



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 31ST MARCH 2008, AT 2.00 P.M.**

**COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE**

**MEMBERS:** Councillors E. C. Tibby (Chairman), G. N. Denaro (Vice-Chairman), Mrs. J. M. Boswell, Mrs. J. Dyer M.B.E., D. Hancox, B. Lewis F.CMI, Mrs. J. D. Luck, E. J. Murray, S. R. Peters, C. R. Scurrall, C. J. Tidmarsh, P. J. Whittaker and C. J. K. Wilson

(NOTE: Updates to the Reports of the Head of Planning and Environment Services will be available in the Council Chamber one hour prior to Meeting. You are advised to arrive in advance of the start of the Meeting to allow yourself sufficient time to read the updates.)

### **AGENDA**

1. To receive apologies for absence
2. Declarations of Interest
3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 3rd March 2008 (Pages 1 - 4)
4. B/2008/1291-DMB - Demolition of rear single storey extensions to existing school building. Conversion of former Redgrove School building to form 11 no. residential units and erection of 8 no. affordable dwellings. Associated parking and access arrangements - Former Redgrove School site, Shaw Lane, Stoke Prior, Bromsgrove - Bromsgrove District Housing Trust (Pages 5 - 18)
5. B/2007/1368-LD - Proposed conversion of existing residential barn and replacement of concrete buildings with timber barn to create a rural wedding venue - Redhouse Farm, Shaw Lane, Stoke Prior, Bromsgrove - Mrs. J. Finch (Pages 19 - 24)
6. B/2008/0022-DMB - Demolition of four no. two-storey residential blocks. Refurbishment of existing two-storey flats and houses, to include new stairwells. Environmental improvement works and traffic calming measures - Land at Austin

Road, Charford, Bromsgrove - Bromsgrove District Housing Trust (Pages 25 - 30)

7. B/2008/0096-LD - Erection of two storey extension to side of existing dwelling to include accommodation for elderly relative at 10 Uplands, Monument Lane, Rednal - Mr. B. Das (Pages 31 - 34)
8. B/2008/0100-LD - Erection of new dwelling at Alvechurch Fisheries, Bittell Road, Barnt Green - Ms. K. Gittins (Pages 35 - 40)
9. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
10. Appeal Decisions (Pages 41 - 44)
11. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting
12. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of items of business containing exempt information:-

**"RESOLVED:** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>
13	2 and 6
14	2 and 6     "

13. Enforcement of Planning Control (Case ref. PI-2007-00006-KB) (Pages 45 - 50)
14. Enforcement of Planning Control (Case ref. PI-2006-00134-KB) (Pages 51 - 54)

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

18th March 2008

## BROMSGROVE DISTRICT COUNCIL

### MEETING OF THE PLANNING COMMITTEE

MONDAY, 3RD MARCH 2008, AT 2.00 P.M.

PRESENT: Councillors E. C. Tibby (Chairman), G. N. Denaro (Vice-Chairman), Mrs. J. M. Boswell, Mrs. J. Dyer M.B.E., D. Hancox, E. J. Murray, D. L. Pardoe (substituting for Mrs. J. D. Luck), S. R. Peters, C. J. Tidmarsh, P. J. Whittaker and C. J. K. Wilson

Observer: Councillor R. Hollingworth

Officers: Mr. D. Hammond, Mrs. D. Warren, Mrs. H. L. Plant and Mr. A. C. Stephens

#### 147/07 APOLOGIES

Apologies for absence were received from Councillors B. Lewis F.CMI, Mrs. J. D. Luck and C. R. Scurrall.

#### 148/07 DECLARATIONS OF INTEREST

No declarations of interest were received.

#### 149/07 MINUTES

The minutes of the meeting of the Planning Committee held in public session on 4th February 2008 were submitted.

**RESOLVED** that the minutes be approved as a correct record.

#### 150/07 B/2007/1137-DMB - FRONTAGE EXTENSION TO RETAIL STORE SALES AREA AND REAR EXTENSION TO WAREHOUSE, AND ALTERATIONS TO CAR PARK - MORRISONS SUPERMARKET, BUNTSFORD PARK ROAD, BROMSGROVE - WM. MORRISON SUPERMARKETS PLC

The Head of Planning and Environment Services clarified details in respect of parking space provision and the location of the ATM facilities.

#### **RESOLVED:**

- (a) that the power to approve the application be delegated to the Head of Planning and Environment Services subject to:
  - (i) the conditions and notes set or referred to on pages 15 and 16 of the report; and
  - (ii) the applicant entering into a suitable legal mechanism in respect of monetary contributions for the provision of a controlled

pedestrian crossing facility on the A38 and highway improvement works.

- (b) that, in the event of the legal mechanism referred to in (a)(ii) above not being finalised by the expiry date for the application (10th March 2008), the power to refuse the application be delegated to the Head of Planning and Environment Services

151/07 **B/2007/1354-RL - TWO STOREY SIDE AND REAR EXTENSION - 216 STOURBRIDGE ROAD, CATSHILL, BROMSGROVE - MR. DAVID WOOLDRIDGE**

The Head of Planning and Environment Services reported the receipt of comments from Worcestershire Highways and the Tree Officer.

**RESOLVED** that permission be refused for the reasons referred to on page 19 of the report, together with the following additional reasons:-

3. The proposal will result in additional vehicular movements on and off the Stourbridge Road which will increase conflict at this junction. In addition, the proposal makes insufficient on-site provision for parking space and will result in obstruction to movement of vehicles on adjacent roads. The development will therefore be contrary to the free flow of traffic and will fail to protect highway safety and will be in conflict with policies T.1 and T.4 of the Worcestershire County Structure Plan 2001, policy TR11 of the Bromsgrove District Local Plan 2004 and the advice in PPG13.
4. The proposed office extension would result in the loss of trees and hedges which form an important element of the character of the area and would thus have a detrimental effect on the local landscape being contrary to policies QE1 and QE3 of the West Midlands Spatial Strategy, policies CTC.1 and CTC.6 of the Worcestershire County Structure Plan, policies DS13 and C17 of the Bromsgrove District Local Plan and the general provisions of PPS9 - Biodiversity and Geological Conservation.

152/07 **B/2008/0045-RL - CONVERSION OF BUNGALOW TO DORMER BUNGALOW AT FERNDALE, 2A MILESTONE DRIVE, HAGLEY - G. TEAGUE BUILDING CONTRACTORS LTD.**

At the invitation of the Chairman, Mr. A. Dingley addressed the Committee and spoke in favour of the application.

**RESOLVED** that permission be granted subject to the conditions set out on pages 23 and 24 of the report.

153/07 **APPEAL DECISIONS**

Members considered a report which detailed the decisions of planning appeals which had been determined since the last meeting of the Committee.

**RESOLVED** that the report be noted.

154/07 **B/2008/0090-LD - PROPOSED FRONT CONSERVATORY TO NURSING HOME TO PROVIDE OCCUPATIONAL THERAPY ROOM FOR RESIDENTS - HOPWOOD COURT, BIRMINGHAM ROAD, HOPWOOD, ALVECHURCH - MR. J. ROACH**

(The Chairman agreed to the consideration of this item as a matter of urgency because a decision was required before the next meeting of the Committee.)

The Head of Planning and Environment Services reported the receipt of an application for a proposed front conservatory to Hopwood Court Nursing Home, Birmingham Road, Hopwood, Alvechurch, to provide an occupational therapy room for residents.

At the invitation of the Chairman, Mr. J. Roach addressed the Committee and spoke in favour of the application. In addition, Councillor R. Hollingworth, as Ward Councillor, also spoke in support of the application.

He stated that Worcestershire Highways, the Drainage Engineer and Alvechurch Parish Council had been consulted on the plans, all of whom had responded with no objections to the scheme. He added that three letters in support of the proposals had also been received.

In considering the application, Members of the Committee felt that the improvement to the living accommodation for the residents of the nursing home, combined with the minimal mass of the proposal and the sensitive siting of the development, resulted in the limited harm to the Green Belt and, therefore, would constitute very special circumstances to overcome Green Belt considerations.

**RESOLVED** that permission be granted subject to any conditions and / or notes which are considered necessary by the Head of Planning and Environment Services.

155/07 **LOCAL GOVERNMENT ACT 1972**

**RESOLVED** that, under Section 100 1 of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being as set out below, and that it was in the public interest to do so:-

<u>Minute No.</u>	<u>Paragraphs</u>
156/07	2, 3 and 6

156/07 **CONFIDENTIAL MINUTES**

The minutes of the meeting of the Planning Committee held in private session on 4th February 2008 were submitted.

**RESOLVED** that the minutes be approved as a correct record.

The meeting closed at 2.55 p.m.

Chairman

# Agenda Item 4

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Bromsgrove District Housing Trust 'A'</b>	Demolition of rear single storey extensions to existing school building. Conversion of former Redgrove School building to form 11 no. residential units and erection of 8 no. affordable dwellings. Associated parking and access arrangements - Former Redgrove School site, Shaw Lane, Stoke Prior, Bromsgrove	RES	<b>B/2007/1291</b> 17.04.2008

**RECOMMENDATION:** that, subject to the satisfactory views of Worcestershire Highways and the Conservation Officer following the receipt of amended plans, and the receipt of satisfactory amended plans relating to amenity distances, permission be **GRANTED**.

