DELEGATED DECISION REPORT

SMD/2020/0260 **Valid 26/05/2020**	**THE LEASOWS TOWN END LANE SWINSCOE**	**LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED REPLACMENT OF A DILAPIDATED GREENHOUSE, CONCRETE BASE AND AREA OF HARD STANDING WITH THE ERECTION OF A LIGHTWEIGHT STEEL STORAGE BUILDING TO HOUSE ANIMAL FEE/LAND AMINTENANCE EQUIPMENT. BUILDING TO CONSIST A CONRETE BASE, OPEN FRONTED WITH PROFILED METAL ROOFING AND TIMBER CLADDING (YORKSHIRE BOARDING TYPE) TO THE GABLES/REAR ELEVATION** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

On the date of the application would the proposed development have been permitted by Class E, Part 1, Sched. 2 of the General Permitted Development Order and therefore immune from action and lawful?

DESCRIPTION OF SITE

Leasow is a fine 18th century limestone farmhouse with an adjacent detached barn which has a similar size and presence to the house. Both buildings are side by side in a linear arrangement. The property is in a relatively isolated countryside location beyond and linked to the 'smaller village' of Swinscoe by a farm track. The buildings have a linear plan and face south. A notable feature is the change in ground levels between the farmhouse and detached barn.

PROPOSAL
Replacement of a dilapidated greenhouse, concrete base, and area of hard standing with the erection of a lightweight steel storage building to house animal feed / land maintenance equipment.

Building to consist a concrete base, open fronted, with profiled metal roofing and timber cladding (Yorkshire boarding type) to the gables / rear elevation.

The building shown on submitted plans would be 12m by 5m. Its eaves would be 2.5m and its maximum height at ridge would be 4m.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None Relevant

OFFICER COMMENTS

Part 1, Class E permits the provision within the curtilage of the dwellinghouse *any building or enclosure required for a purpose incidental to the enjoyment of the dwellinghouse.*

The building must not exceed 2.5m if it is within 2metres of curtilage boundary, or elsewhere within the curtilage not exceed an eaves height of 2.5m and a max height of 4m. The building in this case would be more than 2m from the closest boundary wall and does not exceed the height limits.

As is often the case with a farmstead property the curtilage of the dwellinghouse can be difficult to define. The proposal is to provide the building some distance from the dwellhouse, at the far end of the adjacent barn. The submitted plan identifies the site as including the whole of the ownership, which includes the grazing land and field beyond a crumbling stone wall, with a red edged plan. While not all of that land is considered to form the dwelling's curtilage, on site and in aerial photographs it is apparent that the crumbling stone wall, stepped in alignment some 13-20m from the southern elevation of the dwelling and barn essentially encloses the dwelling and barn, areas of hardsurface and ornamental garden as one parcel of land that has immediate association with and serves useful purpose to the dwellinghouse. The proposed building would be provided within that land that can as a matter of fact and degree can be considered as forming the curtilage of the dwellinghouse.

It is said that the building is required to store animal feed and land maintenance equipment, presumably this relates to the maintenance and/or grazing of the 1ha of grazing land and field that lies to the south of the dwelling. Association with the dwellinghouse is perhaps indirect, however, intrinsic to the special enjoyment of this particular old farmstead dwellinghouse must be the opportunity that the modest parcel of farmland, owned with the dwellinghouse, provides to keep or graze animals and maintain the land accordingly. Whilst the dwellinghouse does already have outbuilidngs, not least the adjacent barn, these big stone buildings actually have limited small openings and doorways that don't obviously lend themselves to easy functional storage. In these regards it is considered that the building is *reasonably*

required for a purpose that can be considered to be incidental to the enjoyment of the dwellinghouse.

CONCLUSION / PLANNING BALANCE
The building would be permitted by Class E, Part 1 of the GPDO.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 21/07/2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council