

1. Application under consideration:

Application Number:	21/04652/FUL
Location:	Land At Sunnyside Malpas – The Old Hayes
Proposal:	Change of use of a former stable block and Dutch barn to create one dwelling, together with all associated infrastructure works
Consultation Deadline Date	19 th January 2022

2. Executive summary: (*Delete which statements are not appropriate and add reasons.*)

1/ Malpas Parish Council supports this application because:

2/ Malpas Parish Council objects to this application because:

3/ Malpas Parish Council would make the observations as documented below:

4/ If the Cheshire West Council Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included:

i/	
ii/	

3. Background Factors:

Open countryside	<input checked="" type="checkbox"/>	Within settlement boundary	<input type="checkbox"/>	Conservation area	<input type="checkbox"/>
Listed Building	<input type="checkbox"/>	Tree Preservation Order	<input type="checkbox"/>		
Relevant Neighbourhood Plan Policies	BE1, BE2, BE3,H1, H2, H4, and LC4				

4. Positive aspects of development

Potential benefits to the community	None identified.
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5. Material considerations against development (visual, noise, pollution etc.)

Potential impact on neighbours	None Identified.
Potential impact on wider community	The proposed residential development is outside a recognised settlement boundary of either a Key or Local Service Centre and therefore is not permitted under Strat 9 of the Local Plan part 1 unless it: 1/ has an operational need for a countryside location such as for agricultural or forestry operations. 2/ is for a replacement building (<i>the existing stable block and Dutch Barn is not a residential dwelling, so this proposal does not constitute a replacement building.</i>) 3/ is small scale and low impact rural / farm diversification schemes appropriate to the site, location and setting of the area.

	<p>4/ is the reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction.</p> <p>5/ is the expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting.</p> <p>The proposed development does not meet any of these criteria</p>
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6. Other relevant information

Most built structures have the potential to support roosting bats and nesting birds, whilst badgers, great crested newts, and wild plants may be present on the land surrounding the proposed site. If there is any risk of an adverse impact on protected wildlife (including fauna and flora) a survey should be undertaken prior to any work commencing, as an offence may otherwise be committed.

The Parish Council note that at this time no ecology survey has been included with the application.

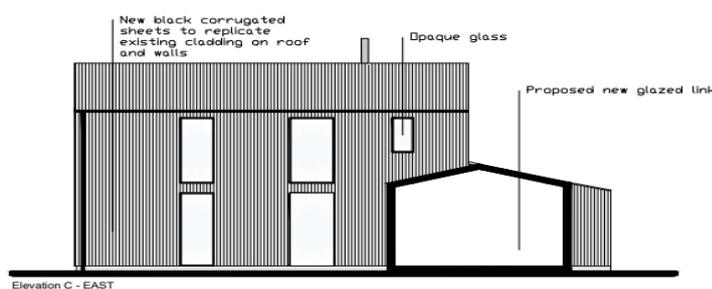
Malpas and Overton Neighbourhood Plan - Policy H2.

New individual dwellings in the rural area will also be considered appropriate if they deliver homes of an exceptional, innovative design.

Designs must be truly outstanding or innovative, demonstrating the highest standards in architecture and helping to raise design standards in the rural area.

The design must also be sensitive to the defining characteristics of the local area.

The Parish Council note that the design of the proposal is quite innovative and whilst they would support such development under their H2 Policy, we would want the Planning Authority to use their expertise in confirming the quality of the design as being suitable.



An application number 20/02538/PDQ was considered in 2020 and on the 8th September 2020 a decision was issued that determine that prior approval of the Local Planning Authority was not required.

Officers report on 20/02538/PDQ

The building is a steel framed Dutch barn, enclosed on all 4 sides with concrete walls on the bottom half and cladding on the top half, with a tin roof.

The site is located in the open countryside outside of a defined settlement.

The proposal is for a change of use of the former agricultural buildings into 1 dwelling under class Q of the GPDO Order 2015.

The application has been accompanied by a Structural Survey.

The Malpas Parish Council have raised concerns over the structural integrity of the building.

Assessment Class Q of the GPDO relates to development consisting of (a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwelling house) and (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwelling house).

On assessment of the proposal, the proposed development would comply the conditions, limitations and restrictions specified in Part Q classes a-m, and therefore is permitted development, under Class Q1.

Part Q2 requires determination as to whether prior approval is required.

Considering Highway safety, the existing access point would be utilised and the scheme would not result in an unacceptable impact on the wider road network.

The site is in flood zone 1, therefore there are no issues related to flooding.

The development is comparable with the adjoining uses ensuring that there are no compatibility issues.

In relation to the design and external appearance the alterations are considered to be sympathetic and the minimum changes required, with only windows and doors indicated to be replaced utilising the existing openings.

Therefore the changes would be in keeping with the character of the buildings and wider countryside location.

Conclusion

Therefore, having regard to the guidance contained within the National Planning Policy Framework, it is not considered that the prior approval of the Local Planning Authority is required for the proposed development.

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The Dutch Barn and stable block

Under a Strat 9 location as outlined in exception 4 above, this could be regarded as the reuse of an existing rural building, however an agricultural storage barn and stable block constructed for the use of horses would not normally make a suitable sustainable residential living accommodation without substantial construction work.

Page 7 of the Design and Access statement of this application states that the Dutch Barn has approval for conversion to a residential unit.

However, the decision under application 20/02538/PDQ states only that the prior approval of the Local Planning Authority is not required for conversion; this being determined on minimal changes to the existing structures

Comparison of the drawings submitted with application 20/02538/PDQ illustrate that the is application is fundamentally different in construction from that which was previously determined and therefore full consideration should be given to the design of this proposal and its suitability in the rural location.

The Parish Council would raise concerns over the suitability of the existing buildings to be converted to sustainable residential accommodation complete with foundations construction materials to meet the current building standards.

In the conclusions on page 7 of the Structural Assessment and Feasibility of Conversion report paragraphs 6.4 and 6.5 state (below) that further assessments will be required to establish

6.4 A full structural analysis of the buildings will be required upon receipt of the Architect's final proposals to assess the structural implications of the buildings conversion where all structural alterations should be considered and designed accordingly by a competent structural engineer.

6.5 Further investigations will be required to these buildings to assess wall and foundation loading capacity however at this stage, it is not always cost effective to undertake the full extent of these additional surveys until there is a greater understanding of the project.

Malpas Parish Council like CW&C, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

Signed: Clerk Malpas Parish Council

Dated:

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