

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs Overton	Demolition of existing garage and erection of proposed new dwelling on land to rear of 173 Finstall Road.  173 Finstall Road, Bromsgrove, B60 3DD	23.04.2017	16/1182

**RECOMMENDATION:** That planning permission be Refused.

The applicant for this application is an employee of the Council. This application cannot therefore be determined under Delegated Powers.

### **Consultations**

**Finstall Parish Council** Consulted 17.03.2017 and Expired 07.04.2017

I am responding on behalf of Finstall Parish Council, who feel that this is an overdevelopment of this site.

**Highways - Bromsgrove** Consulted 17.03.2017 and Expired 07.04.2017

No objection subject to certain conditions and informatives.

**Drainage Engineers Internal Planning Consultation** Consulted 17.03.2017 and Expired 07.04.2017

Having looked at this consultation I have the following comments to make.

The site falls entirely within flood zone 1 and is not shown to be susceptible to surface water flooding. We hold no reports of flooding in the vicinity.

I have no adverse comments, and since building regulations will apply to ensure proper drainage of the new building I do not believe any drainage conditions are required should you be minded to grant permission.

**Development Plans** Consulted 17.03.2017 and Expired 07.04.2017

No Comments Received To Date

**Arboricultural Officer** Consulted 17.03.2017 and Expired 07.04.2017

No objection to the proposed development in view of any tree related matters under the following conditions.

1. The Crab Apple tree standing to the left side of the exiting driveway is give protection in accordance with BS5837:2012 recommendations throughout any ground or development works on the site.

**Western Power Distribution** Consulted 04.04.2017 and Expires 25 April 2017

No Comments Received To Date

## **Public Consultation**

A site notice was displayed near to the site on 22.03.2017 and expired on 12.04.2017.

3 letters were sent to the residential dwelling houses that directly adjoin the site. These were sent on 21.03.2017 and expired on 11.04.2017.

## **Neighbour Responses:**

3 responses were received from interested parties.

2 of these were in support of the application and highlighted the following matters in their comments:

- The proposed dormer would improve the look of the piece of redundant and ugly looking old garage.
- A garage being replaced with a dwelling can only be seen as an improvement.

The other response was a representation and highlighted the following matters in their comments:

- On the plans the cables to the rear of 173/ 175 are shown as telephone wires. They are in fact overhead mains electricity cables- which would clearly be an issue when it comes to any work.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP19 High Quality Design

BDP21 Natural environment

BDP23 Water management

### **Others**

NPPF National Planning Policy Framework

NPPG National Planning Policy Guidance

SPG1 Residential Design Guide

## **Relevant Planning History**

15/1014	Formation of new vehicular access to Finstall Road	Approved	06.01.2016
BR/51/1963	The erection of a garage and the construction of a vehicular access.	Approved	12.03.1963
BR/740/1962	New access and construction of garage.	Refused	11.12.1962

## **Assessment of Proposal**

### **Introduction**

The application site currently forms part of the rear garden of No. 173 Finstall Road, Bromsgrove. There is a detached single garage within the rear garden which has its own vehicular access off Alcester Road. The proposal is to demolish the garage and erect a new 1 bedroom dormer bungalow that would face onto and be accessed via Alcester Road.

The site is situated entirely within the Green Belt and the defined settlement of Finstall.

### **Green Belt**

Policies BDP4 of the Bromsgrove District Plan and paragraph 89 of the NPPF set out the exceptions to inappropriate development. One of the exceptions listed is the limited infilling in Green Belt Settlements. Limited infilling is not defined in the NPPF or within the Bromsgrove District Plan, however it is usually accepted that limited infilling normally comprises the development of a modest sized gap in an otherwise substantially built-up frontage which is broadly linear in formation.

The site does face onto Alcester Road and does have built form to the western side that faces onto Alcester Road that is broadly linear in formation. However to the eastern side of the application site there are no dwellings houses only the rear gardens of the houses that face onto Alcester Road. The application site is not therefore considered to be a modest size gap within a substantially built up frontage and as such it cannot be accepted to be a limited infill plot.