## Consultations

WH	Consulted - views received 13.02.2008: <ul style="list-style-type: none"><li>• I have looked at the application and whilst I am generally happy with the arrangement I have a problem with the spaces adjacent to unit 11. With the category of road these cars must enter and exit in a forward gear, this means that these spaces are not acceptable.</li><li>• Also the parking provision is 2 spaced over the max which I am not worried about, but there could be problems relating to space allocation. Having communal parking off Corbett Drive is fine, but on Shaw Lane we need to ensure that this only serves 5 dwelling maximum. I suggest that the spaces are marked out per unit to overcome the concern and to prevent excessive car ownership.</li><li>• Can you please ask the applicant to revise their detail of the parking arrangement adjacent to plot 11 as this is a potential recommendation for refusal for myself.</li></ul>
ENG	Consulted - views received 29.01.2008: <ul style="list-style-type: none"><li>• No objection subject to Conditions</li></ul>
Planning Policy	Consulted - views received 06.02.2008: <ul style="list-style-type: none"><li>• The site is located within a residential area as defined by the Bromsgrove District Local Plan (BDLP) and therefore policies S7 New Dwellings Outside the Green Belt, S14 Range of Housing Types and Tenures and S15 Affordable Housing in Urban Areas apply. The site also partially lies within the Worcester and Birmingham Canal Conservation Area and therefore policy 35A of the BDLP applies together with provisions made in PPG15 Planning and the Historic Environment. Policies DS13 Sustainable Development and ES11 Energy Efficiency of Buildings are also applicable.</li><li>• The District currently has a moratorium on housing in order to maintain the housing distribution policy of the RSS. Guidance that was contained within SPG10 is of relevance, as in this instance, the proposal is for affordable housing, which is one of the exceptions to this policy.</li></ul>

- SPG1 'Residential Design Guide' is also applicable to this application. In particular section 9 Private Communal and Amenity Space recommends that it is usual to have a minimum garden depth of 10.5 metres for family dwellings with 3 bedrooms, with an absolute minimum area of 70 sq. metres for dwellings with 6 habitable rooms. The scheme appears to only partially comply in this respect.
- I note that 19 units are proposed and 37 car parking spaces. Policy TR8 off-street parking of the BDLP is of relevance and the Highway Engineers comments will be applicable in relation to this issue, together with new access arrangements to the site.

Planning Policy: Consulted - views received 06.02.2008:

Open Space

- With regards to Outdoor Play Space, provisions contained within policies RAT5 and RAT6 of the BDLP and SPG11 apply to this application. In summary, the scheme comprises 4 x 2 bedroom units, 13 x 3 bedroom units and 2 x 4 bedroom units generating a play space requirement of 1,795 sq. metres. I note that there is approximately 436 sq. metres of proposed open space provision on site, leaving a shortfall of 1,359 sq. metres. If this deficit is to be met off-site, then a commuted sum approximating to £304,371 should be negotiated. I also understand that there is a local play area approximately 100 metres to the north of the site.

Tree Officer

Consulted - views received 28.02.2008:

- The proposed scheme requires the removal of several trees including some identified as worthy of retention in the submitted tree survey. I am of the opinion, however, that this is acceptable provided that (i) sufficient replacement planting is carried out to mitigate for the loss of the trees and the environmental impact of the development, and (ii) that appropriate measures are applied to protect those trees being retained during the course of the development.
- No objection subject to the following condition.

NEO

Consulted - views received 25.01.2008:

- No consideration has been given to the ecological value of the site, and surveys have not been carried out. PPS9 states that planning decisions should be based upon "up-to-date information about environmental characteristics of an area", and should "aim to maintain, and enhance, restore or add to biodiversity interests".
- The site is within 2 km of several SSSI and SWS. Of particular note is the Worcestershire and Birmingham Canal SWS which is directly opposite the site, approximately 15 metres away. Upton Warren SSSI and SWS is approximately 0.5 km away, derelict land near Stoke Works SWS is approximately 0.7 km away, the River Salwarpe SWS is approximately 1 km away, and Pipershill Common SSSI and SWS and Hanbury Hall Park SWS are within 2 km. Consideration must be given to any potential impacts that development of the site may have on these statutory and non-statutory nature conservation sites, in order to meet with relevant wildlife legislation and planning guidance.

- Due to the age and nature of the existing buildings they are considered to offer potential roosting opportunities for bats. The presence of some damaged slates and decaying timbers, as stated in the Structural Report, may offer access to the roof void. Bats and their roosts are protected in EU law under the Habitats Directive 1992 and in UK law under the Conservation Regulations 1994 and the Wildlife and Countryside Act 1981. As such they are a material planning consideration. PPS9 states that Local Planning Authorities should "ensure appropriate weight is attached to protected species". For these reasons a preliminary assessment of the potential for bats in the existing buildings should be carried out prior to permission being granted. This survey should be carried out by a suitably qualified professional and at an appropriate time of year. If bats are found to be using the site or the buildings are found to offer roosting potential then planning conditions may have to be imposed.
- The site may offer potential for other species in addition to those specifically specified here.
- With no information about the ecological interests of the site it is impossible to make an informed decision as to whether the application meets with the requirements of PPS9, and with relevant wildlife legislation.

CO

Consulted - views received 26.01.2008:

- I have no objection to these proposals in principle. Also, no objection to the proposed demolition of the rear single-storey modern extensions. The only issue I am concerned about is the arrangement of the roof windows or skylights, which can have a visual impact on the Conservation Area. My observations are as follows:
  - With regard to the proposed front elevation:
    - All skylights should be of equal size;
    - Also, the top skylights to both sides of the 'turret' should align vertically with the skylights and windows below them. I have looked at the plans and this alignment seems feasible;
    - Finally, the location of a single skylight to the top right hand side of this elevation appears rather random. Why is Unit 1 arranged differently on plan from Units 2, 3, etc.? If they shared the same arrangement, this 'random' skylight to top floor would not be necessary, and there could be a skylight on the level below instead.
  - With regard to the proposed rear elevation:
    - All skylights should be of equal size and vertically aligned with those below. The exception being those skylights immediately adjacent to the sides of the 'transept' wing.
  - With regard to proposed side elevations:
    - Here, as well, skylights should acknowledge the existence of the windows below, hence they should be vertically aligned with those windows below.

Strategic  
Housing  
Manager

Consulted 06.03.2008: views awaited.

- EHO Consulted - views received 11.02.2008:
- No objection in principle.
  - However suggest that all windows and doors on rear facades on units 12 to 19 inclusive (overlooking the railway line) shall be specified to achieve a weighted sound reduction index of at least 38 dB. The required ventilation on these facades shall be provided by acoustic ventilators which also meet this specification.
- EHO Consulted - views received 31.01.2008:
- Contaminated Land
- No objection subject to Conditions.
- CBCO Consulted - views received 29.01.2008:
- No objection.
- Network Rail Consulted - views received 01.02.2008:
- No objection subject to Conditions.
- BW Consulted - views received 25.01.2008:
- No objection subject to Condition relating to suitable drainage system that prevents water from entering the navigation.
- Stoke PC Consulted 21.01.2008: views awaited.
- Publicity 5 letters sent 22.01.2008 (expire 12.02.2008).  
4 site notices posted 22.02.2008 (expire 14.03.2008).  
1 press notice published 01.02.2008 (expires 22.02.2008).
- 2 responses received:
- Concern over access to the site during construction and following completion.
  - Concern over additional traffic - Shaw Lane already experiences high traffic volume and this is compounded by the parking on the canalside of Shaw Lane. This makes it dangerous for pedestrians.
  - The size of the development will cause further traffic and parking issues.
  - Concern over intended ownership structure of the units.

### The site and its surroundings

The site is located on the western side of Shaw Lane and relates to the former Redgrove School site. The building is a Victorian brick and tile building built in the latter part of the nineteenth century by John Corbett of the Stoke Prior Salt Works. The main school building and the attached headmaster's house are built using the dark red brick prevalent in the locality, with feature blue-black bricks and half round black tiles on the exterior walls. The roofs are steeply pitched with timber trusses and slate covering. The interior of the building has been partitioned into classrooms at a later date. A low brick wall runs to the boundary with Shaw Lane, with a higher brick wall on the return facing Corbett Drive. A hardstanding play area is located to the rear. A number of unsympathetic single storey brick extensions have been attached to the building to the rear. These provide for toilets and other service areas. The building is currently vacant. A Virgin mainline railway runs along the western boundary of the site. This boundary is treated with a combination of close-boarded timber fencing and wire-mesh. The site is located in the Worcester to Birmingham Canal Conservation Area and a designed residential area.

## Proposal

This application relates to a full application for the conversion of the existing building and the erection of new build dwellings.

The vacant school building and attached Headmaster's house is proposed to be converted into 11 affordable residential units, with a mix of 2, 3 and 4 bedrooms. The housing mix is based on the Housing Needs Survey compiled by Bromsgrove District Council, the Rural Enabling Officer's recommendations and the waiting list maintained by Bromsgrove District Housing Trust.

