Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

DARLEYSHIRE FARM
WETLEY ROCKS

AUGUST 2020

Site Address:
Darleyshire Farm, Leek Road, Wetley Rocks, Staffordshire, ST9 0AR

Applicant:
Mr. & Mrs. Chadwick

Proposal:
Erection of Residential Annex

Planning Statement:
Date Issued: 3rd August 2020
Job Reference: RDP/2020/124

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. & Mrs. Chadwick to seek full planning permission for the erection of a revised residential annex building at Darleyshire Farm, Leek Road, Wetley Rocks, to replace a range of existing domestic outbuildings.

1.2 The application represents a resubmission following the approval of consent for a residential annex under application SMD/2019/0764, which granted consent for the erection of an annex building with a footprint of 64.0 square metres. This revised annex will have a footprint of 74.8 square metres in order to provide some additional internal floorspace for the resultant occupier. Its accommodation will continue to comprise of an open plan kitchen/living area, bedroom, study and bathroom.

1.3 As with the previously approved scheme, the annex is to be located in the same general position as the existing domestic outbuildings proposed for removal, which are located immediately to the south of the existing front elevation of the existing dwelling. The existing parking areas and amenity space surrounding the host dwelling will remain unaltered.

1.4 The annex will also continue to share the existing amenity space of the dwelling, along with its vehicular access and parking, and will remain in the same ownership as the farmhouse. The annex will also share its service connections with the main dwelling and will be occupied by a family member. In doing so the annex will remain ancillary to the host dwelling.

2 Site & Surroundings

2.1 The application site lies within the North Staffordshire Green Belt and comprises a large two storey dwellinghouse set within substantial grounds. To the front (south) of the building lies a range of domestic outbuildings, which extend in a linear fashion away from the property. The buildings comprise a workshop, greenhouse and double garage.

2.2 To the east of the existing buildings lies a yard area, with a dutch barn style building located to the south which benefits from planning consent to be demolished in favour of a new build dwellinghouse (SMD/2019/0765 refers). The front garden of the property extends to the west of the existing outbuildings, beyond which runs the Leek Road. Vehicular access to the site is taken from the Leek Road to the southwest.

2.3 The existing workshop is constructed from a mixture of brickwork with timber cladding and has a shallow tiled roof. The greenhouse has an aluminium frame construction with glazed panels. The detached double garage is constructed from concrete, with a very shallow pitched roof, and has a particularly poor visual quality.

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the Staffordshire Moorlands Core Strategy (2014) of which the following policies are considered to be of relevance:

3.2 **Policy SS1a** of the Core Strategy states that 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. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;*

- *or specific policies in that Framework indicate that development should be restricted.*

3.3 **Policy SS6c** of the Core Strategy relates to the 'Other Rural Areas Area Strategy' and states that these areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy goes on to state that the Council will meet essential local needs by allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2. The policy goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

3.4 **Policy R1** of the Core Strategy relates to 'Rural Diversification' and states that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment. Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution. Wherever possible development should be within suitably located buildings which are appropriate for conversion. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement.

3.5 **Policy DC1** of the Core Strategy relates to 'Design Considerations' and states that all development should be well designed and reinforce local distinctiveness by positively contributing to and complementing the special

character and heritage of the area in line with the Council's Design SPD. It goes on to state that new development should (amongst others):

- *be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

- *be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

4 Other Material Considerations

National Planning Policy Framework

4.1 This document sets out the Government's approach to development in the Green Belt, and also provides guidance, *inter-alia*, in respect of development in the Green Belt and Design. The content of this document is explored in more detail in the Planning Assessment section.

Staffordshire Moorlands Design SPD

4.2 This document sets out guidance aimed at securing high quality design and confirms that the architectural style of new development should be guided through an assessment and understanding of the character and context of the area. The content of the SPD has been taken into consideration in the preparation of the application.

SMD/2019/0764 – Darleyshire Farm

4.3 The above application granted consent for the removal of the existing residential outbuildings and their replacement with a new build residential annex. That permission remains extant and constitutes an established fall back which has to be taken into consideration in the assessment of this application.

5 Planning Assessment

Impact on the Green Belt

5.1 The application site lies within the North Staffordshire Green Belt and proposes the removal of a cluster of existing residential outbuildings and their replacement with a new residential annex. Paragraph 145 of the NPPF confirms that the erection of new buildings is inappropriate in the Green Belt, but nevertheless identifies a number of exceptions, which includes:

> *"d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces"*

5.2 The existing workshop, greenhouse and detached double garage on the site are all in residential use as ancillary domestic outbuildings. The proposed annex will likewise be in ancillary residential use, and consequently is in the same use as the existing buildings. The principle of erecting a new annex on this site as a replacement for the existing outbuildings has already been established under application SMD/2019/0764 and consequently the main issue to be considered in this revised submission is whether the revised annex would be materially larger than the buildings being replaced.