The proposed new dwelling therefore does not fall within any of the exceptions set out within BDP4 of the Bromsgrove District Plan or paragraph 89 of the NPPF and is therefore considered to be an inappropriate form of development. As well as this Paragraph 79 of the NPPF highlights the essential characteristics of Green Belts are their openness and their permanence. This is no doubt that a new dwelling will have a substantial impact on openness and undermine the permanence of the Green Belt in this locality.

### **Very Special Circumstances**

The applicant has put forward no very special circumstances case in this instance. No circumstances are apparent from visiting the site that could amount to a very special circumstances case.

In conclusion there are no very special circumstances that would clearly outweigh the substantial and permanent harm that would be caused to the Green Belt. The proposal is therefore contrary to Policy BDP4 of the Bromsgrove District Plan and the NPPF.

### **Character of locality**

The Alcester Road, Finstall is made up of a variety of house types, however all of the properties in the locality of the application site that front on to the Alcester Road are large

dwelling houses situated within wide plots, that are set back from the road following a set building line.

The proposed dwelling house would be a small dormer bungalow situated within a narrow plot that would front onto the Alcester Road. It would be set back from the road, although would be situated forward of the set building line that the other properties to the west of the application site follow.

It is therefore considered that the siting and scale of the proposal would result in an unacceptable form of development that is contrary to the identified character and appearance of the locality, contrary to policy BDP19 of the Bromsgrove District Plan and the NPPF.

### **Residential Amenity**

The proposed dwelling is shown to have a rear garden with a total length of approximately 5 metres, and so it is shown to be within close proximity of the existing dwellings houses at the rear of the application site. The proposed dwelling is however a 1.5 storey dormer bungalow, with 1 window in the rear elevation at first floor level. This window is shown to be a roof light that would be positioned approximately 1.6 metres above the finished floor level. It is also noted that there are no side windows proposed. Because of this it is not considered that the proposal would have an adverse impact on the amenities of the occupiers of the residential properties at the rear of the site.

The site is in a more elevated position than that of the adjacent dwelling house (No. 22 Alcester Road) and would be situated forward of the front elevation of it. However because of the siting and design of the proposed dwelling house it is not considered that it would have an overbearing impact on the occupiers of this dwelling house.

Overall therefore it is not expected that the proposed development would have any undue impact on residential amenity.

### **Highways**

No objection has been raised by Worcestershire Highways subject to certain conditions.

### **Electricity lines**

Western Power has been consulted on the application following comments received from a neighbouring occupier regarding the presence of electricity lines that are situated to the rear of the site. No comments have as yet been received from Western Power regarding this matter.

### **Conclusion**

Overall it is considered that the proposal would amount to an inappropriate form of development in the Green Belt to which no very special circumstances exist. In addition it is considered that the siting and scale of the proposed dwelling would detract rather than enhance the character and distinctiveness of the locality of the site. The proposal is therefore contrary to policies BDP4 and BDP19 of the BDP and the NPPF.

**RECOMMENDATION:** That planning permission be Refused.

**Reasons for Refusal**

- 1) The proposed building does not fall within any of the categories of appropriate development specified in Policies BDP4 of the Bromsgrove District Plan 2017 (BDP) or at paragraph 89 of the National Planning Policy Framework 2012 (NPPF). Thus, the building constitutes an inappropriate form of development in the Green Belt which harms the Green Belt by reason of inappropriateness and harm to the openness of the Green Belt. No very special circumstances have been put forward or exist that would clearly outweigh the identified harm to the Green Belt.
- 2) The siting and scale of the proposal would result in an unacceptable form of development that is contrary to the character and distinctiveness of the locality, contrary to policy BDP19 of the Bromsgrove District Plan 2017, the provisions of SPG1 and the NPPF.

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