The school building will be divided along the centre lines of the existing timber trusses and external buttresses into 9 no. 3-storey dwellings, with the upper storeys built into the roof space with new conservation roof windows. The Headmaster's house is two-storey.

The existing single storey extensions to the rear will be removed to bring the building back to its original form. Original features like the blue front doors, brick-arched windows, eaves, buttresses and diamond-paned iron windows will be preserved and retained.

The scheme also includes the erection of 8 no. affordable new build dwellings on the land to the rear of the existing building, with a mix of two and three bedrooms. All the new dwellings are two-storey with ginnel alleyways for access to the rear gardens. The rear doors and windows will be acoustically enhanced as per the recommendations of the Acoustic Consultant in order to minimise the impact of the noise from the railway line.

Each of the dwellings will have their own private garden, together with a proposed garden shed and secure cycle storage space.

It is proposed to construct the new dwellings using a red and blue-black brick to match the existing building and the same cream through colour render. The roof covering will be grey interlocking concrete tiles. Where the single storey extensions are to be removed to the rear of the school building, the rear wall will also be finished with a cream through colour render.

Access for the majority of the development is off Corbett Drive onto a new spine road running down the centre of the site. 25 no. car-parking spaces will be located off the central spine road. A further 8 no. spaces are provided at the front of the school building where there is an existing grasscrete parking area. 4 no. car-parking spaces will be located adjacent to the Headmaster's house off Shaw Lane.

The majority of the trees on the site are to be retained, including the mature oak in the south-west corner of the site. The 0.45 metre high brick wall to the eastern boundary of the site facing Shaw Lane will be retained. The 1.6 metre high brick wall along the northern boundary adjacent Corbett Drive will also be retained. A light screen of small trees and shrubs will be planted along this boundary for privacy. A new 3 metre high close-boarded fence is proposed to be constructed along the western boundary adjacent the railway track. There will also be a screen of planting along this fence to further reduce the noise pollution from the railway. The existing 1.8 metre high close-boarded fence along the southern boundary will be retained as existing. The rear gardens of the

new build dwellings will be separated with 1.2 metre high timber fences. The gardens to the dwellings in the conversion will be separated with 0.60 metre high timber fencing.

A noise assessment and Design and Access Statement are available in the planning file should Members wish to view them.

### Relevant Policies

WMSS	QE1, QE2, QE3, CF2, CF3, CF6
WCSP	CTC.1, CTC.19, CTC.20, D.5, D.16, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS3, DS13, S7, S15, S28, S35a, C4, C17, C27, TR1, TR11
Others	PPS1, PPS3, PPS9, PPG13, PPG15, PPG17, Circular 06/98, Circular 06/05, SPG1, SPG4, SPG11

### Relevant Planning History

B/2007/1291	Demolition of rear single storey extensions to existing school building (Conservation Area Consent): Approved 07.03.2008
B/2002/0930	Single mobile classroom: No objection 11.09.2002

### Notes

The site is within an established residential area and therefore residential development is acceptable in principle. The application site consists of a former school building and associated hardstanding areas and therefore, in my opinion, the site falls within the definition of previously developed land as set out in PPS3. Advice in this Government guidance states that priority should be given to the redevelopment of previously developed sites in preference to greenfield sites.

Given this context, it is felt that residential development of this site would, on the face of it, be acceptable in principle. I consider the main issues to consider in connection with this particular application relate to whether the proposed development accords with the criteria set out in policy S7 and, if not, whether any disadvantages to the scheme are so substantial to justify refusing permission, despite the policy support for residential development on such sites. This process of consideration includes the location of the site in the designated Worcester to Birmingham Canal Conservation Area and the comments from consultees and third parties arising from the consultation exercise.

### **Density**

Paragraph 47 of PPS3 states that 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision-making, until local density policies are in place. The current proposals equate to 46.3 dwellings per hectare. The density is principally higher due to the conversion works to provide 11 dwellings. As such, I consider the scheme accords with the guidance for the density of residential development set out in PPS3.

## **Form and Layout**

The area is predominantly characterised by two-storey modern medium-sized semi-detached and terraced dwellings. The new dwellings would be seen against the backdrop of the former school building fronting Shaw Lane and the dwellings adjacent to the railway line on Corbett Drive. As such, I consider the two-storey form of the new dwellings would not be out of keeping in this location and would sit comfortably with the established form and character of existing development in this location. The CO has raised no objection to the form and layout of this aspect of the scheme.

I consider the conversion scheme has been sensitively approached and this aspect of the scheme will enable a new use for the vacant building. Members will note the views of the CO in relation to rooflight insertions. The applicant's agent has responded to these views and intends to submit revised elevational drawings accommodating these views. I will update Members at the meeting of the Committee on this issue.

## **Play Space Provision**

The application falls within the threshold for affordable housing as detailed in policy RAT5 and RAT6 of the Bromsgrove District Local Plan. Members will note the views of the Open Space Officer. An existing equipped play area is located approximately 100 metres to the north of the site on land off Shaw Lane.

The applicant's agent has pointed out that account must be made of the communal recreation / amenity space that is to be provided specifically for residents of the development (some 1,795 square metres). The applicant's agent is also of the view that this is a unique opportunity to re-use an existing building that, in all other respects, has now outlived its original purpose, and is no longer considered financially viable to operate as a local school building. The applicant's agent is of the view that it is not possible to meet the standards that would, ordinarily, be expected if the application consisted entirely of purpose-built new build residential dwellings. Finally, the applicant's agent points out that BDHT is a non-profit making organisation and this scheme is a further opportunity to provide commitment to the Council's objective of affordable housing in the District.

Given these site-specific circumstances and the presence of the existing equipped play area within reasonable walking distance of the site, I consider the scheme to be acceptable in its current form. As such, I therefore do not consider it appropriate to request additional on-site play space provision or a financial contribution for off-site provision in this instance.

## **Housing Oversupply Issues and Affordable Housing Provision**

Although this application falls under the threshold for affordable housing as detailed in policy S15 of the Bromsgrove District Local Plan, the applicant is proposing to dedicate all the proposed dwellings as affordable units.

I note that the proposed housing mix is based on the Housing Needs Survey compiled by Bromsgrove District Council, the Rural Enabling Officer's recommendations and the waiting list maintained by Bromsgrove District Housing Trust.

I am of the view that the proposed development qualifies as affordable housing to be managed by the largest provider of social housing in this District (BDHT) and accords with the Council's strategic housing objectives and first priority. The Council will therefore retain nomination rights to the occupiers of the units. Given the involvement of the Council (through BDHT), there is not considered a need to address this issue through any form of additional legal mechanism. However, I consider it pertinent to impose a suitable condition to properly address and control this issue in order to ensure the dwellings remain as affordable units in perpetuity. The views of the Strategic Housing Manager are awaited on this issue.

On this basis, I am of the view that the proposal should not be refused on housing oversupply.

### **Loss of Trees and Hedgerows**

The proposed scheme requires the removal of several trees including some identified as worthy of retention in the submitted tree survey. The Tree Officer is of the view that this is acceptable provided that sufficient replacement planting is carried out to mitigate for the loss of the trees and the environmental impact of the development; and secondly, that appropriate measures are applied to protect those trees being retained during the course of the development.

### **Ecological and Biodiversity Issues**

The Habitats Regulations implements the requirements of the Habitats Directive for species listed in Annex IV of the Directive (European protected species). Stricter provisions than those contained in the Wildlife and Countryside Act 1981 apply for these species and regulation 3(4) of the Habitats Regulations places a duty on Local Planning Authorities, in the exercise of their functions, to have regard to the requirements of the Directive so far as they might be affected by those functions. All European protected species are also separately protected under the Wildlife and Countryside Act 1981.

Members will note the views of the Natural Environment Officer with particular reference to the presence of bats. The applicant's agent has suggested that a bat survey is not conducted prior to any planning consent being granted due to funding issues. Members will be aware that bats and their roosts are protected in EU law under the Habitats Directive 1992 and in UK law under the Conservation Regulations 1994 and the Wildlife and Countryside Act 1981. Other protective legislation is therefore in force. On this basis, I suggest that a suitably worded Condition is imposed to ensure that a bat survey is carried out prior to the commencement of any works on site should Members be mindful to grant planning consent.

### **Impact on the Amenity of Adjacent Occupiers**

SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking, overshadowing and overbearing effects. The Guidelines suggest that new development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area. It is usual to have a minimum garden depth of 10.5 metres for family

dwellings with 3 bedrooms, with an absolute minimum area of 70 square metres for dwellings with 6 habitable rooms. This area, the rear garden space, should not be used for the provision of a garage or car hardstanding. A proportionally greater garden area will be required for dwellings with a greater number of habitable rooms commensurate with the scale of the intended dwelling and appropriate to the character / form of other plots in the vicinity. While variations will be considered, the garden area proposed must be considered appropriate to the house type and character of the area.

