

DELEGATED DECISION REPORT

HPK/2017/0300
Valid 28/06/2017

HEATHER LOW COTTAGE
ASHBOURNE LANE
CHAPEL-EN-LE-FRITH

PROPOSED SINGLE STOREY
GARAGE WITH SMALL
MEZZANINE STORAGE AREA.
LOCATED ON EXISTING HARD
STANDING & ACCESSED VIA
EXISTING DRIVEWAY

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development
- Design – inc. siting, size, scale, relationship with host dwelling and impact on the character & appearance of the area (Countryside)
- Arboricultural impact
- Highways safety
- Sustainability

SITE LOCATION

The site edged red submitted with the application encompasses an area where the proposed garage is to be located and the driveway and access from Ashbourne Lane associated with Heather Low Cottage. It is stated for the avoidance of doubt that the proposed outbuilding has been appraised and deemed to be a domestic outbuilding associated with Heather Low Cottage.

The site lies within the countryside and ‘settled valley pastures’ landscape area, as defined in the Local Plan. The site also lies within the Chapel-en-le-Frith Neighbourhood Plan boundary. A Public Right Of Way passes by the southern boundary of the site (Footpath HP6/114/2).

PROPOSAL

The application seeks full planning permission for what is described on the application form as “single-storey garage with small mezzanine storage area. Located on existing hard standing & accessed via existing driveway.”

It is noted that revised plans have been received reducing the size of the building, altering some materials and amending some fenestration detail.

RELEVANT POLICIES/GUIDANCE/OTHER MATERIAL CONSIDERATIONS

High Peak Local Plan April 2016

S1 – Sustainable development principles
S1a – Presumption in favour of sustainable development
S2 – Settlement hierarchy
S6 – Central sub-area strategy
EQ1 – Climate change
EQ2 – Landscape character
EQ3 – Rural development
EQ6 – Design and place making
EQ9 – Trees, woodland and hedgerows
CF6 – Accessibility by public transport

SPD - Residential Design Guide

CELF Parish Neighbourhood Development Plan 2013-2028 – There are no direct Policies relating to domestic extensions/outbuildings within the Neighbourhood Plan.

National Planning Policy Framework

- Ministerial foreword
- Introduction (Inc. Achieving sustainable development, presumption in favour of sustainable development, core planning principles, delivering sustainable development)
- 1 Building a strong, competitive economy
- 4 Promoting sustainable transport
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment

National Planning Practice Guidance

RELEVANT PREVIOUS APPLICATIONS

None identified.

CONSULTATIONS

Publicity

Site Notice expiry date: 21.08.2017
Neighbour consultation period ends: 02.08.2017
Press Advert: No

Neighbours

No comments received.

DCC Highways

No objections to ancillary domestic use.

Environmental Health

No observations to make.

Arboricultural Officer

The Arboricultural Officer notes that:

...the property is within the countryside in the Settled Valleys landscape character area. The trees which surround the property are typical of the character of the area and will help filter views of the proposed new garage. It is important that sufficient trees are retained and are unaffected by the proposals to ensure that this landscape characteristic is retained.

The tree survey provided indicates that 3 trees are to be removed; this limited removal will have little effect on the overall impact of the tree groups. Also, each tree removed is to be replaced with a single tree – though there are no details of species or size of planting.

The arboricultural method statement is based on various assumptions, in particular that the existing hard surfacing will not be disturbed during construction, that the garage will be built on existing hard surface slab and that there will be no excavation.

However, the proposed garage is quite a large building and I have doubts that such a building could be accommodated on the existing hard surface without extending beyond existing hard-surface or some additional engineering works. I have concerns that if approval is granted the requirements of building regulations or other circumstances may require a change in the construction methodology, in which case the impact on the tree cover will be altered to the likely detriment of the trees. The main trees of concern in this regard are the 2 mature ash trees T14 and T15. Any changes may impact on the trees further within the plot but as long as any additional trees removed are replaced this is not an overriding issue in landscape amenity terms. The loss of one or both of the Ash will open up views to the garage from the open countryside. As one tree is outside the applicant's control there may be issues with liability should the tree become damaged; in addition it would not be possible without the land owners consent to replace with another tree close to this location.

Given the above, I do not have an over-riding objection to the proposals as long as any consent is sufficiently conditioned to ensure that should there be any changes in circumstances that may impact on the trees these are catered for. Therefore I recommend that the following conditions are applied:

LA10 - Tree retention

LA14 - Implementation of tree protection during development (amended as noted).

Chapel-en-le-Frith Parish Council

Object. The proposed is excessive in size for a double garage. Previous applications of this nature have made way for dwellings being built in open countryside.

ADDITIONAL INFORMATION

An Arboricultural Impact Assessment has been submitted during the course of the application, details of which can be read on file.

OFFICER COMMENTS

Principle of development

The principle of erecting a domestic outbuilding in the countryside is acceptable within the context of Local Plan policies, subject to adhering the policy detail and any other material considerations.

