

PLANNING STATEMENT

**THE QUARRY
BIDDULPH PARK**

OCTOBER 2023

Site Address:

The Quarry, Overton Road, Biddulph Park, Staffordshire, ST8 7ST

Applicant:

Mr. J. Rhodes

Proposal:

Erection of detached double garage and alterations to driveway

Planning Statement:

Date Issued: 24th October 2023

Job Reference: RDP/2023/093

Report Prepared By:

Rob Duncan BSc(Hons) MA MRTPI
Rob Duncan Planning Consultancy Ltd

Contact Details:

Rob Duncan Planning Consultancy Ltd.
28 Ferndale Road, Lichfield, Staffordshire, WS13 7DJ
Email: rob78duncan@gmail.com
Tel. 07779 783521

1 Introduction

- 1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. J. Rhodes to prepare a Planning Statement to accompany a householder planning application prepared by CTD Architects for the erection of a detached double garage and creation of an additional section of driveway at The Quarry, Overton Road, Biddulph Park.
- 1.2 The proposed detached garage will be located to the immediate northeast of the existing dwelling and is to be dug into an existing slope that rises up in a broadly easterly / southeastern direction within the site. An extension of the existing driveway is also proposed in order to serve the new garage.
- 1.3 The garage will have a gross internal floor area of 52.5 square metres and will stand to a maximum height of 3.8 metres. The building will sit at the same level as the existing lower ground floor of the dwellinghouse, and is to be finished in a complementary palette of materials.
- 1.4 The Planning Statement sets out the case for planning permission to be approved having regard to local and national planning policy, and should be read in conjunction with the accompanying Arboricultural Impact Assessment prepared by Tree Heritage.

2 Site & Surroundings

- 2.1 The application site is located within the North Staffordshire Green Belt and comprises a detached part single storey, part two storey dwellinghouse located in an elevated position to the east of the Overton Road. The dwelling is located within an old quarry which gives its name to the property, with the immediate surrounding landscape rising up in a broadly easterly / southeasterly direction from the road.
- 2.2 The dwelling sits centrally within its plot and is orientated with its principal elevation facing in a northwesterly direction. An existing driveway winds its way up to the building, connecting with the Overton Road to the west. The site is heavily treed, in particular along its southern flank and towards the site frontage with the Overton Road. There are further established trees along the northern site boundary and to the rear of the property. Open fields surround the site to the north, east and south, with a detached dwelling (The Villa) located to the northwest.
- 2.3 The dwellinghouse dates from the early 20th Century, first appearing on the 1922 Edition of the Ordnance Survey. Its original form was rectangular, with a detached outbuilding located to its southwest. The building was remodelled in the late 1980s by way of a replacement roof and weathering treatments, and was extended by way of a conservatory in the early 2000s. Neither the dwelling, nor any of its neighbouring properties, are statutorily listed, nor does the site lie within a Conservation Area.

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan taking into account any relevant material consideration. The Development Plan for this area comprises the Staffordshire Moorlands Local Plan (2020) of which the following policies are of relevance to the determination of the application:

3.2 Policy SS1 of the Local Plan relates to 'Development Principles' and states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, in partnership with other agencies and services:

- a mix of types and tenures of quality, affordable homes, including starter homes, to meet the needs and aspirations of the existing and future communities
- quality local services, including provision for education, healthcare, leisure, community, cultural and tourist facilities in response to anticipated population change and visitor numbers;
- easy access to jobs, shops and transport services by all sections of the community;
- increased economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce;

- a healthy, safe, attractive, active, well-designed and well-maintained environment;
- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings;
- development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas, including the Peak District National Park, both now and for future generations.
- support development which secures high quality, sustainable environments, efficient and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.

3.3 Policy SS10 of the Local Plan relates to the 'Other Rural Areas Strategy' and states that these areas will provide only for development which has an essential need to be located in the countryside, 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 allow 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. The Council will assess schemes having regard to the original dwelling, in cases where cumulative change has occurred. The policy also states that strict control will be exercised over inappropriate development in the Green Belt, allowing only for exceptions as defined by Government policy.

3.4 Policy DC1 of the Local Plan relates to 'Design Considerations' and states that all development shall 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 Guide SPD. In particular, new development should:

1. be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;
2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance;
3. create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, 'designing out crime' initiatives and the principles of Active Design;
4. incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development;
5. protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, overbearing development, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution;
6. promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate;

7. provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;
8. require new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links;
9. ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed;
10. ensure, where appropriate, equality of access and use for all sections of the community;
11. be served by high speed broadband (>30mbps) unless it can be demonstrated through consultation with Next Generation Access Network providers that this would not be possible, practical or economically viable. In all circumstances during construction of the site sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date.