Having reviewed the submitted drawings, I raised concern with the applicant's agent that Plots 12 - 16 (inclusive) and Plots 5 and 6 do not comply with the minimum garden depth advocated by SPG1. I am also concerned over the apparent lack of compliance for amenity space, with a number of plots falling short of the 70 square metres detailed above.

The applicant's agent has responded to these concerns. Following negations, a revised site layout is to be submitted addressing the concerns in relation to the new build plots 12 - 16 (inclusive). I will update Members at the meeting of the Committee on this issue.

In relation to the conversion aspect of the scheme, the applicant's agent is of the view that the conversion nature of the scheme has provided difficulty is permitting the whole scheme to stack up financially. With regard to Units 5 and 6, the agent notes that the tenants who chose these dwellings will be gaining internal space at the expense of private outdoor amenity space. This requirement is dictated by the layout of the existing buildings.

Given a holistic view of the development, I am of the view that the shortfall in garden distances serving Plots 5 and 6 are not so detrimental to warrant a refusal of the application on this issue alone.

The development has been sufficiently designed to be able to not adversely affect the existing amenities of the adjoining occupiers in Shaw Lane, Coriander Close and Corbett Drive. I therefore consider the scheme to comply with criteria (e) of policy S7 of the Bromsgrove District Local Plan and the guidance within SPG1.

Members will note the views of the EHO in relation to noise issues. These are reflective of the Acoustic Report accompanying the application. In order to ensure quality of amenity for the new occupiers, I consider it pertinent to impose a suitable Condition to ensure noise attenuation measures are incorporated into the design of the new build dwellings.

### **The Development can be Properly Serviced**

The Drainage Engineer has raised no objection to the scheme.

### **Traffic and Highway Implications**

The scheme proposes 37 no. car-parking spaces to serve the development. Worcestershire Highways (WH) have raised objection to the scheme in relation to the orientation of parking provision. These views have been put to the applicant's agent and I

am currently awaiting a response. I will update Members at the meeting of the Committee on this issue.

## Conclusions

I note that the application would in principle be acceptable in that it proposes residential development in an area designated for residential use. The site falls within the definition of a previously developed site and, as such, its development would be in general accordance with government objectives set out in PPS3. However, it is noted that Government guidance does not automatically allow the development of urban sites and issues such as layout and effect upon character and residential amenity are all material factors that may result in a residential scheme in an urban area being unacceptable. The scheme involves the re-use of an existing building that is integral to the development of Stoke Prior and this will ensure its survival.

Subject to the satisfactory views of Worcestershire Highways and the Conservation Officer following the receipt of amended plans and the receipt of satisfactory amended plans relating to amenity spacing, I find the scheme to be acceptable.

**RECOMMENDATION:** that subject to the satisfactory views of Worcestershire Highways and the Conservation Officer following the receipt of amended plans and the receipt of satisfactory amended plans relating to amenity, permission be **GRANTED**.

1. Time limit.
2. The development hereby permitted is for affordable housing only. Prior to the commencement of development a scheme for the provision of affordable housing will be agreed with the Local Housing Authority and submitted to the Local Planning Authority. The scheme will include arrangements to control occupancy and ensure that the development initially meets and continues to meet local affordable housing needs in accordance with priorities set by the Local Housing Authority.
3. The areas annotated *children's play area* and *communal garden* on the approved site plan shall be provided as communal public open space prior to the occupation of any of the dwellinghouses. The area shall be retained as a communal public open space recreation area in perpetuity and not be used for any other purpose unless otherwise agreed in writing by the Local Planning Authority.
4. Notwithstanding the provisions of Class A-H (inclusive), Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as revoked or amended), no enlargement, improvement or other alteration shall take place to the approved dwellinghouses without the prior written consent of the Local Planning Authority.
5. Details of the form, colour and finish of the materials to be used externally on the walls and roofs including doors and windows, door frames and window frames as well as rainwater goods shall be subject to the approval, in writing, of the Local Planning Authority before any work on the site commences.
6. There is no Public Surface Water Sewer available and no surface water will be allowed to discharge to the foul water sewer. The disposal of storm water shall be by means approved by the Local Planning Authority. The approved system shall be operational before building works commence.

7. Full details of the following matters shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced:
  - (a) acoustic glazing to the rear elevations of Units 12 - 19 (inclusive);
  - (b) a soundproof mechanically assisted ventilation system.The development shall then be implemented and thereafter maintained in accordance with those details unless previously agreed in writing by the Local Planning Authority.
8. C10
9. C13
10. C14
11. C15
12. C16
13. C17
14. C18
15. C19
16. Prior to the commencement of any works on site, including site clearance or demolition, the applicant shall submit details of a scheme of protection for the retained trees on the site during development to the approval of the Local Planning Authority. The approved scheme shall then be implemented to the satisfaction of the Local Planning Authority prior to the commencement of any works.
17. Prior to the commencement of development hereby permitted, an ecological method statement, including a full bat survey of the existing buildings, shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall clarify how the management of the site will be tailored to benefit the species present and how it will provide benefit in addition to any legally required mitigation.
18. Prior to the commencement of works hereby permitted, full details of the shed / bicycle sheds shall be submitted to and approved in writing by the Local Planning Authority.

## **Reasons**

2. To ensure the proposed dwellings are provided at an affordable level and to meet local housing need in accordance with policy S15 of the Bromsgrove District Local Plan.
3. To ensure the proposed development is served by open play space in accordance with policies RAT5 and RAT6 of the Bromsgrove District Local Plan.
4. To protect the character and appearance of the Conservation Area in accordance with policy S35a of the Bromsgrove District Local Plan and policies CTC.19 and CTC.20 of the Worcestershire County Structure Plan.
5. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.
6. To ensure the provision of adequate storm water drainage in accordance with policy ES1 of the Bromsgrove District Local Plan 2004.
7. To ensure that the noise emitted from the adjacent railway line is within acceptable levels in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan and policies SD.2 of the Worcestershire County Structure Plan.

16. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.
17. To ensure sufficient mitigation measures to address the presence of protected species on site in accordance with policies CTC.12 and CTC.13 of the Worcestershire County Structure Plan and policies C10a and C11 of the Bromsgrove District Local Plan.
18. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.

## Notes

The granting of planning consent does not supersede the applicant's responsibilities for biodiversity under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006.

If bats are identified within the site, the applicant is reminded that a licence from DEFRA will be required to undertake the removal of any buildings or trees containing bat roosts and a detailed mitigation strategy will be required to be submitted to Natural England.

It is suggested that the disposal of stormwater is to be via soakaways. If the ground is not suitable and alternative is an attenuated discharge to a piped watercourse, either direct or via an existing private sewer.

The disposal of foul sewage shall be by means to the mains located within the highway. This can be achieved by utilising the existing connection once it has been proved to be in sound condition.

The applicant / developer is advised to contact Des Harris, third party works engineer, on 01827 252038, in order to ensure that any necessary consents are obtained and the works comply with British Waterways Code of Practice for works affecting British Waterways.

This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, it is recommended that a 1.8 metre high trespass resistant fence be erected parallel to, but separate from, the railway fence.

Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 10 metres of Network Rail's boundary.

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of

these proposed works to the railway boundary, the developer should contact Keith Buckland at Network Rail on [opewestern@networkrail.co.uk](mailto:opewestern@networkrail.co.uk) before works begin.

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land, the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

In the interests of safety, all new trees to be planted near Network Rail's land should be located at a distance of not less than their mature height from the boundary fence. Details of planting schemes should be submitted to this office for prior approval.

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned so that, in the event of failure, it will not fall on to Network Rail land.

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy (WMSS) June 2004, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan (BDLP) January 2004 and other material considerations as summarised below:

WMSS	QE1, QE2, QE3, CF2, CF3, CF6
WCSP	CTC.1, CTC.19, CTC.20, D.5, D.16, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS3, DS13, S7, S15, S28, S35a, C4, C17, C27, TR1, TR11
Others	PPS1, PPS3, PPS9, PPG13, PPG15, PPG17, Circular 06/98, Circular 06/05, SPG1, SPG4, SPG11

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.

This page is intentionally left blank

# Agenda Item 5

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mrs. J. Finch 'B'	Proposed conversion of existing residential barn and replacement of concrete buildings with timber barn to create a rural wedding venue - Redhouse Farm, Shaw Lane, Stoke Prior, Bromsgrove	GB	<b>B/2007/1368</b> 28.02.2008

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

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

## Consultations

WH	Consulted - views received 11.02.2008: Recommend refusal.
CEHO	Consulted - views received 27.02.2008: Noise / amenity concerns.
British Waterways	Consulted - Views received 14.01.2008: No objection.
PROW / RA	Consulted 04.01.2008 expires 25.01.2008: No observations received.
NR	Consulted 04.01.2008 expires 25.01.2008: No observations received.
Stoke PC	Consulted - views received 20.01.2008: Conflicting views - PC consider proposal is well thought out / positive but raise concern at poor access and Green Belt location.
Publicity	Site Notice posted 10.01.2008 expires 01.02.2008. Press Notice posted 10.01.2008 expires 01.02.2008.

