



Planning Services Ltd

Directors:

A W Newby B.Sc DMS

Registered in England N*

2458413

Townend

Waterfall

Waterhouses

Staffs ST10 3HZ

Tel (01538) 308043

web: www.pmeplanning.co.uk

email: enquiries@pmeplanning.co.uk

Design & Access Statement, relating to the formation of an improved access, construction of a carport and store and change of use of the associated land to domestic use. (Resubmission)

1. Site & Applicant:

- 1.1 David Pennington,
Lane End Cottage,
Whirley Low,
Foxt,
ST10 2HR

OS Grid Ref SK 041 492

Easting 404131

Northing 349247



Fig. 1 The Site

2. Application Summary

- 2.1 There are several elements to the proposed development:

- i). To form an improved vehicular access.
 - ii). To construct a carport and store.
 - iii). The change of use of the associated land to domestic use.
- 2.2 The cottage is accessed via Whirley Low (Foxt Road), designated the C0089. The south west gable of the cottage lies one side of the access and a tall stone boundary wall lies on the other. The cottage is built hard to the highway with no verge. The cottage and the boundary wall severely limit the emerging visibility, so the driver cannot see traffic on Foxt Road until they are several meters out into the road. The absence of a verge and bell mouth result in vehicles swinging out onto the opposite carriageway.
- 2.3 The access is fitted with electrically operated gates which roll to one side. Vehicles entering the site are required to block the carriageway for a short while whilst these open. Although Foxt Road is lightly trafficked, the cottage is close to the crossing of Foxt Road, Shaw Wall Lane, Park Lane and Park Nook and a vehicle stopped in this position obscures the junction.
- 2.4 The design of the gates is also wholly suburban and out of keeping with the rural setting.
- 2.5 The new access will be formed further away from the cottage.
- 2.6 The second element of the proposal is the construction of an oaked framed outbuilding which will provide covered parking for two cars and storage space for implements, wood fuel and bicycles.
- 2.7 The area of land enclosed by the access and and turning area lies outside of the existing curtilage. Since both, principally serve the dwelling a change of use from amenity grassland to domestic use is implied.
- 2.8 The application is a resubmission of application SMD/2020/0367 which was refused. A subsequent appeal was dismissed.
- 2.9 The proposed access is in the position shown in the council's 'counter proposal' and runs adjacent to the curtilage boundary.
- 2.10 The planning inspector found in the appellants favour in respect of the carport and the submitted plans show this on the site of the existing stable block.

3. Site History

- 3.1 SMD/2018/0328 Outline application for 5 dwellings, refused, 03/08/2018
- 3.2 SMD/2010/1119, Rear conservatory and gates, approved 23/02/2011.
- 3.3 SMD/2009/0347, Two storey rear extension, approved, 13/05/2009,
- 3.4 SMD/2002/0237, Stable and tack room, approved, 28/05/2002.

- 3.5 SMD/2020/0367, Formation of an improved access, construction of a carport and store and change of use of the associated land to domestic use, refused 11/11/2020.
- 3.6 Appeal, APP/B3438/W/21/3268248, dismissed, 29th September 2021.

4. Description of the site

- 4.1 Lane End Cottage adjoins Corner Cottage adjoins at Whirley Low a short distance to the east of Foxt. The two properties were historically in common ownership.
- 4.2 The site lies close to the cross roads formed by Foxt Road, Shaw Wall Lane, Park Lane and Park Nook.
- 4.3 The area of land under the applicant's ownership extends to 3111 sq. m. The application site, including the existing buildings and curtilage plus the part enclosed by the proposed access and outbuilding and measures 806 sq. m.
- 4.4 The landscape character type is defined as "Dissected Sandstone Highland Fringe" with steep sided valleys and a rounded dissected landform. This is a small to medium scale landscape with wide and distant views across Ipstones Park. The Landscape Character Assessment identifies this area as sensitive to change and highlights an issue with run down farm buildings.

