

**10. FULL APPLICATION - PROPOSED OUTBUILDING TO CREATE GARDEN STORE. THE COTTAGE, CONGREAVE LANE, PILHOUGH, STANTON - IN - PEAK. (NP/DDD/0318/0221, P3976, 424886 / 365033, 15/3/2018)**

**APPLICANT: MR R MISTRY**

**1. Site and Surroundings**

- 1.1. The Cottage is a 2-storey traditional dwelling, located at the eastern end of a terrace of three dwellings adjacent to the north side of Stanton Hall Lane. The dwelling is constructed of natural gritstone under a blue slate roof. A recent permission has allowed extensions and alterations to the side and rear of the dwelling and an outbuilding within the garden area. The extensions have been largely completed but the outbuilding has not been constructed yet. A small porch is located on the front elevation of the cottage leading out into a small garden area to the front. The garden extends around the cottage to the side and rear, where it drops steeply from the back of the property.
- 1.2. Almost directly opposite the property, on the other side of Stanton Hall Lane, is a plot of land in the ownership of the applicant and subject of this application. The plot lies on rising land between Stanton Hall Lane and the walled boundary with Pilhough Lane to the south and measures approximately 30m in length x 10m in width. A hedge boundary separates the plot from open fields to the west, whilst to the east a stone wall splits the site from an extended area of cultivated land, where a number of various timber outbuildings and greenhouse structures have been erected and which are currently being used by neighbouring properties for growing vegetables and fruit, sheltering and feeding of various animals and parking of vehicles. The proposed land is currently being cleared of scrub with a dilapidated timber shed still erected within the plot.

**2. Proposal**

- 2.1. Permission is being sought to erect a single storey detached outbuilding for use as a garden store, sited within the enclosed area of land on the south side of Stanton Hall Lane, across from the main dwelling and its surrounding garden area. The building would be constructed from natural materials, gritstone for the walls and blue slate for the roof. In addition, the doors would be constructed of timber with two rooflights inserted, one in each roofslope. The proposed building would be 4.6m deep and 3.6m wide. It would have an eaves height of 2.5m and a pitched roof with a ridge height of 3.5 metres. The building would be similar in mass and form to a small domestic garage.

**3. RECOMMENDATION**

**That the application be APPROVED subject to the following conditions:**

1. **The development hereby permitted shall be begun within 3 years from the date of this permission.**
2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted drawing number 1781-200 and subject to the following conditions.**
3. **The roof shall be clad with natural blue slate to match the existing dwelling.**
4. **All new stonework shall be in natural gritstone, faced, coursed and pointed to match the existing dwelling.**

5. **All door frames shall be recessed a minimum of 100mm from the external face of the wall.**
6. **All door openings shall be provided with natural gritstone lintels.**
7. **The external doors shall be of timber construction and vertically boarded.**
8. **The timber finish shall be coloured a Stone Grey (RAL 7030).**
9. **All pipework other than rainwater goods shall be internal within the building.**
10. **The rooflights shall be fitted flush with the roofslope.**
11. **The building hereby approved shall not be used for any other purposes than a garden store ancillary to the main dwelling (The Cottage).**
12. **Prior to the store being erected, the existing timber shed shall be dismantled and permanently removed from the site.**
13. **Remove permitted development rights for further ancillary buildings, gates, fences, walls or other means of boundary enclosure.**

#### **4. Key Issues**

- Whether the proposed development would conserve the character and appearance of the locality, the amenity of neighbouring properties and highway safety.

#### **5. Relevant Planning History**

- 5.1. 2017: (NP/DDD/0717/0734) - Proposed outbuilding; the application made invalid due to being submitted on the incorrect application forms.
- 5.2. 2016: (NP/NMA/1116/1120) - Non material amendment to planning consent NP/DDD/0216/0119 for additional glazing panels to the side of French doors on East Elevation, amendment accepted.
- 5.3. 2016: (NP/DDD/0216/0119) - Alterations, extension and erection of detached outbuilding, granted.
- 5.4. 2015: (NP/DDD/1015/0998) - Alterations, extension and erection of detached outbuilding. Refused on scale and design grounds.

