

Regularisation of garden areas and erection of garage / store building.

Bar House & Stormer Hill
Halifax Road
Littleborough
OL15 0LG

Planning Statement

February 2024



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1. SITE DESCRIPTION

- 1.1 Bar House and Stormer Hill are located in an isolated rural location at the junction of the A58 Halifax Road with Blackstone Edge Road. The entire property is within the same ownership, but just over ten years ago the house was subdivided to provide a separate dwelling on the lower ground floor (known as Stormer Hill). The separate dwelling is operated as a holiday cottage by the occupiers of Bar House. Its' use as a holiday cottage is not a requirement of a previous planning permission, it is the choice of the occupiers.
- 1.2 The property is a Grade II Listed Building. It is primarily constructed from stone with a stone slate roof, but has also been extended very prominently with red brick additions including a large front porch to the front facing elevation and a first floor extension to the rear.
- 1.3 Directly to the south of the application premises there are several degraded premises including a building (together with outside space) that has been used as a café (although this has not operated for approximately 5 years), a garage building, a railway carriage, and a linking structure between the railway carriage and the garage. Elsewhere on the Applicants land are found stables that are used for the keeping of horses.
- 1.4 The site is located within the Borough's Green Belt. The site is within Flood Risk Zone 1, and therefore it is not a location that would be at risk from flooding.

2. DEVELOPMENT PROPOSAL

- 2.1 The application seeks to achieve two different things. Firstly, planning permission is sought for a new garage / store building. Part of that building would be used for Bar House and part for Stormer Hill. The building is to be located on the footprint of several buildings that are degraded and so the development will be a replacement for these existing structures.
- 2.2 The building will provide garage and storage space for both properties. The building is simply designed with a dual pitched roof. Proposed materials are natural stone to the front (northern) elevation with render to other elevations. The proposed roofing material is artificial stone slates.
- 2.3 The second part of the application is to regularise the residential curtilage attributed to each dwelling. This application was originally submitted as a householder submission, but the Applicant was advised by the Planning Authority that such a proposal could not be accepted as it was not necessarily the case that the new building was on land that formed part of the authorised

domestic curtilage. Details are provided in this application of the garden area for each property.

3. PLANNING HISTORY

- 3.1 Planning permission was given to subdivide Bar House into two dwellings in July 2011 (Planning Ref. 11/D54679). That permission has been implemented, although the entire property remains in the same ownership. The additional property (known as Stormer Hill) is let out by the occupier of Bar House as a short-term holiday let during the spring and summer, and for longer lets during the winter season. Condition 6 of the planning permission asked for the domestic curtilages for each property to be approved: -

6. Notwithstanding any submitted details, no development shall take place until a plan showing the extent of the residential curtilage associated with each property has been first submitted to and agreed in writing with the Local Planning Authority. No additional land shown within the site edged blue on drawing no.2812 shall be used as curtilage until these details have been agreed.

- 3.2 Whilst details were submitted to the Council, condition 6 doesn't ever appear to have ever been discharged. The condition has therefore been breached for more than ten years, and therefore will no longer be enforceable. This current application therefore seeks to officially regularise the domestic curtilage for each property, as well as secure consent for a new garage / store building.

4. ASSESSMENT

The Appropriateness of the residential curtilages

- 4.1 Historically the size of the residential curtilage that was used for Bar House is difficult to establish. Rural properties, particularly where there is agricultural or equestrian land in the same ownership adjacent to the house, often do not have precisely defined boundaries between the residential curtilage and other owned land.
- 4.2 In 2009 it is believed the entirety of the area of the land owned, as identified by both the red and blue line on the site location plan for this current submission, was used as residential garden area. The aerial image included below as Fig 1, is taken from Google Earth and is dated from June 2009. All of the land with the red and blue line for the current application was closely mown in 2009, suggesting that in 2009 all of the land within the blue line was used as garden area.

