DELEGATED DECISION REPORT

SMD/2018/0215 **Valid 27/04/2018**	**CHERRY COTTAGE** **LADDEREDGE** **LEEK**	**ERECTION OF GARDEN SHED ADJACENT TO REAR SECTION OF SIDE BOUNDARY.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development
- Amenity
- Design

DESCRIPTION OF SITE
The application site relates to a dwelling which was constructed following the grant of planning permission for the change of use of a garden to a residential dwelling (SMD/2015/0801) in February 2016.

To the north the dwelling, known as Cherry Cottage, is bound by Sycamore Cottage which is accessed directly off Ladderedge. To the east the application site is bound by No. 143 Ladderedge. To the south the application is bound by agricultural land, which is situated within the Green Belt and to the west the application site is bound by Daisy-Bank.

The dwelling is accessed off Ladderedge and is a two storey, three bedroom detached dwelling with an 'L shaped' floor plan. The dwelling has a large drive and garden to the side and rear of the dwelling. There is a change in levels within the curtilage of the dwelling with the highest part of the garden being along the boundary with Daisy-Bank (to the west) this drops away to the boundary with No. 143 Ladderedge.

PROPOSAL
The application seeks planning permission for the construction of a garden shed measuring 3.6m in length and 3.6m in width. The proposed shed measures 3.2m in height (to ridge) and has an off centre pitched roof which is covered in blue / grey natural slates. The walls are to be oak / pine boarded in a light oak satin.

The shed is to be sited 7.1m to the rear of the application site and 40cm from the boundary with Daisy-Bank. The proposal requires levelling of an area of the garden large enough to create a suitable base for the shed ($12.9m^2$). Upon undertaking the site visit it is noted that a concrete base has been laid. The change in levels between the front an rear of the shed is illustrated on the elevation plan to be 30cm.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES
Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework
Paragraph(s) 1-17
Section(s) 7

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
SMD/2011/0290 Outline application for the erection of a detached dwelling, including access APPROVED 31/10/2011

SMD/2013/0187 Reserved Matters application for proposed detached dwelling pursuant to SMD/2011/0290 – WITHDRAWN 14/03/2013

SMD/2013/0391 Reserved matters application for proposed detached dwelling pursuant to SMD/2011/0290) – Conditional Approval 16/05/2013

SMD/2015/0259 Change of use of domestic garden (part) to self contained residential unit (renewal of consent) APPROVED 22/06/2015

SMD/2015/0801 Change of use of part of domestic garden into self contained residential plot for single dwelling APPROVED 08/02/2016

CONSULTATIONS
Publicity
Site Notice expiry date: 12/06/2018
Neighbour consultation period ends: 22/05/2018
Press Advert: N/A

Public Comments
N/A

Town / Parish Comments
N/A

Environmental Health
N/A

Staffordshire County Council Highways
N/A

OFFICER COMMENTS
Principle of Development
Section 38 (6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Staffordshire Moorland Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

In accordance with Policy SS1 the Council expects the development and use of lands to contribute positively to the social, economic and environmental improvements of the Moorlands. Policy SS1a comments that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that applications which accord with the policies in the Core Strategy should be approved without delay, unless material considerations indicate otherwise. The application site is located within the development boundary but cannot be considered 'permitted development' under the General Permitted Development Order due to its height and proximity to the boundary (Schedule 2, Part 1, Class E (e) ii)).

Therefore, the presumption in favour of sustainable development is engaged, subject to accordance with design and amenity policies.

Design
Policy DC1 requires all new development to be designed to respect the site and its surroundings. The dwelling house is of a simple appearance being brick built with a slate roof and two storeys in height. The proposed shed would be set away from the dwelling and subordinate to it in height. The proposed shed would not take up more than 50% of the garden area and it is considered that the design is in-keeping with a house of this size.

The materials are for wooden sides and a slate roof, it is considered this to be appropriate for a garden shed building with a utilitarian purpose.

Amenity
In accordance with Policy DC1 all new development should be designed to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook and privacy.

It is noted that the proposed development is 40cm from the boundary with Daisy-Bank. However, the boundary separating the application site with Daisy-Bank is significant, it comprises a retaining wall and trees / bushes (which are not protected under a Tree Preservation Order) which screen the proposed shed from causing an amenity issue with adjacent dwellings.

The proposed elevation drawings indicate a set of three small windows to the front elevation, which would face towards the backs of the gardens of the dwellings on Ladderedge. However, given the distance of the shed to the dwellings, the fact that a shed is not a habitable room, the boundary treatment and the change in levels here it

is not considered that these windows would cause a harmful amenity issue. As such, the proposed development accords with policy in this regard.

Highway Safety
It is not considered that the proposed development will have an impact upon Highway safety. The shed cannot be seen from a public highway and does not involve additional living accommodation to the dwelling, which would trigger a requirement for additional car parking.

CONCLUSION / PLANNING BALANCE
This application seeks planning permission for the construction of a garden shed in the rear garden of a newly constructed dwelling house. The shed cannot be erected under permitted development rights due to its close proximity with the boundary of the dwellings. A level base for the shed has already been laid within the garden.

The principle of a garden shed in this location is considered acceptable. Having undertaken an assessment of the potential impact upon amenity it is considered that the shed will be well screened from neighbouring dwellings to the west and the windows in the shed are such that it would not cause an overlooking issue. As such, it is considered that the proposed development complies with national and local planning policy and is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Laura Barrowclough
Recommendation Date: 8th June 2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council