#### **6. Consultations**

- 6.1. Highways - No objections, subject to all use remaining private and ancillary.
- 6.2. Parish - *'Stanton in Peak Parish Council objects to the application on the grounds of massing, size and position. The small cottage already has large extensions and planning for a store on its side of the road. All the buildings are on the north side running east to west; this crosses the road and runs north to south. The land it's on appears to be agricultural land not domestic.'*

*Its proposed position up against the wall will damage the existing neighbouring fruit trees (it is noted that the contractors have already started digging out and have already cut into them whilst clearing the site). Also in the current proposed position the building will steal sun light from the fruit trees.*

- 6.3. *If planning is to be consented, the building should be turned to East-West and existing permission for a store should be removed. The side stone wall boundary should be maintained along with sufficient space between it and the building for maintenance.*
- 6.4. *Having already issued an earlier response to the invalid NP/DDD/0717/0734, the Parish Council is surprised that the applicants wish to submit an application in such a prominent position and have chosen to orientate the proposed building where it would have the most detrimental impact on the landscape’.*

## **7. Representations**

- 7.1. There have been four letters of representation, three objecting to the proposal and one general comment. The letters are summarised as follows:
- It would change the nature of the hamlet considerably if building were to be allowed to spread across the lane.
  - The property has already been given permission to build an out building for their use adjacent to their property there would not seem to be a need for a second one.
  - Size and massing would have detrimental impact on adjacent land and the amenity of the cottages.
  - It would have a significant visual impact from a number of viewpoints, clear to all users of the lane, including walkers and cyclists.
  - This proposal would introduce an incongruous building to the side of the lane where none exists and where development has not taken place.
  - It would detract from the character, appearance of the setting and have a detrimental impact on neighbouring dwellings.
  - If granted it would set a precedent for further development on the south side of the lane, all to the detriment of the existing landscape.

## **8. Policies**

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales which is to:
- Conserve and enhance the natural beauty, wildlife and cultural heritage and
  - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public.

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

## **National Planning Policy Framework**

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In this instance, Paras: 56 - 66 requires good design, whilst Paras: 109 - 116 promotes the protection of sensitive landscapes, in particular Para: 115, which affords great weight to the protection of the National Park's landscape.
- 8.3. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered, there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF.

## **Development Plan Policies**

### Core Strategy

- 8.4. GSP1, GSP2, jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
- 8.5. GSP3 requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
- 8.6. DS1 supports extensions to existing buildings in principle, subject to satisfactory scale, design and external appearance.
- 8.7. L1 identifies that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and action Plan and other valued characteristics.

### Local Plan

- 8.8. LC4 states that development will not normally be permitted where it would not respect, would adversely affect, or would lead to undesirable changes in the landscape or any other valued characteristic of the area. Further stating, that an appropriate scale, siting, landscaping, use of materials and a high standard of design will be required if consent is to be granted.
- 8.9. LH4 states that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.
- 8.10. LT11 says that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area.
- 8.11. Supplementary Planning Guidance is provided in the 1987, 2007 & 2014 Design Guides.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L1

Relevant Local Plan (LP) policies: LC4, LH4, LT11

## **9. Assessment**

### Principle of Development

- 9.1. The Authority's housing and conservation policies seek to ensure that extensions to dwellings, (which includes outbuildings), respect the character and appearance of the existing dwelling, as well as the amenity, privacy and security of the development and any affected nearby properties.. Subsequently the proposal is considered acceptable in principle in accordance with policies DS1 and LC4, subject to consideration of design, landscape and amenity issues which are addressed below: .

