

THE COACH HOUSE, BUTTERTON ROAD, BUTTERTON
MRS S BRADBURY. 12/00494/FUL

The Application is for full planning permission for a replacement detached garage within the curtilage of the residential property.

The application site is located within the North Staffordshire Green Belt and an Area of Landscape Maintenance, as indicated on the Local Development Framework Proposals Map. The proposal would also be adjacent to (but outside of) the Butterson Conservation Area.

The 8 week determination period expires on 11 October 2012.

RECOMMENDATION

Permit subject to the following conditions:

- (i) **Standard time limit.**
- (ii) **Approved plans.**
- (iii) **Materials to match original dwellinghouse.**
- (iv) **Removal of existing garage within 3 months of commencement.**

Reason for Recommendation

The replacement detached garage is considered to represent inappropriate development within the Green Belt due to it being materially larger than the existing garage. However, the design and appearance of the proposal is considered acceptable and it would improve the character and quality of the landscape whilst not harming views from the Butterson Conservation Area. It is considered that the improvement to the landscape and the replacement of a dilapidated structure would be the very special circumstances required to outweigh the limited harm to the openness of the Green Belt. The proposed development therefore accords with Policies S3, H18, N17, N19 & B14 of the Newcastle under Lyme Local Plan 2010, Policy D2, D5B, NC2 & NC19 of the Stoke on Trent Structure Plan 1996-2011 and Policy CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the requirements of the NPPF.

Policies and Proposals in the Approved Development Plan Relevant to This Decision:-

West Midlands Regional Spatial Strategy 2008 (WMRSS)

Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a high quality built environment for all
Policy QE5: Protection and enhancement of the historic environment

Staffordshire and Stoke on Trent Structure Plan 1996 – 2011 (SSSP)

Policy D1: Sustainable Forms of development
Policy D2: The design and environmental quality of development
Policy D5A: Green Belt
Policy D5B: Development in the Green Belt
Policy NC1: Protection of the Countryside: General Considerations
Policy NC2: Landscape Protection and restoration
Policy NC19: Conservation Areas

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

Strategic Aim 16: To eliminate poor quality development
CSP1 Design Quality
CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011 (LP)

Policy S3: Development in the Green Belt

Policy H18: Design of Residential Extensions, where subject to planning control
Policy N19: Area of Landscape Maintenance
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations Include:

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Space Around Dwellings (July 2004)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

The Secretary of State's Announcement of His Intention to Abolish RSS

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

Relevant Planning History

There is none.

Views of Consultees

The **Conservation Officer** raises no objections and considers that the new garage will barely be visible from the road or the conservation area and will not cause any harm to its character.

Whitmore Parish Council raises no objections to the application.

Landscape and Development Section has until 27 September 2012 to provide comments on the application. Any received will be reported at your meeting.

The views of the **Conservation Advisory Working Party (CAWP)** will be reported.

Representations

Nil

Key Issues

The application is for a replacement detached garage within the side garden of the residential property on land designated as Green Belt and an Area of Landscape Maintenance, as detailed on the Local Development Framework Proposals Map. The proposal would also be adjacent to (but outside) of the Butterton Conservation Area.

The garage would be accessed via the existing vehicle access to the property.

The key issues in the determination of the development are:

- Is the proposal appropriate development within the Green Belt?
- Design of the proposals and the impact on the area of landscape maintenance.
- The impact on views from the Butterton Conservation Area.

- Should it be concluded that the development is inappropriate in Green Belt terms do the required very special circumstances exist?

Appropriate development within the Green Belt?

Paragraph 79 of the recently published NPPF details that “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

The NPPF further details in paragraph 89 that local planning authorities should regard new buildings within the Green Belt as inappropriate. Exceptions to this include 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 detached garage is an old dilapidated concrete sectional garage with a timber log store attached which has an approximate volume of 100 cubic metres. The proposal is to demolish this building and replace it with a brick and tile constructed garage and log store. The proposal has been reduced in size during the application process to date and would have a cubic volume of 133 cubic metres.

The additional/ increased volume of 33 cubic metres is considered to result in the replacement building being materially larger than the building it would replace.

The proposal would therefore represent inappropriate development within the Green Belt and should not be approved except in very special circumstances.

Design of the proposals and the impact on the area of landscape maintenance

As discussed previously, the property is located within an area of landscape maintenance where the Council seeks to maintain the high quality character and appearance of the landscape. The NPPF also details that the planning system should protect and enhance its valued landscapes.

In this instance the proposal would replace the existing dilapidated garage, prefabricated garage and log store which has a shallow pitched roof. The views of the existing structure are limited but due to its dilapidated appearance it harms the appearance of the landscape. Therefore, whilst the proposed building is materially larger it would be of a brick construction with a pitched tiled roof which is considered to represent a more appropriate and acceptable design that would improve the appearance of the landscape, this being in accordance with policy N19 of the local plan and the requirements of the NPPF.

The impact on views from the Butterson Conservation Area

The proposed building would be located adjacent to the Butterson Conservation Area and policy B14 of the local plan details that development immediately adjacent to the Conservation Area should not affect it adversely.

The NPPF indicates in para. 131 that in determining planning applications, local planning authorities should take account of, amongst other things, the desirability of sustaining and enhancing the heritage asset.

As discussed the proposal would be larger than the existing and the proposed location would result in it being more visible from the conservation area. However, the views would still be limited and the proposal would have an appropriate appearance due to its brick and tile construction. Therefore, the harm to the character and appearance of the Conservation Area would be limited.

Do the required very special circumstances exist (to justify inappropriate development)?

The NPPF details that very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The proposed building is only slightly larger in footprint than the building it replaces and its volume increase above the volume of the existing building is primarily as a result of the introduction of 35° pitched roof. The replacement of the dilapidated prefabricated, shallow pitched roof building, as discussed, would be visual improvement due to its more appropriate design and appearance. It is considered that the harm caused to

the openness of the Green Belt, due to the increased size would be outweighed by the improvement to the landscape that the proposal would achieve. Therefore, the design of the proposal and improvement to the appearance of the landscape would amount to the very special circumstances required in this instance, this being in accordance with the requirements of the NPPF.

Finally, it is considered necessary to impose a condition seeking the removal of the existing structure within 3 months of the proposed development being commenced to ensure that it is not partially retained.

Background Papers

Planning files referred to

Planning Documents referred to

Date Report Prepared

18 September 2012