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HEAL
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PLANNING DESIGN AND ACCESS STATEMENT IN SUPPORT OF PLANNING APPLICATION

FOR: Proposed Annexe

AT: Land at 3 Lee Hill, Lee Brockhurst Nr Shrewsbury, Shropshire, SY4 5RZ

APPLICANT: Jane Thompson

Introduction

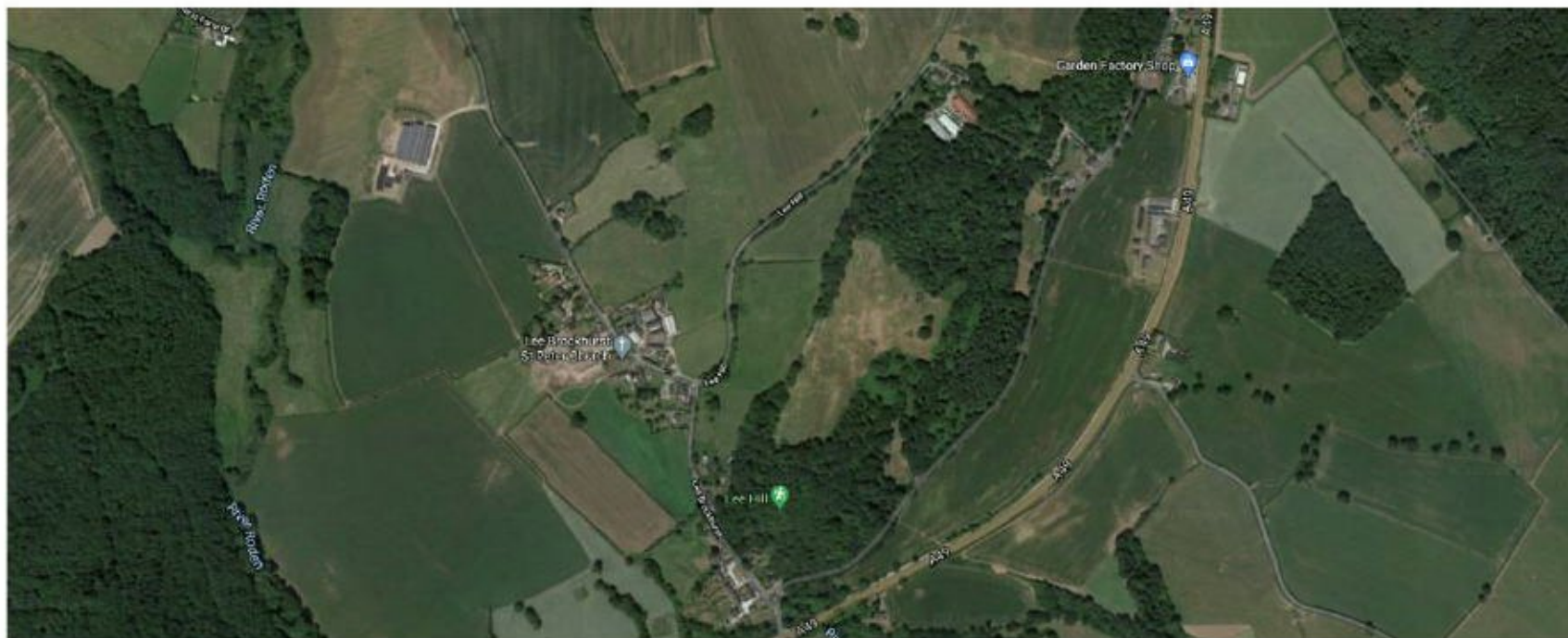
This planning statement supports the application for the erection of an ancillary annexe on the land at 3 Lee Hill, Lee Brockhurst Nr Shrewsbury, Shropshire.