### Siting, Design & Materials

- 9.2. The proposed garden store would be sited within an enclosed plot of land to the south side of Stanton Hall Lane, which is bounded to the west by a timber fence and mature hedging, on the south and east sides by a stone boundary wall and a returning section of stone walling to the front roadside elevation. The building would be set back into the site around 3m from the roadside edge and measure 4.5m in length x 3.5m in width x 3.5m to the ridge. A vertically timbered double door would be located in the north gable elevation facing the road and a single vertically timbered door in the east elevation. Two rooflights would be positioned on either side of the roofslope to exploit the natural light. The garden store would be constructed with natural gritstone walls and a blue slate roof. It is considered that, subject to a condition to colour the timber doors a stone grey, to reflect the surrounding walls and buildings in the locality, the impact of the garden store on the appearance of the locality and its wider setting would be low and the scheme is acceptable in siting and design terms, in accord with policies LC4 & LH4.
- 9.3. It is acknowledged that there is an extant permission for an outbuilding within the garden of the host dwelling. This would mean that, if approved, two outbuildings could be built. However, each one is a small and appropriately designed and the two would be separated by the road. It is considered that both buildings could be built without causing any visual harm, and the cumulative impact would not be unacceptable in this case.

### Landscape Impact

- 9.4. The site is part of a wider area of rising land that lies between Stanton Hall Lane and Pilhough Lane, of which, a wider area of land beyond the application site appears to have been used for a mix of agricultural and domestic purposes for a considerable number of years.
- 9.5. Letters of objection have raised concerns relating to the proposed building being on the opposite side of the road to the associated dwelling and that the land on which it would be sited is agricultural, rather than domestic. It is acknowledged that the development would be on the opposite side of the road to both the associated dwelling and other dwellings in the immediate locality. However, it is important to note that the site is not part of an extensive area of open land. The land to immediately to the west of the site is part of an open landscape that makes an important contribution to the character of this area of the National Park. However, the application site is part of an area that is quite a distance from the open land. It is much narrower and enclosed relatively tightly by boundary walls. Furthermore, the land to the east has been subdivided with boundary treatments and contains a range of domestic style outbuildings. The land in which the building is proposed is not agricultural in character. The building would be most visible from Stanton Hall Lane, where its modest size would be partially screened by a roadside boundary wall and viewed against the backdrop of the rising land with a high stone boundary wall beyond. Due to its set back position within the plot, it would be viewed in the context of the adjacent parcels of land, where other structures in relation to domestic uses exist. Therefore, the garden store would not be visually intrusive in this locality and as a result would not have a substantially harmful impact on the wider landscape character of this part of the National Park. The proposal is acceptable in landscape terms in accord with

policy L1.

### Amenity Impacts

- 9.6. The nearest residential properties, Rose Cottage and Laburnum Cottage, are sited over 35 and 25m away respectively and located on the opposite side of Stanton Hall Lane from the development site. In this case, due to its limited scale, siting and proposed use as a garden store, it is not considered the building would adversely affect the quiet enjoyment of these properties or indeed the amenity of any other nearby residential dwellings. The amenity of neighbouring properties would not be detrimentally affected by the development and the proposal accords with GSP3 & LC4 in these respects.

### Highway Impacts

The local Highway Authority raises no objections, subject to all use remaining private and ancillary to the primary dwelling at The Cottage. Subsequently, the scheme is considered acceptable in highway safety terms, according with policy LT11.

## **10. Conclusion**

- 10.1. Whilst the proposed garden store would occupy a visible position within the plot, particularly from the immediate roadside, it is nonetheless considered appropriate in siting, design and appearance for this type of structure and therefore in keeping with the immediate surroundings and wider locality., There would be no adverse effect on any nearby residential amenity or highway safety concerns. Consequently, the scheme is considered in accord with Development Plan Policies and adopted Design Guidance and recommended for approval, subject to appropriate conditions.

## **11. Human Rights**

- 11.1. None identified.

## **12. List of Background Papers (not previously published)**

None

### **Report Author and Job Title**

Steve Coombes, Planner.