

DELEGATED DECISION REPORT

SMD/2022/0023
Valid 17/01/2022

SPRINGFIELD HOUSE
SCHOOL LANE
BRADNOP

**PROPOSED ERECTION OF
DETACHED ANCILLARY
BUILDING TO STORE
HISTORIC TRACTOR.**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- What comprises the Domestic Curtilage?
- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The proposed site comprises a detached stone and tile dwellinghouse and its associated curtilage, situated in the Ipstones Ward. The site is within the Churnet Valley Masterplan Boundary, where the Staffordshire Moorlands Local Plan seeks to concentrate rural regeneration. The site is enclosed by curtilages of neighbouring dwellings comprising a section of School Lane to the North and South-West. The adjacent neighbour at Mountfields, School Lane lies to the North-West of the site and Hillsdowne, School Lane is situated to the North-East. The neighbouring dwelling at Sunny View, School Lane is South-West of the site. The School Lane highway runs adjacent to the Eastern curtilage of the site.

PROPOSAL

The proposed development comprises the addition of a detached ancillary outbuilding within the curtilage of the dwellinghouse, to store a historic tractor. The proposed outbuilding will have a length of approximately 5.5 metres and a width of approximately 7.17 metres. The outbuilding would have a simple dual-pitched roof, having a maximum height of approximately 3.63 metres and maximum eaves height of 1.45 metres (measured from the highest ground level). It would be constructed from materials including coursed natural stone, plain tiles and painted timber.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles

1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

Permitted development rights for householders Technical Guidance

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 11/05/2022
Neighbour consultation period ends: 25/02/2022
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

Bradnop Parish Council do not object to the approval of the application. However, they raised questions regarding the size of the proposed outbuilding and whether the recently demolished existing garage could have just been enlarged.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development

plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with Policies SS1 and SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A more limited focus on future growth is to be directed to smaller villages, including Bradnop, only allowing for development of an appropriate nature. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

In compliance with Policy SS9, smaller village settlements should only settle for appropriate development which enhances community vitality or that meets a social or economic need of the settlement and its hinterland. The site lies within the smaller village of Bradnop, where all new development will have the aim of reflecting and enhancing the special character and heritage of the town.

The proposed site is within the Churnet Valley Masterplan Boundary, where any development should be of a scale and nature and of a high standard of design which conserves and enhances the heritage, landscape and biodiversity of an area. Furthermore, the proposed development would be acceptable, subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works include design, neighbour amenity and highway safety.

What comprises the Domestic Curtilage?

The Permitted development rights for householders Technical Guidance document defines 'curtilage' as:

"land which forms part and parcel with the house. Usually it is the area of land within which the house sits, or to which it is attached, such as the garden, but for some houses, especially in the case of properties with large grounds, it may be a smaller area".

With the absence of any clearly defined domestic curtilage boundary line on site, the next resort of the Council is to look at the aerial photographs. This is due to the fact that aerial photographs represent what is there. Although OS maps are largely accurate, they are drawn up by interpretation rather than being a factual representation of what is there.

From the plans submitted initially, it was established that the proposed ancillary outbuilding would not be within the domestic curtilage of the dwellinghouse. The site comprises a large plot of land; a section of domestic curtilage and a section of land which is owned by the applicants. Aerial photographs of the site demonstrate where the edge of the domestic curtilage of the dwelling looks to end. From viewing the aerial photographs, there looks to be approximately 9.25 metres of domestic curtilage to the South of the dwelling, which can be seen in the image below:



When assessing the same measurement on the site plan submitted, it totals approximately 11 metres. Therefore, part of the proposed ancillary building would have been outside the 9.25 metre mark, meaning that part of the proposed outbuilding would be on land owned by the applicants as opposed to within their domestic curtilage.

Since the initial assessment, an amended plan has been submitted, showing the domestic curtilage boundary line to be 10.3 metres south of the dwellinghouse. Information has been submitted to show that there appears to be a distinct difference between the two hedge widths where they meet at the junction with the internal boundary. Having measured this on aerial mapping, it reveals a measurement of 10.3 metres from the front right corner of the house to the boundary intersection. Photographs have been submitted in support of this, showing a clear gap between the remaining hedges (having different widths) and a step in the roadside wall. These photographs can be seen below:



Measurements taken show that the centre of the trunk for the last hedge plant is exactly 10 metres and that the centre of the gap between the two hedges of different widths is 10.3 metres.

Following this information which has been presented to the Council, it has been agreed that the domestic curtilage boundary line is in fact 10.3 metres South of the dwelling in which it serves. As the proposed outbuilding has been brought back to fit within the 10.3 metres of domestic curtilage South of the dwellinghouse, the revised details are found to lie within the curtilage of the dwellinghouse.

Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place. The Council's Design SPD outlines the Council's expectations in respect of design and states that outbuildings should harmonise with the parent building. An outbuilding should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

The Staffordshire Moorlands Design Guidance details the following:

"In the countryside or on the edge of settlements, buildings should sit comfortably in the landscape. This is best achieved by emulating the horizontal, ground-hugging form of traditional buildings with their strong eaves and ridge lines and simple, low silhouettes parallel with the contours."

