Proposed change of use and extension of residential boundary to create a new vehicle access at Far End Cottage, Elnor Lane, Whaley Bridge for Mr. Shuker

Planning, Design and Access Statement

Background to the application and relevant Planning Policies

The application site, Far End Cottage is located on Elnor Lane some 2.5 km to the south-east of Whaley Bridge Town Centre, and approximately half way between the Built-Up Area Boundary of Whaley Bridge and the village of Fernilee. The cottage is situated just south of Elnor Lane Farm which is also owned and run by the applicants and their family. Being outside of the BUAB, the site lies within the open countryside, within the designated Special Landscape Area.

Far End Cottage comprises a two-storey, four-bedroomed dwellinghouse located in close proximity to the highway. The property is bounded along its entire frontage by a dry gritstone wall, which is less then 1 metre in height, and which forms part of a continuation of field boundary walls along this section of Elnor Lane.

There is an integral single garage located on the north side of the property. This results in the situation where 2 no. vehicles have to park in-line, and it is necessary for vehicles to either reverse into or reverse out of the access onto the highway. The existing vehicular access serving the property is 2.7 metres wide, and constructed at an angle to the adjacent highway. It is also located close to a brow in the hill which severely limits visibility to only 26 metres in the critical northerly direction. The carriageway at this point is only some 4 metres wide. Therefore, to reverse either into or out of the access is a dangerous manoeuvre, and for this reason, it is proposed to create an improved access on land in the ownership of the applicant, on the south side of the cottage, where there is increased visibility.

The area subject to this application currently forms the lower part of a grass paddock, separated from the field by a stockproof post and rail timber fence. There is an existing field gate giving access directly onto Elnor Lane

As the site is located within the open Countryside and the Special Landscape Area, Policies OC1, OC3, OC4, BC1, GD4, GD5 and TR5 of the High Peak Local Plan (Saved Policies) 2008 are applicable.

Policy OC1 aims to protect the countryside for its' own sake and to direct most new development to existing built-up areas. However, certain forms of development, which are an integral part of the rural economy are acceptable. Whilst most forms of development of an urban character, will normally be resisted in the countryside, the policy does make provision for agricultural

developments, farm diversification schemes, recreation and tourism facilities, and small-scale extensions to existing development.

Policy OC3 relating to development within the Special Landscape Area, aims to resist new development or major extensions to existing development unless it can be shown to be essential in its' proposed location or would enhance the character of the area. Where development is permitted within the Special Landscape Area, it will be required to have special regard to the landscape quality of the area in relation to siting, design and landscaping.

Policy OC4 relates to Landscape Character and Design. Where development is considered appropriate in the countryside, as defined in policies OC1 and OC3, it will be required to be of an appropriate design which complements and relates to the particular type of landscape in which it is located. It will be necessary to have regard to and conserve (amongst other factors) the landform, and the scale, layout, design and detailing of vernacular buildings.

Policy BC1 refers to External Materials and states that planning permission will be granted for development provided that the type, colour and specification of all external materials and the way they are applied will be sympathetic to the character and appearance of the immediate surroundings and the wider area.

Policy GD4 relating to Character, Form and Design stipulates that planning permission will be granted for development provided that:
Its scale, siting, layout, density, form, height, proportions, design, colour and materials of construction, elevations and fenestration and any associated engineering, landscaping or other works will be sympathetic to the character of the area, and there will not be undue detrimental effect on the visual qualities of the locality or the wider landscape.

Policy GD5 refers to Amenity and states that planning permission will be granted for development provided that it will not create unacceptable loss of, nor suffer from unacceptable levels of, privacy or general amenity, particularly as a result of overlooking, loss of sunlight or daylight, overbearing effects, pollution or traffic safety and generation.

Policy TR5 refers to Access, Parking and Design, and aims to ensure that new development makes safe and appropriate provision for access and egress for all modes of transport including the private car. Such development should include a high standard of design and layout having regard to the parking, access, manoeuvring and highway guidelines set out in Appendix 1 (Parking Standards) of the Local Plan.

A previous planning application on the site, no. HPK/2010/0654, proposed the Change of Use of the existing croft, from its' current agricultural use to domestic, with the construction of a detached garage on the land. This application was refused on 7 February 2011 for the following reasons:

1. The Local Planning Authority considers the extension of the curtilage would represent an undesirable urban intrusion into this area of countryside which has also been designated as a special landscape area. As such the proposal would be contrary to policies OC1, OC3 and OC4 of the High Peak Local Plan Saved Policies 2008.

2. The proposed garage and hardstanding, by reason of its size, siting, design, and nature would form a visually obtrusive feature which would detract from the rural character and appearance of the area within which it is located thus being contrary to policies OC1, OC3, GD4 and GD5 of the High Peak Local Plan Saved Policies 2008.

A further planning application No. HPK/2011/0241, proposed vehicular access on land adjacent for residential access and the construction of a garage was also refused on 15th July 2011 on Countryside policies.