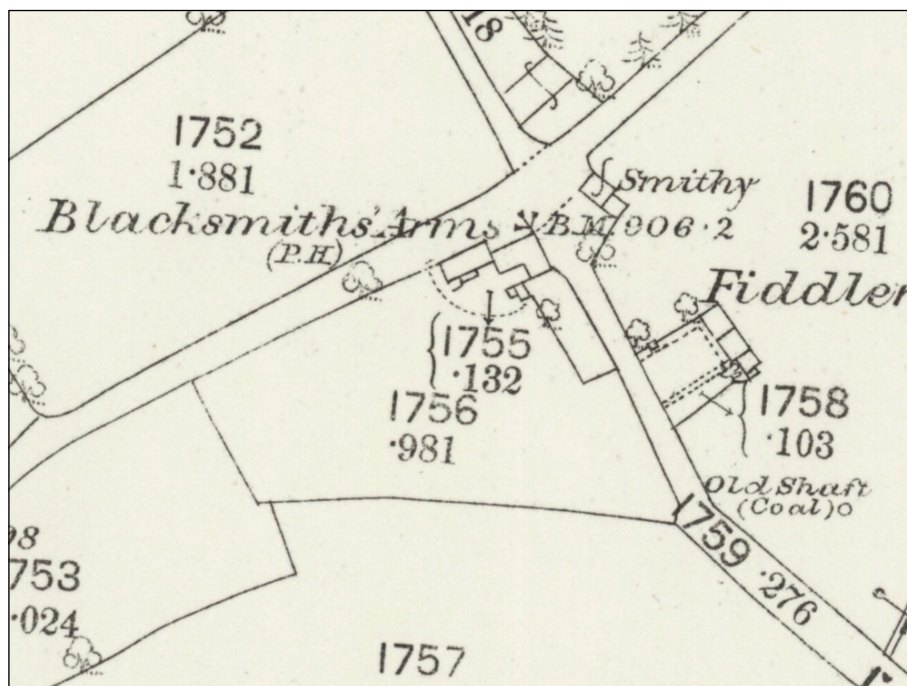


Fig. 2. Extract from 1st epoch OS map of 1881

- 4.5 A date stone above the front door of Corner Cottage indicates that the buildings date from 1884. The date is slightly at odds with the 1st epoch OS map of 1881 which shows that both buildings were already present when the map was published. The map describes the buildings as "The

Blacksmiths Arms". The buildings have variously been used as an inn, farmhouse, village shop and post office.

- 4.6 The cottage is predominantly constructed from gritstone under a tiled roof clad in Staffordshire blue clay tiles. The section adjoining Corner Cottage is constructed from brick above a stone plinth.
- 4.7 The stable is clad in timber under a corrugated roof.
- 4.8 Footpath FP 57 follows the southern boundary of the owner controlled land

Please refer to the accompanying 1:200 Existing Block Plan for further details.

5. Description of the proposed development

Improved vehicular access.

- 5.1 The new vehicular access will be positioned alongside the curtilage boundary as suggested by the council in a 'counter proposal' raised during the previous application.

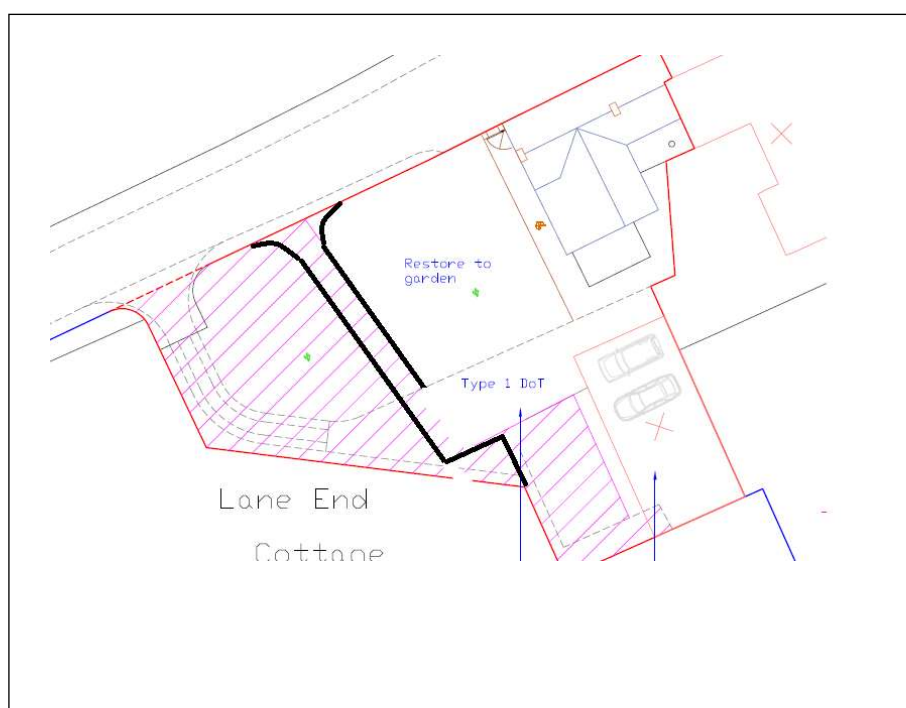


Fig. 3. Council's preferred option.