3.5 Policy NE2 of the Local Plan relates to 'Trees, Woodland and Hedgerows' and states that the Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration. This will be achieved by:

- Requiring that existing woodlands, healthy trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss;

- Requiring new developments to provide tree cover that secures a good level of sustainability through tree retention, planting and soft landscaping, including where possible the on site replacement of any trees that are removed with sufficient tree planting to replace or increase the canopy cover on-site as appropriate. Landscaping schemes will also be required to mitigate against negative landscape impact and complement the design of new development and make provision for future maintenance. Where it is not possible to secure this new or replacement tree planting within the site, the Council will work with applicants to ascertain if a suitable site(s) can be found off-site for replacement planting in the locality;
- Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.

4 Other Material Considerations

National Planning Policy Framework

- 4.1 The National Planning Policy Framework seeks to secure the delivery of sustainable development and sets out policies, *inter-alia*, in respect of safeguarding the Green Belt and securing high quality design. The content of the NPPF has been taken into consideration in the preparation of this application.

SMDC Design Guide SPD

- 4.2 The adopted Design Guide SPD provides advice aimed at securing the delivery of high-quality built development within the District. The content of the Design Guide SPD has been taken into consideration in the preparation of this application.

SMDC Design Principles for Development SPG

- 4.3 The adopted Design Principles for Development SPG provides advice aimed at securing the delivery of high quality design within the District, and is referenced within the adopted Design SPD. The content of this document has been taken into consideration in the preparation of this application.

Warwick District Council v SS Levelling Up, Housing and Communities

- 4.4 The above Judgment reaffirms important considerations pertaining to the interpretation of Green Belt policy when it comes to assessing proposals for the erection of detached outbuildings. The content of the Judgment is referenced within the Planning Assessment below.

5 Planning Assessment

Green Belt

- 5.1 Policy SS10 of the Local Plan makes provision for the extension or additional domestic outbuildings to existing dwellings within the rural area, provided that 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. The policy goes on to confirm that the Council will assess schemes cumulatively having regard to the original dwelling in cases where cumulative change has occurred. Policy SS10 also states that strict control will continue to be exercised over inappropriate development, allowing only for exceptions as defined by government policy.
- 5.2 Paragraph 149(c) of the National Planning Policy Framework confirms that the erection of new buildings should be regarded as inappropriate within the Green Belt unless it is for one of a limited number of exceptions. Those exceptions include:

“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”

- 5.3 Having regard to the judgement in Warwick District Council v the Secretary of State for Levelling Up, Housing and Communities, we submit that the proposed detached garage can be treated as an ‘extension’ to the original building, despite being detached from it. The aforementioned judgement related to the erection of a detached domestic outbuilding adjacent to an existing dwellinghouse on a site within the Green Belt which had been refused by the Local Authority on the grounds that the proposal constituted inappropriate development.

- 5.4 A subsequent appeal against that decision was allowed, with the Planning Inspector concluding that the outbuilding could be regarded as an 'extension' to the original building despite being detached from it. That decision was subsequently challenged in the Courts. In handing down his judgment Eyre J concluded as follows:

"I am satisfied that [149(c)] is not to be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension"

- 5.5 Having regard to the aforementioned Judgment it is submitted that the proposed detached garage is capable of constituting an appropriate form of development within the Green Belt, pursuant to paragraph 149(c) of the NPPF, provided that it would not result in disproportionate additions over and above the size of the original dwelling.
- 5.6 The term disproportionate is not defined in either local or national planning policy, but extensions of 40% can be readily considered to amount to a proportionate addition within the Green Belt. The original dwelling in this case was constructed in the early 20th Century, and first appears on the 1922 edition of the Ordnance Survey. Its rectangular form is clearly discernible on that 1922 edition, as well as on the 1945-1947 edition published in 1950. In both cases the Ordnance Survey maps show the dwelling as having an elongated, rectangular form (see extract in Figure 1 overleaf). Based on that evidence we calculate the gross internal area of the original dwelling to amount to 300.37 square metres.