## The site and its surroundings

The application site is located on the western side of Shaw Lane almost opposite the junction with Astwood Lane and consists of a former agricultural barn converted to a residential property in 1984 and a single storey brick / blockwork former piggeries building with shallow sheet steel roof, which is currently used as stables. Other equestrian paraphernalia and several other low rise, dilapidated structures are also present on site. The railway lies to the west of the site and a public footpath runs to the north. The site is within the Green Belt.

## Proposal

Planning permission is sought to convert the existing residential barn and demolish and replace the piggeries building to create a rural wedding venue.

## Relevant Policies

WMSS	QE3
WCSP	CTC.1, CTC.21, D.28, D.29, D.38, D.39, D.40, SD.2, SD.4, T.1
BDLP	DS2, DS13, C4, C27, C27A, C27B, C27C, TR11, S19, E9
Others	SPG4, SPG5, PPS1, PPG2, PPS7

## Relevant Planning History

- B/2002/1437 Proposed conversion of agricultural store stables into office / light industrial storage and alteration of driveway / access: Permission refused 20.01.2003
- B/1991/0201 Outline application for agricultural workers bungalow: Permission refused 17.06.1991
- B12479 Conversion of barn to residential unit: Permission granted 12.12.1984

## Notes

### **Green Belt Policy:**

Policy DS2 of the Bromsgrove District Local Plan 2004 notes that permission for development in the Green Belt will not be given for the construction of new buildings except in very special circumstances. Policy DS2 in general accordance with PPG2 provides a list of those new buildings the construction of which is thought to be appropriate including those for the purpose of agricultural and forestry uses, essential facilities for outdoor sport / recreation and cemeteries, limited house extension and village infilling, and limited infilling or redevelopment of major existing developed sites. Furthermore, permission for development in the Green Belt will not be given, except in very special circumstances, for the change of use of existing buildings unless, as criteria (e) states, proposals are for the re-use of rural buildings in accordance with policy C27 of the Bromsgrove District Local Plan 2004. Policies DS2 and C27 of the Bromsgrove District Local Plan 2004 and policy D.29 of the Worcestershire County Structure Plan 2001 are in general accordance with national guidance provided in PPG2 in allowing the re-use of buildings in the Green Belt subject to criteria including:

- i) Any re-use should not have a greater impact upon the present use or openness of the Green Belt.
- ii) Buildings are of a permanent and substantial construction, capable of conversion without major reconstruction.
- iii) The form, bulk and design of the conversion is in keeping with its surroundings.

The piggeries is unlikely to be suitable for conversion, as it has a shallow corrugated steel roof; however, permission is sought to demolish this building and replace it with a much larger structure some 5.5 metres higher than the existing shallow pitch 3 metre high piggeries. The proposed use of the building as a wedding venue clearly fails to accord with the set criteria for appropriate development set within policy DS2 and its significantly greater bulk and mass will create greater harm to the openness of the Green Belt. I do not consider the fact that the proposed building is a sympathetic reclaimed rural barn overrides Green Belt policy or presents a very special circumstance to justify what is inappropriate development in the Green Belt. I am content that the existing residential barn is of substantial construction and capable of conversion without major reconstruction; however, the proposed wedding venue will clearly have a greater impact than the present residential use on the openness of the Green Belt and will lead to an intensified use on site. The proposed scheme will therefore be contrary to policy and represents inappropriate development within the Green Belt.

PPG2 advises that inappropriate development is, by definition, harmful to green belt policy and therefore it is clear that strong arguments may need to be advanced, in terms of the very special circumstances, why that presumption against inappropriate development should be overridden.

## VSC?

The applicant has provided the following information to support the application:

- The barn will be re-instated from its current residential use to a more traditional form, returning the character and basic integrity of the original rural building.
- To complement the restored barn, the former piggery building (now stables), summer house, a brick built garage and workshop building will be demolished (totalling 365 sq. metres) along with fencing and other domestic garden features, which currently all combine to suggest a very urban topography.
- A 17th Century timber framed barn dismantled in the 1980's in Herefordshire will be re-built in its new form and position using traditional building methods (approx. 250 sq. metres).
- The proposal will support the rural economy and local businesses in terms of clothing, cleaners, caterers, florists, photographers, hotels, etc.
- The site is naturally obscured from view by the lie of the land and existing mature hedgerows. It is virtually invisible from any nearby local roads.

I am mindful that the piggeries along with a number of small, single storey buildings will be removed from site and while they may not be particularly attractive structures I do not consider that any perceived visual improvement of the site will outweigh the inappropriateness of the proposed development. Existing structures are low rise and fairly inoffensive, appearing as typical rural buildings that assimilate well into the rural landscape. The proposed replacement barn will be 8.6 metres high, significantly higher than any buildings it replaces, and 1.6 metres higher than the existing residential barn, having a materially greater impact upon openness. I note that the artist's impression of the Herefordshire barn prior to demolition shows a linear structure and although it is unclear how much of the proposed L-shape barn is new, I consider this to be irrelevant that the proposal still represents the erection of a 'new' building on site.

The proposed use as a wedding venue is likely to significantly intensify the use of the site and associated coming and goings when compared to the existing residential and stable use. The site's potential for alternative uses such as conferences is also high. Although it is unlikely that wedding guests will travel by public transport, the site is nevertheless poorly located in terms of sustainability and will not represent a good example of sustainable development since the sites rural location would lead to high car dependency.

Although sections of the proposed car park will be a grassed surface reinforced with a cellular recycled polyurethane high load bearing structure (which the applicant states will preserve the grassed aspect, the openness of Green Belt and enhance rainwater filtration), I am mindful that the rows of parked cars will be visible from the footpath, railway and railway bridge when the car park is in use. The development will also

introduce greater amounts of general hardstanding, which all add to the urbanisation of the Green Belt.

Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is *clearly outweighed* by other considerations. I do not consider that the applicant has put forward any very special circumstances for the proposed development, which includes the erection of a new commercial building and associated works that will justify development within the Green Belt.

### **Design and Character:**

Notwithstanding Green Belt issues, the proposed barn building is a sympathetic, agricultural design that will be located within the existing grouping of original farm buildings. Nevertheless, the proposal seeks to erect a commercial building within the Green Belt and appropriateness of design will not override the fundamentals of Green Belt policy.

While I note that the existing buildings on site are well screened they can nevertheless be seen from several points, including parts of the highway, the public footpath to the north of the site, the railway to the west and from the railway bridge to the south of the site. As previously noted, the existing structures are low rise and fairly inoffensive, appearing as typical rural buildings that assimilate well into the rural landscape. The bulk and mass of the proposed building will have much greater visibility and, although I do not consider the building will be obtrusive in the streetscene, it will clearly have a much greater impact upon the openness of the Green Belt.

### **Residential amenity issues:**

Policy S19 of the Bromsgrove District Local Plan 2004 states that in areas where residential uses predominate the District Council will not allow employment or other land uses which would adversely affect residential amenity whether through noise, smell, safety, traffic or health reasons. I would suggest that in addition to the comings and goings of traffic, which would often be focused to certain times, a wedding venue would also typically generate noise from music and guests using outside areas. It is unlikely that this can be reasonably controlled by an 'hours of use' condition as the wedding venue would be expected to go on until late into the evening, when ambient noise can create the most disturbance.

Redhouse Farm is the closest dwelling to the application site but is within the applicant's ownership. There are also other residential properties located some 60 metres to the east on Astwood Lane. The CEHO has commented that there is concern that there is potential for detriment to the amenity of nearby residential properties from the proposed development due to noise disturbance from live or recorded music at the venue and from guests leaving late at night. As no noise survey has been provided a definitive comment of the likely impact cannot be provided; however, the application is recommended for refusal in its present form.

## Highway matters:

The Highway Engineer has objected to the scheme stating that the visibility splays at the point of access are deficient compared to the approach speeds of traffic. This will result in conflict between motorists exiting the site and vehicles using the serving road. Shaw Lane is a B-class road that is well used and the additional vehicle movements associated with the application will conflict with the existing traffic flows.

In light of these comments, I therefore consider that the application should also be refused on highway safety grounds.

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

1. The application site lies within the Green Belt where strict policies of restraint apply. The erection of a commercial building and associated hardstanding combined with the intensification of use on site within an unsustainable location would represent inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. Having regard to the nature of this commercial proposal and the Green Belt policies, the Local Planning Authority does not consider that any very special circumstances exist in this case to justify overriding Green Belt policies and the proposal will therefore be contrary to policies DS2, DS13, C27 and E9 of the Bromsgrove District Local Plan 2004, policies CTC.1, SD.4, D.29, D.38 and D.39 of the Worcestershire County Structure Plan 2001 and the aims and objectives of PPS1 and PPG2.
2. The proposed development would detrimentally affect the level of amenity enjoyed by the occupiers of surrounding residential dwellings by virtue of noise disturbance from live or recorded music at the venue and traffic movements from guests leaving late at night and will therefore be contrary to policies E9 and S19 of the Bromsgrove District Local Plan 2004.
3. The visibility splays at the point of access are deficient compared to the approach speeds of traffic, which will result in conflict between motorists exiting the site and vehicles using the serving road. Additional vehicle movements associated with the application will conflict with the existing traffic flows on Shaw Lane. The proposal is therefore considered to contravene policies E9 and TR11 of the Bromsgrove District Local Plan 2004 and policy T1 of the Worcestershire County Structure Plan 2001.