The applicant had already started construction on a proposed home office, however, the circumstances have resulted in a change of need which now requires the home office space and plans to now be utilised as an annexe. The building will have the same exact footprint but will have an increase in eaves and ridge height to accommodate for an additional floor so that the applicant or family members can stay in the annexe with their mother overnight when required. It is not the intention to create a separate dwelling or planning unit and therefore a condition can be attached to the permission stating that the annex should not be separated away from the main dwelling etc as the Council considers necessary and appropriate.

This statement is intended to provide a concise overview and explanation of the background of the proposal, the policy context within which the application should be considered and determined alongside consideration of the site-specific planning issues.

Background

This ancillary building is located within the residential curtilage of 3 Lee Hill in Lee Brockhurst, a small rural hamlet that is situated 11 miles north-northeast of the county town of Shropshire. The site has easy access to the main A roads including the A49. The nearest well-established town to the site is Wem which is 5.1 miles away via the A49 and B5062. Further afield, 12 miles from the site is Shrewsbury Town Centre. As is seen in the image below, Lee Brockhurst has a scattered nature of development that is well dispersed.



As a whole, Lee Brockhurst is limited with regards to its services, however, Wem (5.1 miles away) has more than an adequate array of facilities and amenities that would be able to accommodate the needs that may exist for the occupiers of this annex. These include:

- Primary and Secondary schools
- Supermarkets and greengrocers
- Playing fields and parks
- Doctors Surgery
- Public Houses
- Church

Alongside this, Shrewsbury (12 miles away) is a well-established town that provides a more extensive list of facilities and offerings.

The proposal

The proposal is to construct an annexe located within the residential curtilage of the applicant's dwelling. The use of the accommodation will be ancillary to the main dwelling and it is intended that the applicant's mother will use the space so that she can be close to her family and daughter who is her main carer.

As this will be ancillary to the main dwelling, there will be no separate;

- Address
- Post box
- Utility meters
- Parking
- Garden area or curtilage
- Access

The proposal does not represent a separate dwelling and could not operate as such given the site constraints and heavy reliance on the host dwelling. The applicant is happy to accept a condition and/or section 106 Obligation controlling the use of the building to ensure that it will not be separated from the main dwelling now or in the future.

The NPPF requires a presumption in favour of development when there are no material planning concerns that may cause harm and the application of both local and national planning policies demonstrate that there is no harm or detriment caused as a result of this application. In addition, the benefits to the social, economic and environmental sustainability of the area are such that any possible concerns are fully outweighed by the considerable benefits this will bring in meeting the health and care needs of this family.

The economic and social sustainability benefits are particularly pertinent following the Covid 19 crisis and the impact this has had on the economy and social pressures to families requiring increased support and the proposal must be considered in the light of that and how this will support the local economy through the construction process but also going forward with bringing financial spend into the locality by the applicant.

Design

The design of the new ancillary accommodation (shown below) will be a single storey building finished with a featheredged timber cladding that is reflective of its ancillary nature.



The size of the building is considered to be clearly subordinate to the main dwelling and it is a strong material consideration that if the height was reduced the applicant could build the physical structure itself under Permitted Development Rights. These rights allow for outbuildings to have a footprint of up to 50% of the existing garden space and taking into consideration the proposed size of the accommodation, this would fall significantly below this threshold. Therefore, it is considered that the proposed annexe in its current form and size is acceptable, and in accordance with local planning policies.

Access

The only access into the annexe will be through the existing access arrangement. No independent access will be provided. There would be no separate highway access or need to make any alterations to the existing access.



The road serves a number of other properties that are served by means of a private road to the north east of the settlement of Lee Brockhurst. The private road joins onto the A49 to north. It is considered that the increase in traffic being generated by this annexe will have a minimal if any impact and will cause no highways concerns. Therefore, it is considered that the application is acceptable on a highway basis.