- 5.2 The amended Rev2 access plan shows that the emerging sight-lines to the ESE achieve the required 43m y distance required for a design speed of 30mph. - Manual for Streets (MfS) table 7.1, paragraph 7.7.6.
- 5.3 The emerging sight-lines to the WNW achieves the 43m y distance for traffic descending Park Nook. However the emerging sight-lines are reduced to 33m for traffic emerging from Shaw Wall Lane. Whilst this is technically substandard, the reduced Y distance might be acceptable given

that this is a lightly trafficked location and traffic emerging from Shaw Wall Lane may be expected to be travelling more slowly: The design speed for a 33m bonnet adjusted stopping distance is 25 mph. - MfS Table 7.1

- 5.4 Sight-lines remain within land under control of the owner.
- 5.5 The tall stone boundary wall adjoining the existing access restricts the emerging visibility and it is therefore proposed that this be reduced in height to meet the height of the adjoining section of boundary wall.
- 5.6 The existing vehicular access will be closed off: The drystone boundary wall on the south west side of the existing access will be extended, the stone gate post repositioned and a wooden pedestrian gate fitted.
- 5.7 The drystone boundary walls either side of the proposed access are relatively low. Driver eye level is taken to be 1.05m, so the sight-lines will pass over the walls. - MfS paragraph 7.6.3
- 5.8 The drystone walls either side of the access will be reconstructed to form a bellmouth entrance and a wooden gate fitted.
- 5.9 To prevent loose material entering the highway, the first 5m from the highway boundary will be surfaced in gritstone setts. The next section up to the gate will be surfaced in type 1 DoT.
- 5.10 To allow a vehicle to pull off the road before handing the gate, the gate will be set 5m back from the highway boundary.
- 5.11 The track will be formed as a pair of wheelings, also surfaced in type 1 DoT with a grass centre strip.

Carport and store.

- 5.12 The proposed carport and store form part of a single building.
- 5.13 The building will be constructed with an oak frame. The walls will be clad in oak above a low blue brick plinth and the roof will be clad in Staffordshire blue clay tiles.
- 5.14 The carport has two open bays and the store has two closed bays. The building will therefore provide garaging for two cars with storage space for a mini utility tractor / ride on mower, gardening tools, bicycles and wood fuel.
- 5.15 The dimensions of the proposed building are as follows:
 - length: 13.55m
 - width: 6.80m
 - eaves: 2.55m
 - ridge: 5.57m
- 5.16 The turning area in front of the building will be surfaced in Type 1 DoT.
- 5.17 Rainwater goods will comprise black 1/2 round gutters with round down pipes and will discharge to the existing soak-away.

Change of use

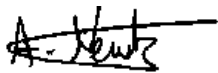
- 5.18 The area of land enclosed by the access and and turning area lies outside of the existing curtilage. Since both, principally serve the dwelling, there is an incidental change of use of the associated land.
- 5.19 The land has previously been used for equestrian purposes and for keeping a small number of sheep and is not part of an agricultural holding. The change of use is therefore from amenity grassland to domestic use.
- 5.20 The area of change of use, including the access and the turning area in from of the carport and store measures 152 sq. m.
- 5.21 The public footpath lies outside of the application site and remains unaffected by the proposed development

Please refer to the 1:200 Proposed Block Plan and 1:50 Plans & Elevations for further details.

6.0 Assessment and Conclusion

- 6.1 The site is located in open countryside. Local Plan Policy SS10 allows for development which meets an essential local need and permits domestic outbuildings of an appropriate design scale and character. Core Design Policies DC1 and DC3 are also applicable.
- 6.2 The outbuilding, comprising carport and store are considered to be an appropriate design for this rural area. The outbuilding will be viewed against the backdrop of the cluster of dwellings including, Lane End Cottage, Corner Cottage and The Bungalow, each of which have a collection of outbuildings. The additional outbuilding will therefore be assimilated into its surroundings without harm to the wider landscape.
- 6.3 The existing access is substandard and of poor design. The new access replaces the suburban electric gates and walling with more sympathetic boundary and surface treatments, thereby enhancing the rural character of the area.
- 6.4 The amended proposal positions the access alongside the existing boundary therefore eliminating the area of paddock which was formerly enclosed by the access loop, thereby limiting the encroachment into open countryside and any domesticating effect which may ensue.
- 6.5 Whilst the emerging sight-lines are substandard in respect of traffic emerging from Shaw Wall Lane, the amended proposal is significantly better than the existing arrangement.
- 6.6 The removal of parked cars lying close to the road, the garaging of cars and housing of tractor/ride-on mower and implements reduces the domesticating impact of the development.
- 6.7 The public right of way remains unaffected by the proposed development.
- 6.8 The proposal does not raise any privacy or amenity issues.

6.9 The proposal is therefore considered by a sustainable form of development in accordance with Local Plan Policies, SS10, SS1a, DC1, DC3 and policies in the National Framework including section 2, sustainable development and section 12, achieving good design.

A handwritten signature in black ink, appearing to read 'A. W. Newby', with a horizontal line drawn through it.

A W Newby, B.Sc (Eng). DMS.
PME Planning Services
Friday, 15 October 2021