This page is intentionally left blank

# Agenda Item 6

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Bromsgrove District Housing Trust 'A'</b>	Demolition of four no. two-storey residential blocks. Refurbishment of existing two-storey flats and houses, to include new stairwells. Environmental improvement works and traffic calming measures - Land at Austin Road, Charford, Bromsgrove (as amended by plans received 11.02.2008)	RES	<b>B/2008/0022</b> 09.04.2008

**RECOMMENDATION:** that permission be **GRANTED**.

## Consultations

WH

Consulted - views received 16.01.2008:

- No objection subject to Conditions
- Despite prior communication with the applicants agent, a mistake was made that suggested that this area of Austin Road was not Public Highway. This was done in error and it can now be confirmed that Austin Road to which the development fronts is Publicly Maintained Highway.
- The alterations to the carriageway, kerblines, and access arrangements will need to be procured through a section 278 agreement, the agent, subject to a planning consent being granted, must submit engineering drawings to the Highway Authority to commence negotiations for the Section 278 agreement. No works on the Highway can commence until the agreement is signed.
- The proposed traffic management scheme is not of a design that is currently acceptable, whilst a scheme can be developed, due to the necessary consultation procedure by the Highway Authority with Statutory Consultees, Members of the Public and Councillors does not guarantee the introduction of the traffic management proposals. Therefore it is recommended that a condition relating to the provision of the traffic management is not applied to the application, and instead a section 106 agreement be entered into to make it an obligation to develop and make best efforts to introduce a traffic management scheme. All cost resulting from the consultation and development of the scheme are to be paid by the applicant. This should allow the development to proceed should the traffic management proposal fail. The scheme should it be successful in its consultation procedure should be introduced as part of the Section 278 agreement.

Reconsulted on amended plans 11.02.2008:

- Views awaited.

Tree Officer

Consulted - views received 17.01.2008:

- Additional planting if possible, together with the preferable replacement of the damaged specimens with new trees.

Landscaping Officer	Consulted 11.01.2008: views awaited.
Planning Policy	Consulted - views received 22.01.2008: <ul style="list-style-type: none"><li>• The application raises no issues from a policy perspective.</li><li>• The proposal does not involve a net gain in dwellings therefore there are no housing oversupply issues.</li></ul>
WMC	Consulted - views received 21.01.2008: <ul style="list-style-type: none"><li>• I have been involved with the consultation process in relation to this development and therefore support the application.</li><li>• I do recommend that the alley between the garage block and the proposed new parking area be closed. This is used as a cut through for those used in crime and disorder. The drawing shows a gate but allows free access. I am sure some arrangement with those requiring access would be possible.</li></ul>
Rights of Way	Consulted - views received 16.01.2008: <ul style="list-style-type: none"><li>• No objection.</li></ul>
Ramblers Association	Consulted 11.01.2008: views awaited.
Central Networks	Consulted - views received 25.01.2008: <ul style="list-style-type: none"><li>• No objection.</li></ul>
Publicity	46 letters sent 11.01.2008 (expire 01.02.2008): no response received. 1 letter sent 16.01.2008 (expires 06.02.2008): no response received. 2 site notices posted 22.02.2008 (expire 14.03.2008). 2 press notices published 18.01.2008 (expire 08.02.2008).

### The site and its surroundings

This application relates to a defined section of Austin Road measuring some 0.41 hectares. The identified area is located to the west of Grafton Crescent and the east of Rock Hill. Morris Walk leading off Austin Road is located to the northern boundary. The site incorporates a section of Tibberton Court and the former playground area to the eastern boundary. The site consists of 111 dwellings or predominant two-storey type, with flatted development accessed via external stairwells. Bromsgrove District Housing Trust owns and manages 99 dwellings. Of these 99 dwellings, 12 have been improved previously, leaving 87 to be improved. The neighbourhood falls from south-west to north-east. Garage blocks interconnect with the housing. The site is located in a residential area.

### Proposal

The neighbourhood suffers from a poor definition of public space, inadequate parking and excessive speeding, together with poor boundary treatments, a lack of local play facilities and a general run down feel. The landscaping is poor and overgrown.

This is a full application constituting one phase in the Charford Regeneration scheme and relates to improvement works to individual dwellings and more broader environmental enhancements. These include:

- Enclosure and refurbishment of the staircases to the flats (incorporating secure cycle storage).
- New porches.
- Installation of insulated render / brick slip panels.
- Additional off-road shared parking on Austin Road, including a new overflow car-park at the end of Tibberton Court.
- Enhanced street lighting.
- Hard and soft landscaping.

The scheme also includes improved insulation, double glazing, new kitchen and bathrooms and general maintenance of the area. These aspects do not require planning permission and therefore do not form part of the scheme for determination by Members.

The scheme also includes the demolition of four blocks of flats (eight units) and their replacement with parking facilities.

### Relevant Policies

WMSS	UR3, QE1, QE2, QE4
WCSP	SD.2, SD.3, SD.5, D.43, CTC.6, T.1
BDLP	DS3, DS13, S28, RAT4, RAT5, ES11, C6, TR11
Others	PPS1, PPS3, SPG1

### Relevant Planning History

B/1991/0934 Construction of houses together with associated parking provision:  
approved 09.12.1991

### Notes

The scheme effectively relates to environmental enhancements that will serve to improve the locality and the quality of life for the residents.

The new porches and enclosed stairwells are of an appropriate design and will significantly improve the elevations of the dwellings. The new stairwells will remove the unsympathetic and unsightly external stairwells and provide positive enhancement to the compound dwellings and the streetscene in general. The stairwells will provide greater cohesiveness with the refurbished dwellings and reduce opportunities for crime. This aspect of the proposal will not lead to any loss of residential amenity for the occupiers of the adjacent dwellings.

The remaining improvement works to include hard and soft landscaping, enhanced street lighting, new surfacing and refurbishment of the existing garage blocks will contribute significantly to the regeneration ethos of the proposals.

I raise no objection to the demolition of the four blocks of flats given their unsightly state of repair and the extremely poor planning relationship of these units to the adjacent dwellings known as 61 / 63 Austin Road. The removal of these units will enable additional parking and remove the opportunities for crime afforded by the current units.

Members will note the original scheme contained traffic calming measures on Austin Road to which Worcestershire Highways objected due to land ownership issues. This aspect of the scheme was deleted following the submission of amended plans on 11th February 2008. WH has subsequently raised no objection to the revised highway works that consist solely of the provision of off-road parking spaces. This will improve highway safety on Austin Road and permit observation of resident's vehicles from their own properties, thus reducing fear of crime.

I therefore find no reason to refuse permission and recommend approval.

**RECOMMENDATION:** that permission be **GRANTED**.

1. Time limit.
2. Notwithstanding the annotated materials schedule detailed on the approved drawings, details of the form, colour and finish of the materials to be used externally on the dwellings, together with the new external stairwell enclosures shall be subject to the approval, in writing, of the Local Planning Authority before any work on the site commences.
3. C10
4. H6
5. H9

### **Reasons**

2. To protect the amenities of adjacent occupiers in accordance with policies S10 and DS13 of the Bromsgrove District Local Plan 2004 and policy SD.2 of the Worcestershire County Structure Plan 2001.

### **Notes**

1. H Note 1
2. H Note 7
3. H Note 10
4. H Note 17
5. H Note 22

Before development is commenced the applicant is encouraged to contact Central Networks, Disconnections Department, Toll End Road, Tipton, DY4 0HH.

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy (WMSS) September 2004, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan (BDLP) January 2004 and other material considerations as summarised below:

WMSS	UR3, QE1, QE2, QE4
WCSP	SD.2, SD.3, SD.5, D.43, CTC.6, T.1
BDLP	DS3, DS13, S28RAT4, RAT5, ES11, C6, TR11
Others	PPS1, PPS3, SPG1

**B/2008/0022-DMB** - Demolition of four no. two-storey residential blocks. Refurbishment of existing two-storey flats and houses, to include new stairwells. Environmental improvement works and traffic calming measures - Land at Austin Road, Charford, Bromsgrove - Bromsgrove District Housing Trust

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.

This page is intentionally left blank

# Agenda Item 7

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. B. Das 'A'	Erection of two storey extension to side of existing dwelling to include accommodation for elderly relative at 10 Uplands, Monument Lane, Rednal	GB	B/2008/0096 25.03.2008

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

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

## Consultations

WH	Consulted - views received 11.02.2008: <ul style="list-style-type: none"><li>• No objection.</li></ul>
ENG	Consulted - views received 27.02.2008: <ul style="list-style-type: none"><li>• No objection</li></ul>
PROW / RA	Consulted 01.02.2008 (expires 22.02.08): No observations received.
Alvechurch PC	Consulted - views received 12.02.2008: <ul style="list-style-type: none"><li>• Objection - The house has already been extended to a maximum 40%. The plans would be a massive increase, and be overbearing in a sensitive site on top of the hill adjacent to the Country Park.</li></ul>
Publicity	Three letters sent 06.02.2008, expire 27.02.2008. Site Notice posted 19.02.2008, expires 11.03.08. Press Notice published 07.02.2008, expires 28.02.2008.