Planning Justification

1: Need - There is a clear, identifiable need for this annexe. Over the past 18 months, the applicant's family life and circumstances have changed drastically. Her mother suffered a very severe fall in which she broke her back. At the same time, she was diagnosed with a serious heart condition and overnight became 'vulnerable'. Upon her release from the hospital, it was advised that she would be very fragile and would require round-the-clock care.

Though thankfully, she is making a slow and steady recovery, the applicant has now taken on the role of primary carer for her mother. This requires her to visit her mother a minimum of twice a day, however, this is proving to be not enough with her mother being prone to falling quite often. This is becoming an impractical arrangement that can be easily solved with the addition of the annexe thus, allowing for the applicant to care for her mother, whilst allowing them both a sense of independence safe in the knowledge that they are in close proximity to one another should anything urgent happen.

In addition to housing the applicant's mother in times of need, the annexe will also be able to provide much-needed respite for the applicant's sister from her own caring duties of her daughter who has complex needs. The daughter has complex needs and has challenging behaviour which requires round the clock attention and care. The annexe would allow for the applicant's niece to spend a few days with the applicant every few months, thus providing respite for her whole family when necessary.

2: Ancillary use - The building will be used for purposes ancillary to the main dwelling. There will be no separate:

- Address
- Post Box
- Utility meters
- Parking
- Garden area or curtilage, and
- Access

Material considerations

Appeal precedents

Whilst it is appreciated that applications should be judged on their own individual merits, the following appeals are for very similar proposals and were all allowed:

Appeal ref: APP/Q5300/D/16/3147827

This appeal was against the London Borough of Enfield for the refusal of an ancillary annexe. The Inspector concluded that even though the ancillary building contained all the facilities to allow for independent occupation, as is the case with this application, this does not mean to say that this would be the case. The Inspector recommended a condition to restrict the separation of the annexe from the host dwelling, which the application is accepting of in this instance.

Appeal Ref: APP/B3438//12/2188171

This appeal was against Staffordshire Moorlands District Council. Here, the Inspector concluded that whilst the proposed accommodation would contain all the facilities recommended for it to be used as an independent dwelling, as is the case with this application, the overall quality of the accommodation would be basic and therefore ancillary. Again, the Inspector recommended a condition to ensure that the occupation of the accommodation remained ancillary which the applicant would be accepting of with this application.

Whilst it is accepted that each application should be judged on its own merits, consistency in decision making is paramount and has often been found the case at High Court.

Personal need

There is an incredibly strong need for this accommodation which has been highlighted throughout the application and it is considered that the personal circumstances of the applicant and her mother are a strong material consideration that should be given due weight.

Relevant Planning Policies

Local planning policy is critical in terms of considering the application as plans which accord with it should be accepted unless there are specific site details that present material planning issues that are misaligned with the plan, and to which in this particular application there are not.

It should be noted however that the local development plan dated 2011 is out of date as there have been two editions of the national planning policy framework since its inception. The National Planning Policy Framework therefore also needs careful consideration (see section 11) as to where local plans are outdated this should be a key reference point in terms of considering planning applications and its policy requirements should carry more weight in instances where local development plans have lapsed and revisions of the NPPF have taken place.

A careful cross-analysis of the 2011 plan against the proposal does however demonstrate that from the local planning policy perspective alone, this proposal is closely aligned when having regard to all of the plan's policies. It is incumbent upon decision-makers therefore to have due regard to all of a planning policy document and not just be selective. Following a detailed analysis of the plan, the

following sections are presented in support of the proposal which demonstrates it meets a number of policy requirements and therefore the proposal complies with the Development Plan.

