

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs R Lydon	Erect a greenhouse Sunday Hill, Whinfield Road, Dodford, Bromsgrove, Worcestershire B61 9BG	08.03.2018	18/00030/FUL

Councillor May has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **REFUSED**

Consultations

Dodford with Grafton Parish Council Consulted 15.02.2018
No objections

Conservation Officer Consulted 15.02.2018
The Conservation Officer raised no objections in relation to the proposed greenhouse, however considered the proposed brick wall to be obtrusive. However it was recognised that the wall element of the proposal could be constructed under permitted development.

Councillor May – Requested that the application be considered by Planning Committee due to the level of public concern regarding the transparency of planning within the Conservation Area of Dodford.

Public Consultation

1 site notice was posted 16.02.2018, expires 09.03.2018; No response received.

A press notice was published in The Bromsgrove Standard 16.02.2018, and expired 02.03.2018; No response received.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP19 High Quality Design
BDP20 Managing the Historic Environment

Others

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
SPG1 Residential Design Guide

Relevant Planning History

BR/170/1964	Extensions.	Approved	14.04.1964
B/2004/0407	Two storey rear extension, replacement of flat roof of previous extension with pitched roof, alterations to front elevation.	Approved	09.07.2004
B/2005/0150	Demolition of existing conservatory and construction of new conservatory.	Approved	06.04.2005
10/0234	Single storey extension to rear.	Approved	07.05.2010
14/0084	Demolition and replacement of garage	Refused	26.09.2014
15/0710	Demolition of existing garage and construction of new garage and agricultural store.	Refused	07.10.2015
15/1041	Demolition of existing garage and construction of new garage and agricultural store (amendment to previous application 15/0710)	Approved	14.01.2016

Assessment of Proposal

The application site is located within Dodford Conservation Area and within an area designated as Green Belt.

The proposal is for the erection of a new greenhouse in the rear garden of the dwelling. The proposed greenhouse would be attached to a new brick wall which would extend beyond the sides of the greenhouse.

Given the constraints of the site, the main issues to consider are whether the proposal would constitute inappropriate development, the impact on the openness of the Green Belt, and the impact of the proposal on the character and appearance of Dodford Conservation Area.

Green Belt

Development within the Green Belt is considered inappropriate unless it falls within a limited number of exceptions contained within paragraphs 89 and 90 of the National Planning Policy Framework (NPPF). This list does not include the provision of new

domestic outbuildings. Policy BDP4 of the Bromsgrove District Plan is consistent with this, and therefore the proposed greenhouse building constitutes inappropriate development within the Green Belt.

In cases where domestic outbuildings are sited within 5 metres of a dwelling, it may be appropriate to consider the building as an extension rather than a separate building. In order to be appropriate development within the Green Belt, extensions are required to be proportionate to the original, and Policy BDP4 limits a proportionate addition to be up to 40% above that of the original. In this case the new building would be a distance of 5.3 metres from the main dwelling, however if the proposed greenhouse were sited slightly closer to the dwelling and treated as an extension, it is noted that previous extensions amount to 71% and therefore any further extensions would automatically amount to inappropriate development.

Part 1, Class E of the General Permitted Development Order allows for new domestic outbuildings which are incidental to the main dwelling and fall within certain size parameters. However, with respect to this particular application site, there has been a previous planning permission granted (15/1041) which included a condition to remove Class E rights. As this permission has been implemented, the occupiers no longer have the benefit of constructing outbuildings without the requirement of planning permission.

The greenhouse would be of a modest scale, and would be sited within the curtilage of the dwelling, approximately 5.3m from the rear of the dwelling. The appearance of the building would be predominantly transparent; however the greenhouse would be attached to a 15 metre length of solid brick wall, meaning that the proposal would have a moderate effect on openness. It is noted however that if the wall were to be constructed separately from the greenhouse, it would fall within the limits of permitted development.

In view of the above, the proposal would amount to inappropriate development within the Green Belt, which would have a moderate impact to the openness of the Green Belt. Where there is harm arising to the Green Belt, paragraph 87 of the NPPF states that development should not be approved except in very special circumstances. Further to this paragraph 88 of the NPPF states that very special circumstances would need to clearly outweigh harm arising to the Green Belt by reason of inappropriateness and any other harm.

Very Special Circumstances

A number of matters have been raised by the applicant, which appear to have been put forward as very special circumstances. These matters include the attractive visual appearance of the proposed greenhouse, which has been designed to be sympathetic and appropriate for its intended use. The proposed development would also be constructed of high quality, traditional materials, would be sited so as not to appear obtrusive and would not result in any loss of trees. These matters, however, are expected of all development and therefore weigh neutrally in the planning balance. The applicant considers that the addition would enhance the character of the Conservation Area. However the proposal does not result in the restoration of any historic feature and a new building of appropriate design is only considered to preserve the character of the conservation area, which would weigh neutrally in the balance.

It is noted that the majority of the harm arising to the openness of the Green Belt would be from the wall element of the proposal, which could be constructed without the need for

planning permission. However taking this into account, and all other considerations put forward by the applicant, there are no very special circumstances present that would outweigh the harm arising through inappropriate development.

Character/Conservation Area

The Conservation Officer has been consulted as part of the application and recognises that ancillary development within the curtilage of properties is not out of character within the Dodford Conservation Area. Given that the host dwelling is grander in scale and design compared to the simpler chartist cottages, the design and finish of the proposed greenhouse is considered acceptable. The Conservation Officer considered that the large brick wall feature would be obtrusive in its appearance but has acknowledged that the wall itself would not require planning permission, and therefore has not objected to the proposal on conservation grounds.

Overall the proposal would result in inappropriate development which would have a moderate impact on the Green Belt and therefore would be contrary to both local and national policy.

RECOMMENDATION: That planning permission be **REFUSED**

Reasons for Refusal

- 1) The proposal comprises the erection of a new building in the Green Belt which is unacceptable in principle. New domestic outbuildings are not included within the closed list of exceptions to inappropriate development in the Green Belt contained within Paragraphs 89 and 90 of the NPPF. The proposal would therefore amount to inappropriate development which is harmful by definition and should be given substantial weight. Furthermore the proposal would have a modest impact on the openness of the Green Belt. There have been no very special circumstances put forward that would outweigh the substantial harm identified arising to the Green Belt. The proposal would therefore be contrary to Policy BDP4 of the Bromsgrove District Plan and Paragraphs 87, 88 and 90 of the NPPF.

Informatives

- 1) The local planning authority is aware of the requirement in the NPPF and Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 to work with the applicants in a positive and proactive manner, seeking solutions to problems arising in relation to applications.

However the principle of development in this case was contrary to development plan policy. This fact has been communicated to the applicant; however they chose to continue with the proposal.

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