

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Date
Mr Timothy D. Hosking “A”	Proposed extension to form bespoke living accommodation for disabled family member (As augmented by information received 20.10.2009) The Granary, High House Farm, School Lane, Alvechurch, Worcestershire B48 7SA	RES	09/0714 02.12.2009

RECOMMENDATION: that planning permission be **REFUSED**.

Councillor R. Hollingworth has requested that this application be considered by the Committee, rather than being determined under delegated powers.

Consultations

WH Strategic Planning (Policy) Tree Officer	Consulted – view received 06.11.2009. No objection. Consulted – view received 13.11.2009. The scheme does not raise any policy issues.
ENG	Consulted – view received 19.10.2009. No objection. Existing drainage infrastructure should accommodate the proposed extension. Storm and foul systems should be checked before making any connections. No flood risk assessment required.
NE	Consulted – view received 02.11.2009. No objection to the proposal in respect of legally species. Incorporating the measures outlined in the Land Care Associates letter should be achieved by means of a suitable condition or legal agreement.
WWT	Consulted – view received 27.10.2009. A condition is recommended to cover the recommendations made by Land Care Associates. In particular it is recommended that any conditions cover bat enhancement in line with PPS9 and the authority’s duties under the NERC Act 2006.
Alvechurch PC	Consulted – view received 03.11.2009. No objection (due to extenuating circumstances). However, the Parish Council would not wish to see further development on site.
Publicity	4 letters sent 14.10.2009 (expired 04.11.2009). 1 site notice posted 20.10.2009 (expired 10.11.2009). 1 response received raising the following issues: <ul style="list-style-type: none"> • The proposal will materially affect the privacy, aspect and light and therefore quality of life of the occupiers of The Barn. • The need for a new property on a restricted site is questioned as it is understood there is another adjacent property at the family’s disposal. • In light of previous planning applications, assurances are requested that the development was being undertaken purely for the reasons stated and that restrictions are placed on its future disposal.

The site and its surroundings

This application relates to a two storey domestic barn conversion, The Granary, and an adjoining paddock area. The site lies in the south east corner of a group of buildings collectively known as High House Farm. In addition to The Granary, the group consists of two dwellings formed from the former farmhouse and five attached domestic barn conversions located around three sides of a courtyard. The Granary forms the fourth side of the courtyard. The group shares a single access off the east side of School Lane. To the south/rear side of The Granary is a small enclosed amenity area and space for two cars. The paddock lies to the south of the amenity and parking areas with a brick wall to the common boundary. Just to the other side of the wall is a small brick outbuilding. To the side of this is a large timber outbuilding which is understood to be currently used for garaging for The Granary and equestrian related storage. The remainder of the building was used by the applicant, some years ago, in connection with his construction business. The paddock is accessed via a driveway which leads down between the timber outbuilding and the side boundary of The Farm House. Leading from the access towards the centre of the paddock is an area of hardstanding. The remainder of the site is grassed although it is overgrown around the edges. To the rear boundary is an hedge and field gate. To the rear is open countryside sloping down to a public right of way leading of Station Road. The application site is located in a recognised residential area but adjoins designated Green Belt to the south.

Proposal

This application proposes the demolition of the existing brick built outbuilding, garage/stores and brick boundary wall and the construction of a single storey annex extension to the existing barn conversion. The annex would contain two bedrooms and bathrooms and an open plan kitchen, lounge and dining area. To the rear of the extension would be a partly covered area of decking looking out over a large garden. The existing parking area at the rear of The Granary would be extended to allow the two existing parking spaces to be retained whilst providing access to a new parking space to the side of the extension. The annex has been designed to provide accommodation for a disabled family member (the applicant) and a carer.

Relevant policies

WMSS QE1, QE3, QE6, QE7
WCSP SD.2, SD.3, CTC.1, CTC.5, CTC.12, CTC.21, T.1, T.4
BDLP DS13, C4, C10A, C17, C27, C27C, TR8, TR11, ALVE5
Others PPS1, PPG2, PPS9, PPG13, SPG1, SPG4, Alvechurch Village Design Statement

Relevant Planning History

09/0713 Proposed annex building to provide specialist living accommodation for disabled family member (as augmented by information received 20.10.2009). Pending.

- 08/0763 Log cabin for use as a private dwelling by disabled relative (as amended by plan and information received 24.11.2008) at Land to the rear of The Granary, High House Farm, School Lane. Withdrawn 09.12.2008.
- B/1999/0917 Erection of bungalow (as amended by plans received 04.10.1999 and 07.10.1999) at Land at High House Farm, School Lane. Refused 01.11.1999.
- B/1995/0413 Erection of dwelling and associated stables at High House Farm, School Lane. Refused 14.08.95. Appeal dismissed 01.04.1996.
- B/1994/0546 Division of existing house to form 2 dwellings and conversion of existing agricultural buildings to form 6 dwellings (as amended by plans received 05.08.1994 and 02.09.1994) at High House Farm, School Lane. Approved 12.09.1994.