Figure 1 – Extract of 1945-1947 OS Map (Source: NLS)



- 5.7 The dwelling has been previously extended by way of a rear conservatory (LPA Reference: SMD/2001/0559) which added an additional floor area of 18.48 square metres, which combined with the proposed garage (52.5 square metres) amounts to total previous additions of 70.98 square metres.
- 5.8 The proposed detached garage, coupled with the previous addition of the conservatory consequently represents an increase in floor area of 23%. The proposed development will therefore not result in disproportionate additions over and above the size of the original dwelling and thus constitutes an appropriate form of development within the Green Belt, in accordance with paragraph 149(c) of the NPPF and policy SS10 of the Local Plan.
- 5.9 The proposed detached garage is also appropriate in scale and design to the original dwelling, such that it will not have a detrimental impact upon it or the

wider character of the rural area, with a wholly subservient relationship being achieved between the two. The submitted proposal is consequently held to meet the requirements of policy SS10 of the Local Plan.

- 5.10 The proposed alterations to the driveway are also an appropriate form of development within the Green Belt, constituting an engineering operation which is allowed for under paragraph 150 of the NPPF. The proposed driveway will not have any adverse impact on the openness of the Green Belt, and any vehicles passing across it will be transient in nature. The new section of driveway therefore also constitutes an appropriate form of development in the Green Belt in accordance with paragraph 150 of the NPPF and policy SS10 of the Local Plan.

Design and Layout

- 5.11 The adopted Design SPD states that garages need to be designed and built in sympathy with the properties they serve, noting that materials and roof pitch should generally match those of the parent building. The guidance also notes that a separate garage building is often the better design solution, particularly where more than one garage is needed.
- 5.12 The proposed garage has been sited so as to respect the siting of the existing dwelling, respecting its building line and not projecting forward of it. Its single storey form with a sedum roof above also ensures that the building will have a wholly subservient relationship to the host dwelling, with the top of the garage sitting substantially below the eaves and ridge line of the property.
- 5.13 The proposed palette of materials, which will comprise a mixture of Westmorland stone and vertical boarded timber is also in keeping with the palette of materials exhibited by the existing dwelling. Its sedum roof will help

to assimilate the building with its surroundings and avoid any material adverse impact on the character and appearance of the surrounding area.

- 5.14 Owing to the elevated position of the site in relation to the Overton Road, there will be some views of the proposed development from the public domain. Those views will, however, be heavily filtered by the existing vegetation towards the frontage of the site. No adverse harm to the character and appearance of the surrounding area will therefore arise. The design and layout of the development is consequently held to meet the requirements of policies SS1 and DC1 of the Local Plan.

Residential Amenity

- 5.15 There is only one immediate neighbour to this site, that being The Villa to the northwest. The proposed garage will be sited in excess of 35 metres from the rear elevation of The Villa, and consequently will not derive any adverse impact to the amenity of the occupiers of that property, with no conflict with the space about dwellings standards arising. The proposed development is consequently held to meet the requirements of policy DC1 of the Local Plan in this regard.

Impact on Trees

- 5.16 The dwelling is located within a heavily treed site, and consequently a tree survey and Arboricultural Impact Assessment has been submitted to accompany the application. The majority of the trees on the site are consolidated along the southern site boundary and across the site frontage, and thus will be wholly unaffected by the proposed detached garage, which is to be located to the northeast of the existing dwelling. There are some additional trees located along the northern site boundary and to the rear (east) of the dwelling, but none are closely located to the proposed detached garage.

- 5.17 The Arboricultural Impact Assessment concludes that it will not be necessary to remove any of the existing trees in order to implement the proposed development, noting that the footprint of the garage and the new section of driveway have been positioned so that they sit outside the root protection areas of all the existing trees.
- 5.18 The report goes on to conclude that provided the existing trees are protected during the construction phase, the proposal will not have any negative effect on existing trees on the site. A scheme of tree protection measures is detailed within the Arboricultural Impact Assessment and can be secured by way of planning condition. In doing so the development will meet the requirements of policy NE2 of the Local Plan.

6 Conclusion

- 6.1 The proposed detached garage will not result in disproportionate additions to the original building and is appropriate in its scale and design such that it will not have a detrimental impact upon it or the wider character of the rural area. Both it, and the proposed new section of driveway constitute an appropriate form of development in the Green Belt.
- 6.2 The scale, massing and design of the development is in keeping with the character and appearance of the existing building and will not result in any adverse impact to the character and appearance of the surrounding area, or harm to the amenity of neighbouring residential occupiers. It has furthermore been demonstrated that no harm to existing trees will arise as a consequence of the development.
- 6.3 The submitted proposal is consequently held to meet the requirements of policies SS1, SS10, DC1 and NE2 of the of the Staffordshire Moorlands Local Plan (2020), the provisions of the National Planning Policy Framework, and guidance contained within the Staffordshire Moorlands Design Guide SPD and Design Principles for New Development SPG.