## The site and its surroundings

The application site relates to a detached dwelling located northeast of the highway and set back from the established building line. The site is within the Green Belt and surrounded by country parkland.

## Proposal

Planning permission is sought for a two-storey side extension to adjoin an existing two-storey side extension to this detached dwellinghouse.

## Relevant Policies

WMSS	QE3
WCSP	CTC.1, D.38, D.39
BDLP	DS2, DS13, S11
Others	SPG1, SPG7, PPS1, PPG2

## Relevant Planning History

B/2004/0355	Extension; permission refused 14.05.2004
B/2001/0512	Two storey side extension; permission granted 07.06.2001

## Notes

The main issues to be considered are whether the proposal fulfils the requirements of policy S11 of the Bromsgrove District Local Plan 2004, which states that extensions should not result in a disproportionate addition over and above the size of the original dwelling. Any extension(s) must be proportionate to the size of the original dwelling; otherwise it is inappropriate development within the Green Belt. All works should respect the scale and character of the host dwelling and no material harm should be caused to the amenity of nearby occupiers.

SPG7 'Extensions to Dwellings in the Green Belt' states a maximum extension of up to **40%** of the original dwelling or a maximum total floor space of up to 140 sq. metres (that is, the original dwelling plus extension) may be regarded as a proportionate addition over and above the size of the original dwelling.

### **What is Original?**

The original floor area is estimated at 151 sq. metres.

### **% increase? Is development appropriate?**

A two-storey extension was approved under B/2001/0512, which had a floor area of approximately 64 sq. metres. The percentage increase of this extension represented 42% of the original floor space and the dwelling's extension allowance set within SPG7 has therefore been used. Permission for a further extension to the property under B/2004/0355 was subsequently refused at Planning Committee under SPG7 'Extensions to Dwellings in the Green Belt' as a disproportionate addition.

The proposed kitchen / utility extension and new entrance hall will provide 67.3 sq. metres and the 'Granny Flat' accommodation at first floor will provide 56 sq. metres. The total extension will provide 123.3 sq. metres of floor space, which will represent a floor area increase of 124% when added to the existing extension. An existing detached garage with a floor area of 49.5 sq. metres will be brought within 1.2 metres of the extended dwellinghouse and the total floor area increase over the original will therefore be 156.8%. The proposal will therefore clearly represent a disproportionate addition that is inappropriate development within the Green Belt.

### **Are there any Very Special Circumstances?**

PPG2, paragraph 3.2 states that "Inappropriate development is, by definition, harmful to the Green Belt. *It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*". The applicant has not provided any very special circumstances to justify the development.

The proposal only indicates that part of the extension will include accommodation for an elderly relative; however, I would remind Members that the provision of such facilities to dwellings within the Green Belt do not form a very special circumstance to override SPG7 or Green Belt policy and, in doing so, would set an undesirable precedent. The 'Granny

Flat' could in practice be occupied by anybody and I note that the accommodation is accessed by a stairwell, which would indicate that the intended occupant will not be infirm or have mobility problems. Although no supporting information has been provided by the applicant, I am nevertheless mindful that appeal history clearly indicates personal circumstances of the occupier will seldom outweigh the more general considerations. The proposal will be of a permanent nature and the extension will remain long after the personal circumstances of the applicant have ceased to be material.

I therefore consider that no very special circumstances exist or have been put forward to outweigh the harm to the Green Belt.

### **Design / Impact on streetscene**

I am mindful that the original dwelling has already been extended and, although the proposed extension is set down and set back, its excessive bulk and mass will have a significant impact upon the proportions of the existing dwelling that will be clearly disproportionate, thus harming the original style and character of the host building.

Notwithstanding Green Belt policy issues, the proposed extension will have a limited impact upon the visual amenity of the streetscene, as the extension is set well back from the public highway on lower ground. Nevertheless, I am mindful that the most important attribute of the Green Belt is openness and in this context 'open' means undeveloped. The quality of the land or how well the development is screened from public view does not form a very special circumstance.

It should be noted that the extension will be easily visible from the public footpath running adjacent to the site.

### **Residential amenity issues**

The proposed extension will be located a sufficient distance away from surrounding properties to avoid any significant impact upon the light or amenity of neighbouring occupiers.

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

1. The proposed extension will exceed the 40% allowance as set in the Council's SPG7 'Extensions to Dwellings in the Green Belt' resulting in a disproportionate addition over and above the size of the original building that will be harmful to its style and character. No very special circumstances exist or have been put forward to outweigh the harm to the Green Belt. The proposal is therefore contrary to the Council's SPG7 'Extensions to Dwellings within the Green Belt', Bromsgrove District Local Plan 2004 policies DS2, DS13 and S11, Worcestershire County Structure Plan 2001 policies D.38 and D.39 and the aims and objectives of PPG2.

This page is intentionally left blank

# Agenda Item 8

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Ms. K. Gittins</b> <b>'A'</b>	Erection of new dwelling at Alvechurch Fisheries, Bittell Road, Barnt Green	GB	<b>B/2008/0100</b> 28.03.2008

**RECOMMENDATION:** that 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	Consulted - views received 11.02.2008: No objection.
ENG	Consulted - views received 27.02.2008: No objection.
TK	Consulted - views received 11.03.2008: Detailed comments within report.
Natural England	Consulted 13.02.2008 expires 05.03.2008: No comments received
British Waterways	Consulted - views received 20.02.2008: No objection.
CEHO	Consulted - views received 11.02.2008: No objection.
Alvechurch PC	Consulted - views received 20.02.2008: No objection.
Publicity	Two letters sent 07.02.2008; expire 28.02.2008. Site Notice posted 19.02.2008; expires 11.03.2008.

## The site and its surroundings

The application site relates to a plot of land north-east of Bittell Road. The site is located within a sporadic run of development and is within the Green Belt.

## Proposal

Despite providing indicative siting and design details, outline planning permission only is sought for an occupational dwelling to support the continued operation of Alvechurch Fisheries. The applicant states that Alvechurch Fisheries is a large coarse fishery, with four lakes (three currently fished). It is open 7.00 a.m. to dusk, all year round. There are currently 97 pegs with potential for an additional 40, and a small bait / tackle store, which is not currently in use.

## Relevant Policies

WMSS	QE3, CF2, PA15, CF2, CF3, CF6
WCSP	CTC.1, CTC.4, CTC.7, SD.2, SD.7, SD.8, D.12, D.38, D.39, D.2, D.4
BDLP	DS1, DS2, DS13, ES1, S9, C21, C22, C23, TR1, RAT22
Others	SPG1, SPG5, SPG6, SPG7, PPS1, PPG2, PPS3, PPS7

## Relevant Planning History

None

## Notes

### **Green Belt Policy:**

Policy DS2 of the Bromsgrove District Local Plan and policy D.39 of the Worcester County Structure Plan are in general accordance with PPG2 in stating that inappropriate development in the Green Belt will only be allowed if very special circumstances exist to outweigh the harm caused to the openness of the area and the purposes of Green Belt policy. Policy S9 of the Bromsgrove District Local Plan sets out the criteria to be met for new dwellings in the Green Belt. Criteria (a) regards dwellings required for forestry or agricultural purposes to be acceptable in principle (this includes other occupational dwellings for other rural based enterprises). I am of the view that the proposed dwelling is acceptable in principle in Green Belt policy terms.

### **Justified need for proposed development:**

National Planning Policy governing agricultural dwellings is contained within Planning Policy Statement 7 "Sustainable Development in Rural Areas" (2004). Planning policy recognises that in some situations it may be appropriate to permit new dwellings to serve existing established agricultural / forestry businesses (and other occupational dwellings for other rural based enterprises). Annex A of PPS7 provides detailed guidance to aid the assessment of whether such a need exists in an individual case. Paragraph 3 of the Annex notes "new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units", providing that:

- i) "There is a clearly established existing functional need; that is, it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on-hand day and night:
  - In case animals or agricultural processes require essential care at short notice; or
  - To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems;
- ii) The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- iii) The unit and agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so;
- iv) The functional need could not be fulfilled by another existing dwelling on the unit, or other existing accommodation in the area which is suitable and available for accommodation by the workers concerned; and
- v) Other planning requirements; for example, in relation to access or impact on the countryside are satisfied."

The Council's Agricultural Consultant has provided a thorough response on the matter and notes that PPS7 makes clear in Annex A paragraph 5 that if the local authority is concerned about possible abuse, it should investigate the history of the holding. As the principal dwelling was sold away from the lakes as recently as September 2006 the Agricultural Consultant considers that such an investigation is warranted in this case.

From the Applicant's submitted information, it is clear that the fishery lakes were developed first by the then owners of Little Stannals and, since 1988, by the Applicant who at the time lived in Little Stannals. As the dwelling and the lakes were in the same ownership, the Agricultural Consultant does not agree with the assessment by Paul Rhodes (RRP1&2 9.1) that there was no original functional relationship between the two. The house and lakes were on the market for sale as a whole for three years, but were finally sold as two lots.