Notes

The main issues with this application are the visual impact of the proposed extension, the amenities of adjoining occupiers, highway safety and parking provision and ecological and tree issues. Consideration must also be given to a supporting statement and information which has accompanied this application.

Although the submitted application form indicates that the proposal involves an increase in the number of residential units at the site, the applicant's agent has verbally confirmed that the proposed development is intended to be an annex to the main dwelling. The annex would be in close proximity to The Granary and would be internally linked to it. Access from the existing dwelling to the proposed garden area would be through the annex. I am therefore satisfied that there would always be a functional need for the annex and main building to be occupied as one unit and that this could be satisfactorily controlled by way of a condition.

Design

Policy ALVE5 of the Bromsgrove District Local Plan identifies the area to the south of St. Laurence Church in Alvechurch as having a special character worthy of protection. Although High House Farm now lies outside the Green Belt, I consider that its barn conversions still clearly read as former rural buildings. I therefore consider that the most appropriate policy to consider the proposed development against is Policy C27C of BDLP (Extensions to converted rural buildings). This policy states that such proposals will be assessed against their impact on the character of the building as it existed immediately prior to conversion rather than the use to which it has been converted. Paragraph 16.10 of the BDLP states that for the purposes of this policy, the key element is the form and style of the original building. Further guidance is provided in Council's adopted Supplementary Planning Guidance Note 4: Conversion of Rural Buildings. Paragraph 1.2 and 2.1 note that one of the main reasons for allowing conversion schemes is to preserve the character, form and basic integrity of traditional rural buildings. I consider this need to preserve the character, form and integrity of the original building remains an important consideration in the assessment of subsequent applications to extend and alter the building. Paragraph 3.7 of SPG4 states that extensions will not normally be

permitted as these would detract from the plain, simple and utilitarian appearance of most rural buildings.

The Granary was converted to residential use under application B/1994/0546. The existing plans to that application indicate that the property has retained much of its original character. With the exception of the removal of part of the roof to a rear lean-to, the form of the building remained fairly unaltered during its conversion. As with many rural buildings, one of The Granary's most important characteristics is its strong linear form. The proposed extension, with its almost T-shaped footprint and stepped east building line, is completely at odds with the linear form of the building. Paragraph 3.3 advises that agricultural buildings are characterised by few windows and door openings. Additional doors and windows should be kept to a minimum and reflect existing patterns. I do not consider that the fenestration detail of the proposed extension has achieved this. Whilst the openings to the north and west elevations are aimed to reflect the existing openings to The Granary, they are not of the same proportions or detailing. The three large openings to the rear elevation of the annex clearly do not reflect the existing doors and windows and I consider that these have an overly domestic appearance. Further to this, the incorporation of a flat roof along the east side of the extension is uncharacteristic of an agricultural building. I am therefore of the view that the proposed extension would detrimentally harm the character of the existing building which made it worthy of conversion.

In order to preserve the special character of the area, Policy ALVE5 restricts the ground floor area of a dwelling to no more than 20% of the plot area. The proposed extension would increase the footprint of The Granary to 25% of its plot area. Notwithstanding my objection to the design of the extension, I consider that an additional 5% of plot coverage over that specified under Policy ALVE5 would not, on its own, cause detriment to the character of the locality.

Personal circumstances

The application was accompanied by a Family Statement in support of the proposed development. The Statement explains that the applicant suffered a severe head injury which rendered him unable to speak or move and is confined to a wheelchair requiring 24 hour care. The Statement makes a point of noting that the proposal is solely to benefit the applicant to hopefully improve his chances of rehabilitation whilst improving his quality of life. A condition is suggested to restrict the use of the development. Medical experts and the family feel that for the applicant's health to improve, it is important that his environment and integration back into the family is enhanced. It is considered that the proposed arrangement would be more conducive to the applicant having regular visits from his 6 year old daughter and would allow him to be involved with and a participant in family life. Close proximity with his family would allow the applicant a far more varied and wider spectrum of events that would provide the stimulus he is missing in his present environment. The proposal would also provide the applicant with a new purpose and incentive, and with the help of a full time carer would give him the best chance of securing greater autonomy and less dependency on the state. A copy of the full statement is included within the Appendix attached to the previous item (09/0713). The application was also accompanied by 5 letters from medical practitioners providing further information on the applicant's medical condition. Two letters, from a local doctors

surgery and the Community Neurological Team, provide support for the proposed development. The latter letter states. The statement considers these letters give an unbiased insight into the applicant's medical condition. A letter from the local doctor's surgery states that if the applicant "could be cared for in more familiar environment ... then this would provide the best stimulation and environment for further recovery to occur."