Shropshire Local Development Framework: Adopted Core Strategy 2011

Policy CS6: Sustainable design and development principles

To create sustainable places, the development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment that respects and enhances local distinctiveness and which mitigates and adapts to climate change. This will be achieved by:

- Requiring all development proposals, including changes to existing buildings, to achieve applicable national standards, or for water use, evidence-based local standards as reflected in the minimum criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within a new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD; **This annexe will be a good quality design and will meet the requirements of the sustainable design SPG that will form part of the design specification for the building when building regulation drawings are completed. Furthermore, the proposal is an incredibly climate-friendly development that is built using sustainable materials that will function well over their lifetime.**
- Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car-based travel to be reduced; And ensuring that all development: **The proposed annexe will not generate significant levels of traffic, it is intended to accommodate the applicant's mother in times of need. It has no separate access arrangements and is considered acceptable on a highways basis.**
- Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11; **The proposal fully complies with this policy.**
- Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate; **As is demonstrated in the design section of this statement, the designs of the annexe have fully taken into consideration the surrounding built environment and are reflective of traditional ancillary outbuildings.**
- Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities. **The proposed annexe is of a high quality design and will contribute to the health and well being of the applicant's mother and niece.**
- Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination; **This will be of a high-quality design that will be consistent with national good practise standards.**

- Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water; **The proposal is making effective use of an underutilised, unremarkable plot of land.**

- Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8. Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term. **The proposal fully complies with this.**

Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan 2015

Policy MD2: Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

1. Respond positively to local design aspirations, wherever possible, both in terms of visual appearance and how a place functions, as set out in Community Led Plans, Town or Village Design Statements, Neighbourhood Plans and Place Plans. **The proposed annexe fully complies with this.**

2. Contribute to and respect locally distinctive or valued character and existing amenity value by:

- i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and **The proposed annexe is very clearly an ancillary building that, if the height was reduced, would be considered as being permitted development. It is therefore considered to fully comply with this.**

- ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and **The proposed annexe is finished in timber which will fade over time to blend in with the surroundings. It is a traditional material that is used for outbuildings.**

- iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and **Not applicable**

- iv. Enhancing, incorporating or recreating natural assets in accordance with MD12." **Not applicable**

4. Incorporate Sustainable Drainage techniques, in accordance with Policy CS18, as an integral part of design and apply the requirements of the SuDS handbook as set out in the Local Flood Risk Management Strategy.

5. Consider design of landscaping and open space holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13, including.

- i. Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets and;
- ii. providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational space for play, recreation, formal or informal uses including semi-natural open space;
- iii. where an adverse effect on the integrity of an internationally designated wildlife site due to recreational impacts has been identified, particular consideration will be given to the need for seminatural open space, using 30sqm per person as a starting point.
- iv. ensuring that ongoing needs for access to manage open space have been provided and arrangements are in place for it to be adequately maintained in perpetuity.

The proposal fully complies with the above points.

6. Ensure development demonstrates there is sufficient existing infrastructure capacity, in accordance with MD8, and should wherever possible actively seek opportunities to help alleviate infrastructure constraints, as identified with the Place Plans, through appropriate design. **There is sufficient existing infrastructure in place to support this ancillary accommodation.**

7. Demonstrate how good standards of sustainable design and construction have been employed as required by Core Strategy Policy CS6 and the Sustainable Design SPD. **The proposal fully complies with this.**

National Planning Policy Framework

The national planning policy framework must be considered when considering individual planning applications. The following policies contained within it are considered wholly relevant to the proposal and lend full support to it.

Para 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements. **The NPPF confirms that it should be a material consideration in planning decisions and so the following sections are considered as presenting considerable material planning support to the application. The NPPF confirms that it should be a material consideration in planning decisions and so the following sections are considered as presenting considerable material planning support to the application.**

Para 3: The Framework should be read as a whole (including its footnotes and annexes). General references to planning policies in the Framework should be applied in a way that is appropriate to the type of plan being produced, taking into account policy on plan-making in chapter 3. **This demonstrates how the NPPF must be considered as-a-whole and equally by implication the same**

should apply to the application of individual policies contained within the LDP. This application is supported by policies within the NPPF and the Local Development Plan that taken together should present the proposal for approval.

Section 2: Achieving sustainable development.