In order to overcome the Local Planning Authoritys' objections to the previous two scheme which were refused, the applicant now proposes an alternative scheme which will have minimal visual impact on the countryside and special landscape area.
It is acknowledged that the development currently proposed, relates to a change of a domestic use extending onto adjoining agricultural land of recognised landscape importance. Notwithstanding this, the development proposed should be viewed as having very special circumstances, in that approval of the submitted scheme would provide a significant improvement to highway safety.

Design and Access Considerations

The application site is located on a section of Elnor Lane which is particularly narrow in width. Considerable stretches of the lane are single-track only, with the addition of a limited number of passing places. Not only is the road particularly narrow, but it is also tortuous in both vertical and horizontal alignment. Nevertheless, this section of the road is de-restricted, and as such subject to the maximum speed limit of 60 mph. Furthermore, Elnor Lane is a well-trafficked highway, much beyond its' realistic capability, as it serves as a short-cut or "rat-run" for drivers wishing to avoid Whaley Bridge Town Centre, and particularly the traffic lights at Horwich End.

The current access to the property is clearly substandard in terms of highway safety. The position of the narrow gateway, in close proximity to the brow of the hill, gives extremely limited visibility from the north, only 26 metres from the Whaley Bridge direction. This is exacerbated further by the existing angle of the access onto the adopted highway, and the fact that it is necessary to reverse vehicles either into or out of the site. Whilst it is accepted that on-site turning space could be provide within the existing garden area to the north side of the cottage, this would not provide any improvement to visibility due to

the close proximity of the brow of the hill. In order to provide a substantial overall improvement to highway safety, it is proposed to create a new domestic access into the adjoining paddock on the south side of the property, by utilising an existing field gate and construct a new driveway through to the existing rear garden of the property.

The scheme now submitted does propose to Change the Use of the paddock from agricultural to domestic use; indeed is it proposed to construct an additional boundary wall, which was originally proposed as part of application no. HPK/2010/0654.

Justification for the proposed development

Far End Cottage comprises a four-bedroomed dwelling, and as such the guidelines within Appendix 1 of the High Peak Local Plan recommend a maximum of 3 parking spaces for a dwelling of this size. Currently, the property benefits from only 2 no. on-site parking spaces, these being in-line. However, the property is occupied by Mr. and Mrs.Shuker and their grown-up family, who own 3 no. cars in total. Currently it is necessary to park 1 no. of those vehicles within the lay-by area outside of the cottage. The lay-by is only 2.2 metres in width and although this appears as part of the carriageway, it is actually within the ownership of the applicants.
The proposed scheme would thus significantly improve highway safety by providing not only improved visibility, and on-site turning facilities, but also prevent the need for parking adjacent to the carriageway on a single-track lane. A further advantage is that the lay-by could then function as a passing place on the narrow lane.
A vehicular gateway some 2.7m wide, and set back 2.2 metres from the carriageway edge, would be splayed giving increased visibility of 42 metres in the critical northerly direction. Visibility would be further improved by the removal of vegetation within the existing garden area, on the north side of the cottage, adjacent to the road boundary wall. This would not, however, involve the removal of any significant trees.

Whilst the main objective of Local Plan Policy OC1 is to protect the countryside from inappropriate development, this policy does make provision for agricultural and other acceptable developments.
The introduction to Chapter 4: Conservation and Enhancement of the Open Environment of the High Peak Local Plan (paragraph 4.2) specifically states that the policies within that chapter seek to protect the countryside from inappropriate development whilst at the same time maintaining the quality of life for those who use the countryside on a day to day basis. The current proposal to improve highway safety is vital to maintaining such a quality of life for the applicant and his family.
Paragraph 4.5 goes on to state that whilst appropriate development in the countryside is often related to agriculture, other acceptable developments include small-scale extensions to existing development. It is contended that the current proposal would form such a small-scale development.

Local Plan Policy OC3 aims to resist new development within a Special Landscape Area, unless it can be shown to be essential in its proposed location. In this instance, the significant improvement to highway safety, and the safe entry and egress of vehicles to Far End Cottage, is essential to the applicant and his family. There is no alternative location for a vehicular access which would achieve the required visibility.

The improvement to highway safety on this section of Elnor Lane complies with Policy TR5 of the Local Plan.

Conclusion

The development as proposed, is required solely for the purposes of improving the current substandard access and parking facilities at the property. This would be achieved by repositioning the access further to the south of the existing, thus providing increased visibility at the point of access. The provision of on-site parking and turning facilities are permitted development within the existing curtilage of the dwelling, would enable the applicant and his family to park all their vehicles off the highway, and to enter and exit the site in a forward gear. The necessity to reverse into or out of the existing severely restricted access will be avoided, and as such the proposed scheme will be of overall benefit, improving safety for all users of the adjacent highway.
On the basis that the development as currently proposed can be seen to comply with all relevant Local Plan policies, the significant improvement to highway safety and the small-scale nature of the works proposed, together provide circumstances which are an exception to the normally restrictive planning policies regarding development within the Special Landscape Area, and provides justification for approval of the proposed development.