5.3 In determining the previous application on the site (SMD/2019/0764) the Local Authority did not take into account the existing greenhouse on the site on account of it constituting a lightweight structure. The Local Authority went on to conclude that the existing buildings on the site (excluding the greenhouse) had a collective footprint of 70.1 square metres and a volume of 192 cubic metres. The approved annex had a footprint of 64 square metres and a volume of 224 cubic metres, which the Local Authority went on to conclude was in accordance with the requirements of paragraph 145(d) of the NPPF.

5.4 This revised annex building will be modestly larger than the approved scheme, with a footprint of 74.8 square metres and a volume of 270 cubic metres. This represents an increase in footprint over and above the existing workshop and garage of 6.7%, and an increase in volume of 40%. Such an increase in size can reasonably be regarded as not being 'materially larger' having regard to the judgement of *Surrey Homes Ltd v Secretary of State for Environment, Transport and the Regions*, where it was concluded that:

> ***"In most cases floor space will undoubtedly be the starting point, if indeed it is not the most important criterion"***
>
> *(my emphasis)*

5.5 This notwithstanding, it is considered entirely appropriate to include the greenhouse with these calculations, and I draw particular attention to the wording of paragraph 145(d) of the NPPF which does not seek to distinguish between what *types* of buildings should or shouldn't be taken into account – it simply allows for the replacement of a 'building'. Section 336 of the Town and Country Planning Act 1990 (As Amended) defines a building as including *"any structure or erection",* and case law has established that factors such as its degree of permanence and whether it is physically affixed to the ground should be taken into account in determining whether it is a building.

5.6 In this particular case the greenhouse is constructed from a metal frame with glass and has been in situ on the site for 15+ years. In addition, it is permanently affixed to the ground by screws, and thus is not simply placed upon the ground. The greenhouse therefore constitutes a building, and consequently must be taken into account in assessing compliance with paragraph 145(d) of the NPPF.

5.7 The greenhouse has a footprint of 12.1 square metres and a volume of 22.8 cubic metres, which when added to the other existing buildings derives a collective footprint of 82.2 square metres and a volume of 214.8 cubic metres. When compared to the size of those existing buildings, this revised proposal would represent a decrease in footprint of 7.4 square metres (-9%) and an increase in volume of 55.2 cubic metres (25.7%). These figures are summarised in Figure 1 below for ease of reference.

Figure 1 – Summary of Comparative Size of Buildings

	Existing Buildings	Proposed Annex	% Difference
Footprint	82.2	74.8	- 9%
Volume	214.8	270	25.7%

5.8 Having regard to the figures set out in Figure 1 above, it is submitted that this revised annex proposal would not be *materially larger* than the buildings being replaced, and consequently that the application meets the requirements of paragraph 145(d) of the NPPF, and in turn the provisions of policy SS6c of the Core Strategy.

Design & Layout

5.9 The proposed annex adopts the same style of design as that approved under the previous application (SMD/2019/0764) and retains the same width and ridge height as that approved scheme. The only difference to the approved scheme is a modest elongation of the building from 10.1 metres to 11.7 metres. As with the previous proposal it will replace an existing cluster of buildings that have a somewhat haphazard appearance and will therefore enhance the character of the area.

5.10 In determining the previous application, the Local Authority concluded that the annex was appropriately designed to reflect the scale and proportions of a domestic outbuilding and that it was respectful to the dominance of the main dwellinghouse. Those conclusions continue to ring true with this revised proposal, and consequently the application is considered to meet the requirements of policy DC1 of the Core Strategy.

6 Conclusion

6.1 It is submitted that this revised annex proposal represents a sustainable form of development having regard to the following conclusions:

- *The principle of erecting a new residential annex building on this site has already been established under application SMD/2019/0764;*

- *The revised annex will be within the same use as the existing buildings on the site and will not be materially larger than them. The proposal therefore constitutes an appropriate form of development within the Green Belt;*

- *The proposal will enhance the character and appearance of the area by removing the existing haphazard buildings and replacing them with a high quality outbuilding that adopts a similar design ethos to the previously approved scheme;*

6.2 The proposed development is therefore considered to accord with the provisions of policies SS6c, R1 and DC1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework and Design SPD.

6.3 The Local Authority is therefore respectfully request to grant planning permission for the proposed development in accordance with the presumption in favour of sustainable development set out in policy SS1a of the Core Strategy and paragraph 11 of the NPPF.