sustainable location it is considered that the nature of the uses does not necessarily necessitate a highly sustainable or accessible location and, at the scale proposed, it would not be unacceptable. The impact on the character of the area will be considered in detail later within the report but in principle the building is not located in the middle of the site, but next to existing buildings, so it not considered to be an encroachment into the open countryside. Accordingly there is no objection in principle to the proposed educational facility which will support economic growth in the rural area and will create a full time job, in accordance with the NPPF and policies CS2 and E6 of the CS and WLP respectively.
- 6.4 In February the Council published the TWLP. In accordance with paragraph 216 of the NPPF this is to be given weight in considerations as the plan has been written to be consistent with the NPPF and is in an advanced stage of publication, and therefore is a material consideration. Policy SP3 advises that the delivery of employment development in the rural area will be considered against policy EC3. Policy EC3 states that the Council will support new employment development in the rural area where it involves the re-use of previously developed land. It goes on to specify that development that assists in the diversification of the rural economy, such as education, will be supported. The application would therefore also be in accordance with this up to date policy.
- 6.7 There is also no objection in principle to the Shepherd Huts or associated sower/toilet block. The Shepherds Huts are small, made of timber and relatively temporary so are not considered to harm the rural character. The principle of the huts would be supported by policy EC3 of the TWLP as they would assist in the diversification of the rural economy through tourism, and the shower/toilet block is a conversion/re-use of a building. This approach is also advocated by the NPPF.

6.8 With regard to the comments that the site is being advertised for other purposes, such as weddings and glamping, officers are aware of this. Under Part 4 'Temporary buildings and uses' of the Town and Country Planning Act (General Permitted Development) Order 2015 any land can be used for up to 28 days in a calendar year for a temporary use with the provision of any associated moveable structure. This could include, for example, the holding of a wedding and the erection of a marquee. The site therefore already has this ability. Anything above the permitted 28 day limit would require planning permission and an application would accordingly be considered. Similarly planning permission would also be required if the education building was proposed to be used as a wedding venue. For the avoidance of doubt and to ensure that the building cannot be changed to any other permitted use within the D1 use class, officers would recommend that a condition restricts the use of the building for education and training only.

6.9 Subject to the consideration of other matters to follow, officers therefore have no objection to the education building, Shepherds Huts or shower/toilet facility in accordance with WLP policy E6, CS policy CS2, TWLP policies EC3 and SP3 and the NPPF.

Highways, access and parking

6.10 The application will utilise the existing access serving Wellbank Villa with an area of parking for six cars identified adjacent to the toilet/shower block. The neighbouring objector has concerns that the narrow country road is not suitable to support additional traffic and would impact on road users and highway safety, and that the applicant should contribute through a S106 to highway improvements. The objector also considers that six parking spaces is not sufficient for up to 66 student spaces and teaching staff.

6.11 Highways officers have raised no objection to the application subject to a condition requiring visibility splays be provided. In light of the neighbouring objection and concerns raised by Cllr. Burrell officers have since discussed the proposal in detail with highways officers. However, highway officers have visited the site and maintain their position of no objection. They advised that the application has been considered at the level suggested within the application and there is sufficient car parking available, with further space within the site to increase this if necessary. There is no indication within the application that the site will accommodate the maximum capacity, and given the site's location and size it is considered that this would be unlikely. It was also taken into account that, due to the nature of the adopted highway that fronts the site, on street parking wouldn't be possible due to the narrowness of the lane so any vehicles visiting would have to park on site to drop off and pick up. This road is also currently used by two other businesses approximately 200m from the site. Therefore, on the basis of the information supplied with the application highways officers have no objection on the grounds of highway safety; raising no concern relating to increased traffic, the suitability of the road, access or parking.

- 6.12 Highways officers have also advised that it would not be necessary or reasonable to obtain a S106 contribution towards highway improvements due to level proposed and the location of the two nearby businesses.

Character and appearance

- 6.13 The proposed education building will be a simple timber clad, pitched roof structure to replace two existing barns in the same location. The proposal would have a larger footprint but officers are satisfied that the location is appropriate as the proposed building will be read as part of the existing arrangement of the host property and associated outbuildings. It would therefore not appear as an unduly prominent feature, although in any case officers are satisfied that the design and appearance is acceptable and appropriate to the location. Notwithstanding the objector's comments that the proposal is a poor design and layout, officers are satisfied that the scale, mass and design responds well to the context and would relate positively to the rural character of the area.
- 6.14 There is also no objection to the scale and design of the small extension to the stable which provides the shower/toilet block. The Shepherds Huts are small timber structures of a traditional design which are relatively temporary. Officers are therefore also satisfied that the scale, number and design of the hut are appropriate despite their more prominent location.
- 6.15 Officers therefore consider that the proposals are acceptable and will respond positively to the local rural context, in accordance with WLP policy UD2, CS policy CS15 and TWLP policies EC3 and BE1.

