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PLANNING STATEMENT

Proposed demolition of detached garage
and replaced with associated annexe,
at Cherry Orchard, Ball Lane, Brown Edge,
Staffordshire, ST6 8SW

1 Introduction

This statement accompanies a Planning Application for the replacement of a detached garage with a similarly sized building in the garden of a detached house.

The application site is a house and garage within a garden on the south eastern side of Ball Lane. There are residential properties in the vicinity but none immediately adjacent to the application site.

The site lies in the open countryside, and in the Green Belt.

There are no Tree Preservation Orders or biodiversity interests affecting the site.

Cherry Orchard is a pebble dashed finish two storey detached residential dwelling, with a hipped roof. Its curtilage extends to the south, south-west and north-east.

The vehicular access lies to the north-west and between the house and the site boundary lies a flat roofed garage building. This building would be demolished and replaced with a similar building.

To the south of the garage is an outdoor swimming pool.

2 Planning History

1979/1083. Loosebox

1978/1458. Garage

1978/1457. Extension.

3 The Proposal

The application seeks consent to demolish the existing flat roofed garage and build a similarly sized building providing ancillary living accommodation. The new building would occupy the same location on the site, lying close to the north east and north (highway) boundary and opposite the side of the existing dwelling. The existing access would be unchanged.

The footprint of the existing garage is approximately 59 sq.m. The new annexe would have a footprint of 68 sq.m

There is sufficient open space for parking on the site for several vehicles, so that the loss of the garage for providing shelter for vehicles is not likely to cause traffic or parking issues.

The new building would provide a self-contained unit of accommodation with one bedroom, a bathroom, and a kitchen/lounge. The building would have a shallow pitched roof, specifically designed to reduce the visual bulk of the building.

The main windows would look across the driveway to the side of Cherry Orchard itself.

The annexe would be occupied by a member of the family who occupy Cherry Orchard. The family member presently lives independently but this is not likely to be a long-term situation. The family member requires care and supervision and general support with daily living. The proposed development would provide for the needs of the occupant which include communication, decision making, ongoing medical appointments, mobility, transport, practical and social activities, and emergency contact, in a way which is not possible in their current accommodation.

4 Relevant Planning Policies

Adopted Local Plan 2014-2033

SS1 Development Principles

SS10 Other Rural Areas Strategy

H1 New Housing Development

DC1 Design Considerations

DC3 Landscape and Settlement Setting

National Planning Policy Framework

Paragraph 8 – Dimensions to sustainable development

Paragraph 11 – Presumption in favour of sustainable development

Paragraph 60 - Delivering a sufficient supply of homes.

Paragraph 62 – Meeting housing needs for different groups.

Paragraph 78 – Rural Housing.

Paragraphs 137-138 – Protecting Green Belt land.

Paragraphs 147-149 - Proposals affecting the Green Belt

Supplementary Planning Guidance

Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings.

Supplementary Planning Document

Staffordshire Moorlands Design Guide

5 Principle of development- Green Belt

The application site lies within the Green Belt where there is a presumption against 'inappropriate development' in accordance with the National Planning Policy Framework.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any Green Belt harm. NPPF paragraph 149 states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt; exceptions are;

"a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries, and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

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

The application proposes the demolition and replacement of a domestic outbuilding with one providing ancillary accommodation.

In respect of this proposal NPPF paragraph number 149 part (c) and (d) is relevant. The proposals satisfy that policy.

At the local level Local Plan policy SS10 is relevant, as follows:

- Allowing the conversion or replacement of an existing rural building in accordance with Policy H 1;
- Allowing extensions or additional domestic outbuildings to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area.

Local Plan policy H1 refers to Green Belt housing development only by stating that national Green Belt policy will apply.

It is therefore considered that the proposal satisfies policy SS10 as it proposes the replacement of a rural building, which would not have a detrimental impact on the existing building or character of the area. This reflects the fact that the proposed building is only slightly larger than the existing garage it replaces (68 sq. m compared to 59 sq.m.) and will not be visually intrusive or incongruous.

National planning policy allows the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The existing garage is an

ancillary domestic building, and the replacement building would provide an annexe of accommodation for a dependent of the occupiers of Cherry Orchard. The annexe building would be a similar size to the garage.