Para 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Section 3: Plan Making

Para 33: Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future. **The LDP is more than 5 years old and in fact is almost a decade old and so where this is the case, a presumption in favour of sustainable development proposals should be deployed in line with the requirements of the NPPF where there are no material planning concerns that may generate harm or detriment. There are no concerns and so the proposal should therefore within that context be given consent.**

Para 38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 38 is clearly met as follows:

- The full range of planning tools should be applied to this proposal as stated by section 38 and this statement sets those out to assist the planning authority in determining that the proposal meets both policy requirements contained with the LDP and the NPPF.
- In addition, the LPA should work positively and proactively with applicants in order to fulfil the requirements of para 38 and should adopt a positive approach to engagement over the proposal and any further requirements that the local planning authority may deem necessary in order to reach a position of consent for the proposal.
- The application will improve the economic, social and environmental conditions of the area as stated.

Para 47: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing. **The proposal fully accords with this and therefore**

according to para 47 should therefore be given consent, unless there are material considerations that indicate otherwise, which in this case there are none.

Section 4: Decision making

Para 54 – 57: In relation to the conditions and planning obligations. The applicant is willing to consider appropriate conditions to be applied in order to approve the application.

Section 11: Making effective use of land

Para 117: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land **The proposal makes very effective use of the land, developing what is essentially unused land in the curtilage of a dwelling into ancillary accommodation that will allow for the applicant to provide round the clock care and assistance to her mother when necessary.**

Para 118: Planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; **Not applicable.**

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; **Not applicable.**

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; **Not applicable.**

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and **The proposal is therefore fully supported by this application that would be making best use of underutilised land. The land is clearly an available site that could be used more effectively. It is also as stated to meet identified need.**

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. **Not applicable**

Section 12: Achieving well designed places.

Para 125: Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how

this should be reflected in development. **The proposed plans will fit with the design principles of Shropshire Council.**

Para 126: To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified **The design presented for approval fully meets these requirements.**

Para 127: Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; **The proposal will fully comply with this.**

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping **As is demonstrated in the plans submitted with this application, the proposed ancillary accommodation is extremely visually attractive and takes into consideration the surrounding vernacular.**

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities) **The proposal fully complies with this**

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; **The proposal fully complies with this. It is constructed using sympathetic materials that will fade over time to create an attractive accommodation that blends well into its surroundings.**

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and **This proposal epitomises the notion of optimising the potential of a site with a new build development that will serve this family's needs well.**

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. **The proposal will achieve this.**

Conclusion

In conclusion, this statement has been prepared in support of an application for full planning permission for the erection of an ancillary annexe. The principle of the proposal can be considered acceptable with the use of the accommodation secured by a condition that can be readily enforced.

The information provided in this statement demonstrates that the proposal fully meets the requirements that are set out in both the National Planning Policy Framework and Local Planning Policies. This annexe will allow for the applicant to host her mother in times of need when she is unable to fully care for herself, thus relieving some of the stress on our public health system whilst allowing her mother a sense of independence.

The proposal is considered to be an acceptable scheme taking into consideration:

- The accommodation will be ancillary to the main dwelling;
- The appearance and scale of the accommodation will remain subordinate to the main dwelling;
- The design, appearance and use of materials are appropriate within its setting;
- There will be no loss of privacy by overlooking neighbouring properties;
- There will be no overbearing impact upon neighbouring properties;
- The accommodation will help the applicant provide care and assistance to her mother in times of need and her sister and brother-in-law by providing respite care to her niece.

It is respectfully requested that Shropshire Council take into account the specific and personal issues in this case. The Annexe is needed so that the applicant's mother can continue to have a reasonable quality of life being cared for by her own family. The applicant would be happy to accept all reasonable conditions on the site to ensure that the annexe cannot be considered to be a separate unit from the main dwelling.

Recommendations

That this application be granted full planning permission.

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