

Planning Statement

REPLACEMENT GARAGE

71 DARRINGTON ROAD, EAST HARDWICK, WF8 3DS

**PREPARED FOR: K HANDLOVICS
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1. INTRODUCTION

This statement has been prepared to support the submission of an application for a replacement garage to the front of an existing dwelling. The application follows a recent refusal and subsequently dismissed appeal at the site for a replacement garage. This application represents a positive response to those previous decisions, and it is considered that the current scheme is now fully policy compliant.

It will be demonstrated that the proposed development would not result in inappropriate development in the Green Belt and that there is no need to demonstrate very special circumstances. It will also be demonstrated that the proposal would not harm visual amenity, residential amenity or highways safety.

This statement should be read in conjunction with the supporting plans which demonstrate the credentials of the scheme in more detail. It is anticipated that the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF. Finally, the conclusion is reached that planning permission should be granted for the proposed development.

2. THE SITE AND PROPOSAL

The application site is 71 Darrington Road, East Hardwick. The host dwelling is set some way within the site. To the front of the site is a large driveway area and detached garage. The garage is of flat roof design but is of no particular architectural merit

The site lies on the eastern edge of East Hardwick and abuts open land. The site is washed over by the Green Belt.

Planning permission is sought for a replacement garage. The existing garage is of poor quality and is at risk of falling into disrepair. The proposal would allow for the demolition of the existing garage and replacement with a flat roof garage of almost identical size. It would rationalise the layout to make it easier for the applicant to store a vehicle and other items within. Full details can be seen on the submitted plans.

3. HISTORY AND PRE-APPLICATION DISCUSSIONS

The key planning history for the site is as follows:

- 22/00130/FUL - Replacement garage – refused March 2022.

This was followed by an appeal (APP/X4725/W/22/3298475) which was dismissed in October 2022. The key comments in the appeal decision were as follows:

“The appellant has provided details of the additional width and height of the proposed garage as part of their submission and I find that it would be materially larger than that garage to be replaced, it cannot be considered an exception, as set out in Paragraph 149 (d). This is not disputed by the appellant but has submitted the Very Special Circumstances that the appellant considers outweighs the potential harm to Green Belt.

On this issue, I find that the proposed garage does not meet the exception set out in Paragraph 149 (d) of the Framework, and as a result, would be inappropriate development in the Green Belt as set out in the Framework. I also find conflict with policy D23 of the Wakefield Local Development Framework Development Plan Document (2009) (the DPD) which seeks to protect the Green Belt in Wakefield in line with national planning policy.

The Framework outlines that one of the essential characteristics of Green Belts is its openness. Openness has a spatial aspect as well as a visual aspect. Although the proposed development would replace the existing detached garage it would be materially larger than the existing structure. It cannot fail but to have a greater impact on the openness of the Green Belt in spatial terms, and thus cause harm. I find that in light of the overall size and scale of the development, combined with the replacement of the existing structure, such harm would be moderate.

Similarly, due to its greater prominence by reason of its size and scale, the proposed development would have a greater impact on the openness of the Green Belt in visual terms, and also cause harm. The proposed development would be prominent at the front of the site and highly noticeable in the street- scene. Therefore, due to its overall size, scale and siting, there would be significant harm to the openness of the Green Belt from a visual aspect.

I therefore consider that in both spatial and visual terms the proposed development would have a greater impact on the openness of the Green Belt than the development being replaced. Furthermore, in doing so the scheme also fails to assist in safeguarding the countryside from encroachment, one of the 5 purposes of the Green Belt, and would therefore not comply with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open.”

The applicant has since instructed JR Planning to prepare a revised submission which addresses all of the points raised in the appeal decision. Pre-application discussions with the LPA were not considered necessary in this case.

4. ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the adopted Site Specific Policies Local Plan (SSPLP), Core Strategy (CS) and Development Policies Document (DPD).

It is acknowledged that the LPA is moving towards the adoption of a new Local Plan but it is not considered necessary to refer to that in this case.

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) 2021 and the suite of documents comprising National Planning Practice Guidance (NPPG). The Council's Residential Design Guide (RDG) and Street Design Guide (SDG) are also considered of relevance.

National

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 13 - Protecting Green Belt land

Allocations and Constraints

The application site is washed over by the Green Belt in the SSPLP of the LDF that was adopted by the Council on 12th September 2012. This document includes Policy SSP1 regarding the presumption in favour of sustainable development.

The site is also within a Mineral Safeguarding Area for coal resources.

Core Strategy

The following policies are considered of relevance:

CS10 – Design, Safety and Environmental Quality

CS12 – Green Belt

CS13 – Mitigating and Adapting to Climate Change & Efficient use of Resources

Development Policies Document

The following policies are considered of relevance:

D9 – Design and New Development

D14 – Access and Highway Safety

D23 – Existing Uses in the Green Belt

Supplementary Planning Guidance

The Council's RDG aims to ensure that new developments do not have an adverse impact on neighbouring living conditions.

The Council's SDG sets out the Council's expectations in relation to vehicular access arrangements and parking standards.

5. ASSESSMENT

Green Belt

Part (f) of Policy CS1 states that in the Green Belt, development will conform to national, regional and LDF policies relating to the Green Belt. Paragraphs 149 and 150 of the NPPF establish a 'closed list' of development types that are not inappropriate in the Green Belt. This closed list includes *"the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces."*

Policy D23 reflects national policy and states that:

"Proposals for redeveloping existing uses within the Green Belt will only be permitted if very special circumstances can be demonstrated or the proposal meets the criteria set out in national planning policy."

The existing garage is of flat roofed design and measures 124.79m³ volumetrically. The replacement garage would maintain that flat roofed appearance and would measure 123.45m³ volumetrically. It is considered abundantly clear that the proposed replacement would not be materially larger than the existing. Indeed, it is marginally smaller.

Furthermore, the location of the garage would be roughly similar to that of the existing and the opportunity to rationalise the layout, and improve external materials, would ensure the scheme would have no harmful impact on openness.

It is therefore considered clear that the proposal would not result in inappropriate development in the Green Belt and that there is no need to demonstrate very special circumstances. The proposal has fully addressed all previous reasons for refusal in this regard.

Visual and residential amenity

The existing building is of no particular architectural merit. The demolition of the building, and replacement with new, would rationalise the built form within the site and improve its appearance when viewed from the public realm.

The proposed garage, by virtue of its size and design, would have no impact on residential amenity at any neighbouring property.

As such, the scheme fully accords with policies D9 and D10 of the Local Development Framework Development Policies Document, CS10 of the Local Development Framework Core Strategy, the guidance contained within the councils adopted Residential Design Guide and the guidance contained within the National Planning Policy Framework.

Access and Highways

The proposal does not alter the existing access and parking arrangement and the development will have no material impacts in respect of traffic generation.

There would be no adverse impacts in respect of access and highways matters. The proposal accords with policies D14 and CS4 and the relevant guidance in the NPPF.

Mineral Safeguarding

Whilst the application site lies in a Minerals Safeguarding Area for shallow coal, the proposal will have no impact at all on minerals interests.

6. CONCLUSION

The proposed development is for a replacement garage within the Green Belt. The proposed building would not be materially larger than the one it is intended to replace. As such, the proposal would not be inappropriate development in the Green Belt. Furthermore, the proposal would have no other adverse impacts.

The applicant has responded positively to previous decisions at the site and all previous reasons for refusal have been addressed in full. It is considered clear that the application should be approved at the earliest possible opportunity.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.