6 Principle of Development- Unit of accommodation

This proposal is for an ancillary annexe that will be located within an existing residential curtilage and will be heavily dependent on the host dwelling. The proposal does not represent a separate dwelling and could not operate as such given the undesirable site constraints and reliance on the host dwelling.

It is unlikely that the annexe would have a separate address, post box, utilities, and services to Cherry Orchard. These points were a strong consideration in the landmark case Uttlesford v SoS (Environment & White). Inspector acknowledged that the annexe contained all the facilities for day-to-day domestic existence and was capable of being used as a separate dwelling house.

However, the inspector also stated that this did not mean that it had been so used; Factors of significance were the lack of separate utility meters, postal address, and telephone line. He also mentioned the lack of any separate curtilage or access arrangements.

7 Fallback position

Permitted Development rights are intact at the site, with the result that an outbuilding of a very similar design, positioning and scale could be erected under Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. In fact a building with a larger footprint could be constructed under PD Rights.

In the interest of clarification, it is the use of the proposed building, to provide additional habitable accommodation, that fails to meet the allowances of Class E.

As a result, the proposed development would have no greater impact on the openness or character of the Green Belt than that which could be constructed without the need for planning approval. These are considered to be very special circumstances sufficient to allow normal Green Belt considerations to be set aside.

The annexe building proposed is not disproportionate to the existing garage building (which it would replace) or to the dwelling as a whole. The single storey nature of the annexe and its low-pitched roof makes it inconspicuous, and it would not compete with the main house by reasons of either size or design. It would read as a subordinate domestic structure and will not look out of place within its domestic curtilage setting.

8 Amenity

The building is in close proximity to the main dwelling however given that it is to be ancillary accommodation, and not the creation of a new, separate and independent

dwelling, there would not be any adverse amenity issues in respect of overbearing impacts, loss of privacy or overlooking. The close relationship between the two buildings would be acceptable and there are no neighbouring dwellings which would be affected by the scheme.

LP policy DC1 requires all development to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

9 Design

LP policy DC1 requires all development to be well designed to respect the site and its surroundings and promote a positive sense of place and identity through scale, density, layout, siting, landscaping, character, and appearance.

The application site forms part of a small ribbon of development comprising dwellings of various sizes and styles. The proposed building would be positioned adjacent to a neighbouring agricultural building. It is not considered that the proposal would appear incongruous or out of context in its setting.

The proposed building would have a slightly higher than the existing garage. However, it is considered that the pitched roof of the annexe would be visually more attractive that then the present flat roof of the garage. In addition, it would still appear subordinate to the main dwelling which is 2 storeys.

The Staffs Moorlands 'Design Principle's SPD provides further guidance for householder extensions, conversions, and outbuildings. With regards to outbuildings, the guidance states that any outbuilding (such as a garage) should be sited to allow it to appear subordinate to the dwelling, having a modest size and height to reflect its purpose as an ancillary, domestic building. The proposals meet this requirement.

10 Precedent

A similar proposal in the Green Belt for an annexe was approved by SMDC at Greenway Cottage, Bagnall under 2019/0641. In that case the existing building was to be converted and extended, to form a larger and taller building. In all other respects the scheme raises similar planning considerations. In fact, at Greenway Cottage there was a greater separation between the annexe and the host dwelling.

11 Conclusion

The application is considered to accord with the Development Plan Policies and guidance contained within the National Planning Policy Framework. It is considered that the proposal is an acceptable form of development that will complement and maintain the character of the existing building with no adverse impacts on the wider visual amenities in the area or on the Green Belt that it is situated within.

Furthermore, due to the siting and location of the proposal it is considered that no adverse issues with regards to residential amenity will occur.

Additionally, the property has the ability to erect a detached building under existing permitted development rights. On this basis, it is considered that this represents a genuine fall-back position to a proposal that is much smaller in scale / massing and in turn subordinate to the main dwelling and will therefore have a reduced impact on the openness of the Green Belt.

It will meet the requirements of national and local planning policy and not result in an inappropriate loss of openness of the Green Belt.

It is considered that the annexe will remain subordinate to the existing dwelling, and it will not appear as substantially larger than the garage it replaces does at present. The annexe will still appear as a modest ancillary outbuilding.

The converted extended building will not appear visually intrusive or cramped due to its extensive site and lack of neighbours.