It is acknowledged that exceptionally the personal circumstances of an applicant may be a material consideration of a planning application. However, as noted in The Planning System: General Principles (which accompanies PPS1) and established through case law, arguments relating to personal circumstances will seldom outweigh the more general planning considerations. Proposed development of a permanent nature (such as the proposed development the subject of this application), will remain long after the personal circumstances of the applicant have ceased to be material. Whilst I empathise with the personal circumstances of the applicant and his family and have given full consideration to the Family Statement and the information provided in the letters, I do not consider that the argument put forward in support of the proposal has greater weight than the level of harm that would be caused to the character of the surrounding area. I also note that no argument has been put forward regarding alternative means to allow the applicant to live close to his family, such as the adaptation of an existing property.

Residential amenities

To the east of the site of the proposed extension is The Barn, built at a slightly lower level to the application site, and to the west, is The Farm House. The occupiers of The Barn have raised concern that the proposal would be detrimental to their privacy, aspect and light. However, the proposal does not include any windows directly facing The Barn and the common boundary wall is of a sufficient height to prevent overlooking from the proposed timber decking to the rear of the annex. The nearest window to The Barn is a side dining room bay which would directly face the gable wall of the annex. Whilst I acknowledge that the proposal would reduce the level of daylight received by this window and affect its outlook, I am aware that the dining room benefits from a north facing window. Given the separation distance between the bay and the gable wall of just over 7 metres, I do not consider that the level of harm would so significant to detrimentally harm the amenities of the occupiers of The Barn. Other openings to The Barn facing the proposed extension are to non-habitable rooms.

The windows to the corridor linking the annex to the main house would directly face a number of ground and first floor windows to The Farm House with a separation distance of approximately 24 metres. SPG1 suggests that, for two storey dwellings, a minimum window to window separation distance of 21m should be achieved to secure a satisfactory level of privacy. I am therefore satisfied that the proposal would not unduly harm the amenities currently enjoyed by the occupiers of The Farm House.

Highway and parking issues

Policy TR11 of the BDLP requires all development to incorporate safe means of access and egress and include sufficient parking. The Granary would retain its existing three outside parking spaces and a fourth space would be provided adjacent to the extension. Worcestershire Highways has raised no objection to the proposal and I am therefore satisfied that an adequate access and parking arrangement would be provided.

Ecological issues

Article 12 (1) of the EC Habitats Directive requires Member States to take requisite measures to establish a strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites or resting places. Under regulation 3(4) of the Conservation (Natural Habitats etc.) Regulations 1994, a Local Planning Authority has a duty to have regard to the Habitats Directive when dealing with planning applications where a European protected species may be affected. Policy QE7 of the WMSS requires Local Authorities to encourage the maintenance and enhancement of the Region's wider biodiversity resources giving priority to (among other criteria) the protection of statutory protected species.

The application was accompanied by a Daytime Bat and Hedgerow Assessment which was later updated by a letter from the Consultant Ecologist. The assessment and letter report that both outbuildings have a very low potential for roosting or resting bats. No protected species were using the rear hedgerow although it did have some potential for nesting birds. No further surveys were considered necessary although a number of recommendations are made including the provision of bat boxes at the site. Natural England and Worcestershire Wildlife Trust have suggested a condition covering the recommendations made in the letter. Such a condition would be consistent with the principle of maintaining and enhancing, restoring or adding to biodiversity conservation advocated under PPS9: Biodiversity and Geological Conservation.

Tree issues

The proposed extension would be located approximately 2.5 metres from a eucalyptus tree within the boundaries of The Barn. This tree is considered to be of limited amenity value to the wider landscape and the Tree Officer has raised no objection to the scheme.

Conclusion

The proposed extension by reason of its footprint, form and fenestration detailing would erode the plain, simple and utilitarian character of The Granary and would therefore detract from the group of buildings to High House Farm. I have given due regard to the applicant's personal circumstances but do not consider that these outweigh the visual harm caused by the proposal.

Members will be aware that a separate application (09/0713) for a detached annex is included within this agenda. The footprints of the two developments do not

completely overlap and if planning permission was to be granted under both applications, the applicant would be able to construct part of the proposed extension and part of the detached building. This would have severe implications for the amenities of the locality and possibly those of adjoining occupiers. If Members are minded to grant consent for both applications, it is suggested that consideration be given to a suitable mechanism to ensure that only one development is constructed.

RECOMMENDATION: that planning permission be **REFUSED**.

The form, fenestration detailing and non-linear footprint of the proposed extension would detrimentally erode the inherently plain, simple and utilitarian character and appearance of the converted rural building and the wider group of converted farm buildings contrary to Policies DS2 and C27C of the Bromsgrove District Local Plan 2004, Policy D.16 of the Worcestershire County Structure Plan 2001 and the provisions of Supplementary Planning Guidance 4: Conversion of Rural Buildings.