The proposed development is a single storey outbuilding within the curtilage of the dwellinghouse. The proposed outbuilding will have a length of approximately 5.5 metres and a width of approximately 7.17 metres. The outbuilding has a simple dual-pitched roof, having a maximum height of approximately 3.63 metres and a maximum eaves height of 1.45 metres (measured from the highest ground level). For a development to be considered appropriate in terms of its size and massing, the Council would universally expect to see outbuildings subordinate to the dominant parent building. It is important that outbuildings are designed and built in sympathy with the property which they serve. Ideally, materials and the roof pitch of the outbuilding would match those of the parent building.

As the proposed outbuilding is single storey, as well as having a simple dual-pitched roof course which complements the host dwellinghouse, it is considered appropriate in terms of its design. Therefore, the outbuilding does not compete with the proportions of the host dwelling, as it is clearly read as an outbuilding for the ancillary use of the host dwelling. Thus, it would be considered appropriate development in accordance with the Council's Design SPD.

Materials used in the construction of the proposed outbuilding would match those used in the construction of the existing dwelling, as well as from surrounding dwellings in the area. The Staffordshire Moorlands Design Guide SPD states that:

"Towns and villages in the Staffordshire Moorlands have a distinct local character, which has been defined by... the use of natural and traditional materials such as stone and Staffordshire blue clay tiles."

Although the surrounding street scene comprises a varied selection of house types and outbuildings, a prominent feature of the street scene is the stone used in the construction of the buildings. Coursed natural stone, plain tiles and painted timber would be used in the construction of the proposed outbuilding. This material specification would clearly be in character with the parent dwelling and other outbuildings within the curtilage. Therefore, the materials which would be used are considered acceptable.

The proposal, by virtue of its size, scale and siting maintains the character of the existing dwelling and area. The proposal would therefore accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

Amenity

Paragraph 130 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is bound by Mountfields, School Lane to the North-West and Hillsdowne, School Lane to the North-East. The neighbouring dwelling at Sunny View, School Lane is South-West of the site. Therefore, assessment of amenity impact will be required on the three direct neighbouring dwellinghouses surrounding the site.

The proposed outbuilding is positioned on the Southern section of the curtilage of the site. As the neighbouring dwellinghouse at Hillsdowne, School Lane is positioned to the North-East of the site, the outbuilding is positioned on the opposite side of the curtilage of the host dwelling to this neighbour, meaning that the neighbour would not be impacted at all. Furthermore, the outbuilding is a substantial enough distance from the neighbour at Hillsdowne, School Lane to mitigate any chance of light loss as its location would comply with the 45 degree line measured from this neighbours' closest windows.

Consideration has been given to whether the proposed outbuilding might be seen to adversely affect the amenity of the neighbours at Mountfields, School Lane. As the outbuilding is only single storey, it is not considered to be overbearing on the neighbouring dwelling at Mountfields, School Lane due to its subordinate nature to the host dwellinghouse, as well as neighbouring dwellinghouses. Although the proposed garage would be closest to the neighbouring dwelling at Mountfields, School Lane, I note that the domestic curtilage of the site is very spacious. Thus, the proposed outbuilding would still be a substantial enough distance away from the neighbour so their light amenity is not detrimentally impacted (approximately 17.23 metres). Furthermore, due to the sunlight trajectory moving from the East to West, the proposed outbuilding would only cast a shadow over a small section of curtilage of the host dwelling through the day. It has therefore been established that the substantial distance between the proposed outbuilding and this neighbouring

dwelling would eradicate any minor chance of overshadowing which could be caused as a consequence of the outbuilding.

As both the proposed outbuilding and the neighbouring dwelling at Sunny View, School Lane are both situated South-West of the site, amenity impact assessment on this neighbour is important. Although the East to West sunlight trajectory would mean that the outbuilding could cast a very minimal shadow over the curtilage of the neighbour at Sunny View, School Lane during the morning hours, there would be an approximately 68 metre distance between the two. Furthermore, the aforementioned reason would alleviate loss of light for this neighbour. From this observation, it becomes apparent that the amenity of Sunny View, School Lane would not be adversely impacted by the proposed outbuilding.

There are no glazed areas on any of the elevations of the proposed outbuilding, therefore no adverse privacy impact would occur upon any of the neighbours.

There are no dwellinghouses with curtilages which directly adjoin the Western side curtilage of the site, thus no amenity impact will occur here.

Highway Safety

Paragraph 104 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

The proposed outbuilding would not increase the number of bedrooms of the dwelling. Additionally, as the outbuilding would be within a space of curtilage of the dwelling which is not used for parking, the available off road parking belonging to the dwelling would not be compromised, in compliance with Policy T1. The garage would be accessed via an existing timber gateway, through the adjacent field, the surface of the access track would remain as existing being grassland.

Thus, the proposed extension would have no impact on highway safety, in accordance with Policy T1.

The comments of the Parish Council are noted, however the application proposes a new outbuilding, which for the above reasons is considered acceptable.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect upon neighbour or street scene amenity and no overall impact on the highway, it is deemed acceptable under planning policy. The amenity of all direct neighbours would be protected by the substantial distances between the proposed outbuilding and their dwellings. Although there was initial concern regarding the outbuilding not being within the domestic curtilage of the dwelling, the Council have worked proactively with the

agent and applicant to ensure that a domestic curtilage boundary line is established and that the proposed outbuilding would be within this boundary. Therefore, the proposed outbuilding is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins

Recommendation Date: 10/05/2022

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council