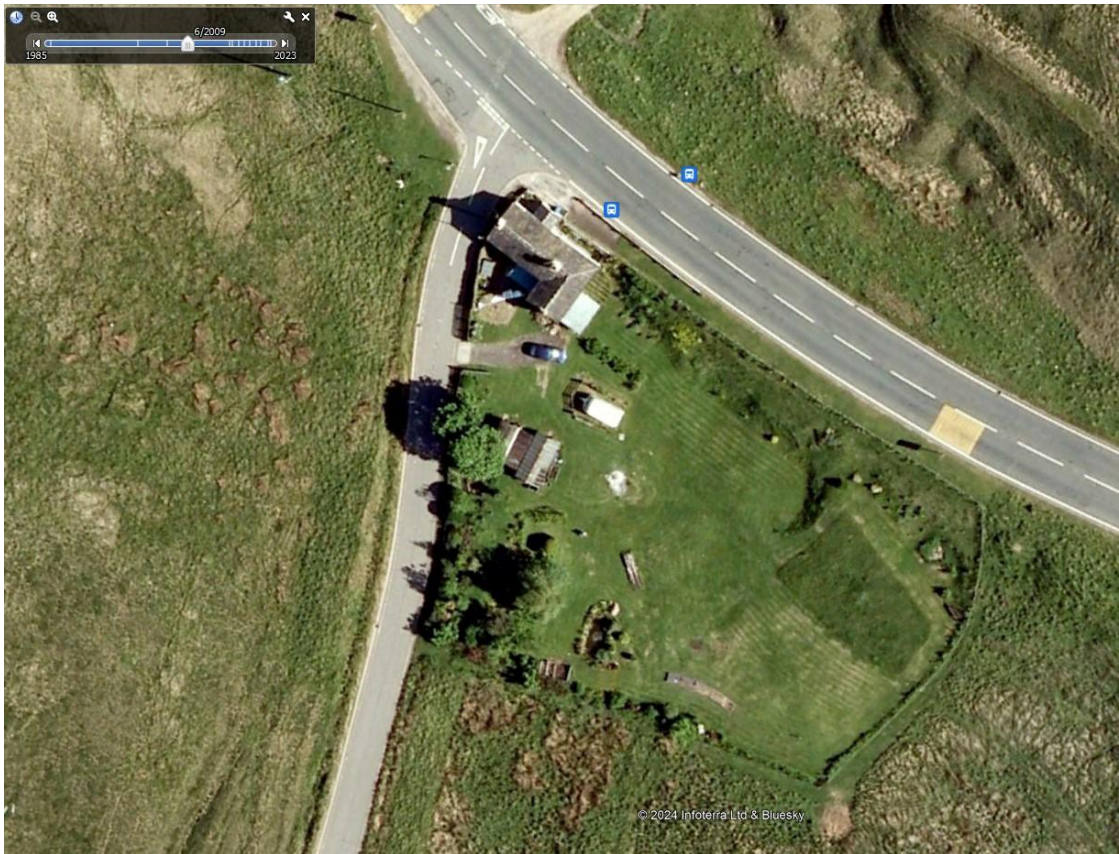


Fig 1. Google Earth image dated June 2009.

- 4.3 This conclusion is supported by the Google Street View image included below that dates from March 2009. The image suggests that in March 2009, all of the land within the blue line of this application submission was being used as residential garden area.



Fig 2. Google Earth StreetView image dated March 2009.

- 4.4 Sometime after that date, equestrian uses were introduced on the eastern part of the site and a stable building was erected. The aerial image from March 2017 included as Figure 3, and the StreetView images from 2015 and 2016 (Figures 4 and 5) indicate this. The area of land used for residential curtilage was therefore reduced when the use of land for the keeping of horses was introduced.



Fig 3. Google Earth image dated March 2017.



Fig 4. Google Earth StreetView image dated August 2015



Fig 5. Google Earth StreetView image dated May 2016

- 4.5 The area of land that is proposed for residential curtilage by this application, to formally regularise the situation, is smaller than that which has clearly been used in the past (particularly when it is considered that in 2009 the dwelling was just one property with a very large curtilage). The curtilages proposed are relatively modest in size and have no adverse impacts. The resulting impact on the character and appearance of the Green Belt (and its openness) is no different from existing, and is certainly less than has existed in the recent past.
- 4.6 The proposed garden area for Stormer Hill is smaller than that for Bar House. This is proposed to reflect the nature of the use of the two properties. Bar House is resided in permanently by its occupiers, and the occupants manage and tend the grounds. Whereas Stormer Hill is only occupied for either shorter term holiday use (particularly in the summer months), or on longer rents during the winter period. The more temporary occupiers of Stormer Hill therefore need a smaller outdoor amenity area and furthermore are unlikely to undertake maintenance of the grounds.
- 4.7 In summary, this application proposal seeks to regularise the domestic curtilages for the two properties. The areas proposed by the application, to be used for domestic curtilage, are smaller than has been used in the recent past (as demonstrated by information provided with this application). The development therefore has no greater impact on the Green Belt than the existing situation.
- 4.8 Furthermore, support is provided by planning policy at paragraph 155 e) of the National Planning Policy Framework (NPPF). The NPPF advises that material changes in the use of land are acceptable in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

[The Appropriateness of the garage / store](#)

- 4.9 The new built development will replace several longstanding existing buildings. Those existing buildings comprise a degraded garage, a railway carriage body, a linking structure roofing over the space between the garage and the railway carriage body, together with other structures associated with the former operation of a café from the site. Images are included at Figs 6 to 9.



Fig. 6. Google Earth StreetView image dated May 16.



Fig. 7. Google Earth StreetView image dated May 16.



Fig. 8. Google Earth StreetView image dated March 21.



Fig. 9. Google Earth StreetView image dated March 21.

- 4.10 The use of the building for domestic storage and garaging is considered to be acceptable in principle. The development will replace existing degraded and unattractive buildings with a new structure that will enhance the character of the area. There is no greater impact on the openness of the Green Belt arising from the development.
- 4.11 The NPPF advises at paragraph 154 that the construction of new buildings in the Green Belt should be considered to be inappropriate development, but then goes on to outline several exceptions where development is acceptable. In this case both paragraphs d) and g) of paragraph 154 are relevant. Paragraph d) outlines that the replacement of existing buildings within the same use class is acceptable. Paragraph g) outlines that redevelopment of previously developed land, which would have no greater impact on the openness of the Green Belt, is acceptable.
- 4.12 It is considered that the development, through the use of appropriate materials and design, together with the removal of the existing buildings, would have a positive impact on the setting of the adjacent Grade II listed building.
- 4.13 The development is considered to be acceptable with respect to all other planning considerations. There would be no impacts on other adjoining neighbours, highway safety, and no flood risk issues would arise.

5. CONCLUSION

- 5.1 The development is considered to be acceptable with respect to all detailed planning considerations and therefore the Council is respectfully requested to approve the application.