Impact on living conditions of neighbouring properties

- 6.16 The educational building will replace the two existing barns in the same location, which measure 3.7m and 4.15m high. The height of the proposal is marginally lower although the footprint is larger, resulting in a width of 21m approximately 7.5m from the side, south east boundary with the neighbouring property East View Cottage. The occupants have objected on the grounds of the mass and appearance of the building on the boundary and the impact on privacy. East View Cottage is set forward of the proposed education building by approximately 25m. The boundary which would be directly adjacent to the building is defined by an approximately 2.5m high hedge, with the boundary further to the north east and closer to East View Cottage marked by a mix of small trees and planting. Given the separation distance, scale and position of the proposal it is not considered that it would appear unduly overbearing as to significantly harm the amenities of the neighbouring occupants. Loss of light would also be limited given the proposal's orientation to the north west. The facing side, north east and rear south, east elevations of the building are blank so there would be no overlooking or loss of privacy. Officers recommend that a condition restricts the insertion of any windows and doors in these elevations to maintain this relationship.
- 6.17 To further maintain this acceptable relationship, and to limit potential noise and disturbance, a condition will also restrict the hours of operation of the building to be between 8am and 9pm each day. Officers are therefore

satisfied that the proposed education building would not adversely impact on the occupants of East View Cottage through noise and disturbance, loss of light, appearing overbearing or resulting in overlooking and loss of privacy.

- 6.18 With regard to the Shepherds Huts, two are located adjacent to the boundary with East View Cottage. The neighbouring occupants consider that these are too close and will result in noise and disturbance. Whilst the two huts are approximately 2m from the boundary, which is defined at this point by a post and wire fence and trees, they are site over 90m away from the neighbouring property. Furthermore the land directly adjacent to the huts within the ownership of East View Cottage is not within the domestic curtilage of this property. Officers are therefore satisfied that the relationship is acceptable and the neighbouring occupants would not be unduly affected by noise and disturbance associated with the use of the Shepherds Huts. Overlooking and loss of privacy would also be limited by the boundary treatment. To maintain this relationship it is proposed to condition that the huts shall only be located within the hatched areas shown on the site layout, to ensure that they are not re-positioned closer to the neighbouring property. Accordingly, considering the boundary treatment, separation to the East View Cottage and that the adjacent land is not part of the domestic curtilage officers are satisfied that the huts would not have an unduly harmful impact on the living conditions of the occupants of East View Cottage.
- 6.19 There are no other residential properties in the vicinity which would be unduly harmed by the proposal.
- 6.20 However, officers are mindful that the application comprises various components and that the exact level of activity associated with the education building in particular, although likely to be limited, is not yet known. Officers therefore propose that the application be granted for a temporary period of two years for both the use of the education building and the Shepherd Huts. This will allow time for the business to establish and enable officers to assess the impact of, and give further consideration to, the uses and how the site operates having regard to the circumstances existing at that time. At the expiration of the two years the uses will cease or the applicant will be required to again apply for permission.

Drainage and flood risk

- 6.21 Concerns have been raised during the consultation process by the neighbouring objector relating to poor drainage, insufficient waste facilities and poor water pressure. Notwithstanding these concerns the Council's drainage officers have responded in support of the application subject to conditions requiring a scheme of foul and surface water drainage. The scheme will be required to include details of soakaways and tests to be submitted for approval, as well as the location of the soakaways being no less than 5m from any building or boundary, and any drainage field being no less than 10m from any watercourse or permeable drain and 15m from any building.

- 6.22 A response of no comment has been received from the Environment Agency regarding the River Meese, located within flood zones 2 and 3, to the rear of the site.

Ecology

- 6.23 The council's ecologist has considered the application, including the proposed demolition of the barns to accommodate the education building. The ecologist has advised that there is no objection to this as the buildings do not meet the trigger for requiring a bat survey. An informative relating to nesting wild birds is recommended which will be applied to any permission. The application is therefore in accordance with policy NE1 of the TWLP.

Other matters

- 6.24 Issues have been raised during the consultation process relating the impact of the proposal on property values, however, this is not a material planning matter. Officers are satisfied that the correct procedures have been followed in this respect and any future matters relating to access or the undertaking of works would be a private matter. All other objections raised in the consultation process have been considered but do not raise any issues that would warrant a review of the analysis of this proposal.

7 CONCLUSIONS

- 7.1 The scale and nature of the use of the education building, shower/toilet building and the Shepherds Huts are considered to be acceptable in this rural location, supporting the rural economy and tourism. The design, scale and appearance of the buildings and huts are acceptable within the rural context and existing buildings and would not harm the character or local environment. The proposal would also not have an adverse impact on the living conditions of neighbouring occupants. The application is considered to be acceptable by highways officers in respect of access, increased traffic and parking, and therefore no objection is raised in terms of highway safety. Matters relating to drainage, flood risk and ecology are to the satisfaction of officers and there are no technical reasons upon which to warrant refusal. The development would therefore be in accordance with WLP policies E6 and UD2, CS policies CS2 and CS15, TWLP policies SP3, E6, BE1 and NE1 and the NPPF.

8 RECOMMENDATION

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **GRANT PLANNING PERMISSION** subject to the following conditions:
1. A07 Temporary permission - 2 years
 2. B061 Foul and surface water
 3. C002 Materials as submitted
 4. C014 Visibility splays
 5. C038 Development in accordance with plans
 6. D06 Restriction on use of education building
 7. D09 No further windows or openings

8. D11 Hours of work
9. DCust Location of Shepherds Huts

Informatives

I25m	Nesting birds (vegetation)
I32	Fire Authority
140	Conditions
141	Reasons for grant of permission
RANPPF2 Framework	Approval following amendments- National Planning Policy