Design/impact on the character & appearance of the area (countryside)

Relevant policy/material considerations

S1 – All new development should make a positive contribution towards the sustainability of communities and protecting or enhancing the environment. This is to be achieved by, amongst other things, *“protecting and enhancing the natural and historic environment of the High Peak and its surrounding areas...”* and *“seeking to secure high quality, locally distinctive and inclusive design...”* Furthermore, *“In all cases development should not conflict with the relevant policies in this Local Plan. Development should be designed to...have regard to both its direct and indirect cumulative impact over the long term...”*

EQ2 – *“The Council will seek to protect, enhance and restore the landscape character of the Plan Area for...[amongst other things]...its own intrinsic beauty...”*

EQ3 – *“Outside the settlement boundaries...the Council will seek to ensure that new development is strictly controlled in order to protect the landscape’s intrinsic character and distinctiveness...”*. The policy allows for certain forms of residential development including *“Extensions to existing dwellings provided they are subsidiary to the building and do not have a adverse impact on the character and appearance of the area.”*

SPD Residential Design, Para 9.7 – *“Garages and outbuildings should relate to the main dwelling in terms of size, proportion and appearance. They should be subordinate in size and height and match the materials of the existing house...”*

Para 60 NPPF – Although Local Planning Authorities should not impose architectural styles or stifle innovation, *“it is, however, proper to seek to promote or reinforce local distinctiveness.”*

Original Plans

The plans as submitted with the application consist of a building that measures approx. 10.6m x 7.4m with a ridge height of 7.1m and an eaves height of 3.6m. The description of the proposal describes the building as a single-storey garage with small mezzanine storage area. The building is to be constructed of reclaimed stone and vertical timber planked walls with a reclaimed Welsh roof slate. The building has a dual-pitched roof with 3 No. sky-lights on each roof slope each with a vertical section extending down through the eaves to the front and rear elevations. There are vertical timber and glazed double garage doors; there is an internal staircase which leads to the mezzanine; the area of the mezzanine is approx. 2.1m wide x the internal depth of the building. The layout plans illustrate 2 No. cars and 2 No. motor cycles parked on the ground-floor. The mezzanine is indicated for storage.

Revised Plans

As noted above, revised plans have been submitted. The height of the building has been reduced to 6.1m to the ridge, the timber planked elevations have been changed to stone and some fenestration has been altered.

The proposed outbuilding is to be sited amongst a group of trees on what is described within the application as existing hard-standing. It is acknowledged that an area of hard-standing does exist from the access point along what is a driveway and then also covering an area under the trees. The nature and depth of this hard-standing has not been examined by the Council but it has been observed.

The site is located within the countryside, whereby new development should respond to landscape character. Following extensive exchanges with the applicant regarding the siting, scale, design and materials of the proposed building, revised plans have been received which the reduction in scale combined with the change to the materials on balance, satisfactorily address initial Officer concerns. It is considered that the garage would not harm the landscape character of the locality and responds to local distinctiveness.

Subject to conditions the proposed development is considered to comply with the design tenets of Local Plan policies S1, EQ2, EQ3 & EQ6, the design guidance in the SPD and section 7 of the NPPF.

Arboricultural impact

As noted by the Arboricultural Officer, the AMS and its recommendations is based on there being no excavation associated with the development; should there be any excavation then the impact from the proposal on the trees may be different than has been concluded at present.

The loss of a small number of trees and the proposed planting of some others is acceptable and will ensure the proposed building, as amended, will be sufficiently screened. Details of the trees to be planted can be secured via condition.

As such the proposal accords with Local Plan policy EQ9 and section 11 of the NPPF.

Impact on neighbour amenity

The nearest neighbouring property is sited approx. over 170m west of the site. Given the proximity to neighbouring properties it is considered that the proposed development has very little impact on the amenities of neighbouring properties. As such, the proposal accords with policy EQ6 of the Local Plan and bullet point 4 of para. 17 of the NPPF.

Highway safety

The Highway Authority raises no objections. The existing access from Ashbourne Lane is to be used. Access, turning and parking within the site will not be harmed by the proposed development. As such it is considered that there are no highway safety issues arising from the application. The proposal therefore complies with policy CF6 of the Local Plan and section 4 of the NPPF.

Other matters

Although the building has been reduced in terms of its height, it has a reasonable footprint, and therefore it is considered necessary to impose a condition ensure that the building can only be used the applicant in connection with the host dwelling. The site is located some way from Chapel town centre and is not in a particularly sustainable location. Therefore to ensure that its use remains ancillary, and not used as a separate accommodation, an appropriate planning condition is recommended.

SUSTAINABILITY/PLANNING BALANCE/CONCLUSION/RECOMMENDATION

Bearing in mind the points discussed above it is considered that the amended proposal constitutes a sustainable form of development that accords with Local Plan policies S1 and S1a and therefore the application should be approve in accordance with para 14 of the NPPF.

OFFICER RECOMMENDATION: Approve

Case Officer: John Williamson
Recommendation Date: 16/11/2017

X *J Colley*

Signed by: Jane Colley

On behalf of High Peak Borough Council