Taking into account the advice in PPS7 Annex A paragraphs 2 and 5, it is necessary to consider whether or not there has been an abuse of the system in this case. The Agricultural Consultant considers that the dwelling has been alienated from the fishing lakes by sale. Therefore, in terms of the advice in PPS7 Annex 5, a dwelling has recently been sold separately from the enterprise concerned and that might be considered an abuse. However, in the particular circumstances it appears that the original dwelling was substantial. It was sold, at least partly, as a consequence of a divorce settlement. In these particular circumstances, therefore, the dwelling may not have been suitable for the dwelling for the lakes had that been the sole source of income. The two were marketed together for about three years without success. In the Agricultural Consultant's view, therefore, there is no indication of a deliberate abuse of the planning system in this case.

With regard to consideration to the new dwelling, the submitted Paul Rhodes report sets out why, in his opinion, it is essential for a worker to be resident on the lakes. The main reasons given are, in summary:

- pest and predator control;
- fish health management;
- dealing with low oxygen levels;
- security; and
- health and safety matters relating to the fishermen.

The fishery is open from 7.00 a.m. or 7.30 a.m. to dusk, all year round. Consequently, the hours of work are long. The lakes are not open for fishing overnight. This has the potential to be a considerable enterprise, with 97 existing pegs and the potential for an additional 40 pegs. There are four main lakes, all well stocked, although information states that Arrow Lake is not currently fished.

In the Agricultural Consultant's opinion, if the enterprise was to be operated fully, it may well be necessary for there to be a resident on site. This is particularly to make the necessary checks of the oxygen levels in the lakes as needed, with there being a particular risk of de-oxygenation from a combination of climatic factors such as heavy rain run-off when the lake water is hot and lakes are heavily stocked. The availability of borehole water (RRP2 8.1) reduces the risks as it may be possible to aerate with fresh water as a precaution. Nevertheless, de-oxygenation from climatic conditions can and will cause significant losses in a short period of time if not addressed. In my opinion, it

would seem reasonable that these checks could be done during working hours without a worker actually needing to reside on site. There are various types of dwellings available for sale or rent in the nearby villages of Barnt Green and Alvechurch, where a worker could travel to the site in a reasonably short period of time, should the need arise. Although the Agricultural Consultant notes that the management of the lakes, and the welfare and safety of the fishermen will be greatly enhanced by a residential presence, I consider that much of this could be achieved by on-site staff during opening hours. Security may be improved by an on-site dwelling, although the entrance is currently security gated and fenced and I do not believe a residential presence is the only option to improve security.

The Agricultural Consultant considers that, overall, the functional test may be met in this case, albeit by a narrow margin. However, the Agricultural Consultant notes that while there is likely to be full-time work involved in running the lakes when they are at capacity, the lakes have and are being run by Mrs. Griffiths on a part-time basis, in conjunction with her other interests (RRP1 2.6 and RRP2 2.6 and 7.2). Consequently were it to be concluded that there is an existing functional need to live on-site, that need does not at present relate to a person full-time or primarily employed in the enterprise. On that basis, as she will be the occupant she would not meet the relevant PPS7 test. In terms of the functional test, I am unconvinced that recreational fishing as justification for an occupational dwelling. I note a case at Bridgnorth District Council (11.02.1999) where a fishery providing recreational facilities on a commercial basis with all fish stocks being imported. Since no fish were produced as a source of food, an Inspector concluded that it was not an agricultural activity. Whilst hours could be long, the work was shared and certain other activities such as pond aeration could be done remotely.

With respect to financial considerations, the enterprise has been operating for in excess of three years. The Paul Rhodes RRP1 report contained budgets; however, in order to assess whether the enterprise has been profitable, the Agricultural Consultant requested further information on accounts. These, together with a revised budget, are set out in the RRP2 report. The PPS7 test requires that the enterprise has been operating for at least three years, and clearly this enterprise has been. The test also requires that the enterprise has been profitable for at least one of the last three years. The RRP2 report sets out a Trading Account for the year to 31st December 2007 at Appendix 2. This shows profits of £8,699 before any labour or depreciation on sales of £13,378. In the Agricultural Consultant's opinion this is considerably below the threshold necessary to meet the financial test as it does not cover the costs of the labour needed to run the enterprise. The Paul Rhodes report, at RRP2 10.4.8, describes the current enterprise as operating on "**a limited part-time basis**". This may well be the reason for the poor financial performance. The PPS7 tests however are stringent tests and require both profitability and clear prospects of remaining financially sound. There is no such clear evidence at the present time.

Against the key policy tests, it is considered that the proposed occupant is currently only working part-time on the enterprise, and so does *not* meet the policy test and the accounts for 2007 show a level of profit considerably below the minimum agricultural wage before any labour deductions, and so do not meet the PPS7 tests. The future budgets show considerable potential to generate increased profits, but at the present time there is no evidence that the enterprise is currently financially sound.

The Agricultural Consultant notes that there may be a functional need for a worker to be readily available at most times, although the enterprise is currently being operated on a part-time basis and *no* such need exists at the present time. Given case history I remain unconvinced that the functional need of an occupational dwelling extends to commercially based recreational facilities. The proposal fails tests within PPS7 and is not an essential facility for a rural based enterprise. The proposal would therefore represent inappropriate development within the Green Belt.

### **Design / Impact on streetscene:**

SPG6 and PPS7 state that dwellings should be of a size commensurate with the established functional requirement. Although this is an outline application and all plans are indicative, the proposed design of the dwellinghouse is shown as single storey with a modest ridge height of 5 metres. The dwellinghouse will have a floor area of some 130 sq. metres, which I am content is a reasonable area of living space for an agricultural worker's dwelling and includes a ticket office and first aid office. The design of the building shown on indicative plans is simple but architecturally acceptable. The plot would also appear to be an acceptable size for an agricultural worker's dwelling with an adequate amount of outside amenity space.

In terms of siting SPG6 notes that preference will be given to locations in settlements or within existing groupings of buildings for amenity reasons. PPS7 states that agricultural dwellings should be sited so as to meet the identified functional need and to be well-related to existing buildings. On indicative plans the proposed dwelling will be located within a sporadic run of development in general accordance with the building line. The building will be well screened from the front by existing mature vegetation and will not have any significant impact upon the visual amenity of the streetscene. Notwithstanding policy issues, the Agricultural Consultant has commented that the siting of the building is ideal from a management, security and operational perspective, and the dwelling is modest and suitably sized.

### **Residential amenity issues:**

The application site is located well away from surrounding properties and I am therefore content that the erection of a dwellinghouse will not create any significant impact upon the light or amenity of neighbouring occupiers.

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

1. A clear and established need for the proposed development has not been proven. Therefore the proposal represents inappropriate development within the Green Belt. Having regard to the nature of this proposal and to Green Belt policies, the Local Planning Authority does not consider that there are any very special circumstances to justify departure from the overall presumption against inappropriate development in the Green Belt. As such the proposal is contrary to policies DS2, S9 and C21 of the Bromsgrove District Local Plan 2004, policies D.12 and D.39 of the Worcestershire County Structure Plan 2004 and the provisions of PPG2 and PPS7 'Sustainable Development in Rural Areas'.

2. Sufficient housing has been completed within Bromsgrove to meet the strategic housing land requirements for the District as set out in policies D.2 and D.4 of the Worcestershire County Structure Plan (1996-2011). These policies have since been superseded by PPS3 and the existing and emerging revised RSS. Sufficient information is contained within these policies to guide the distribution of housing development in Worcestershire. Due to previous completions and current commitments, Bromsgrove has an identified housing supply of 7.29 years, 2.29 years over the requirement as set out in Planning Policy Statement (PPS3). To add to this oversupply with windfall development would reduce the ability of the district to control its housing provision and as such would prejudice the aims of the West Midlands Regional Spatial Strategy policies CF2, CF3 and CF6 and would clearly be contrary to the 'Plan, Monitor and Manage' approach to housing provision reflected in PPS3.

## BROMSGROVE DISTRICT COUNCIL

### PLANNING COMMITTEE

31ST MARCH 2008

#### APPEAL DECISIONS

Responsible Portfolio Holder	Councillor Mrs. J. Dyer M.B.E.
Responsible Heads of Service	Head of Planning and Environment Services Head of Legal and Democratic Services

#### 1. SUMMARY

- 1.1 To note the results of planning appeals which have been received since the last meeting of the Committee.

#### 2. RECOMMENDATION

- 2.1 Members are requested to note the report.

#### 3. BACKGROUND

	<b>Name of Appellant</b>	<b>Plan Ref. / Proposal</b>	<b>Decision / Date</b>
3.1	Mr. and Mrs. M. Strain	B/2007/0086 - Proposed erection of a detached 2-car garage - The Old Dairy, Old House Lane, Romsley, B62 0EX	Appeal dismissed (3rd March 2008)
3.2	Mr. J. Callow	B/2007/0268 - Proposed conversion of outbuildings into residential annexe to existing farmhouse without complying with Condition No. 2 attached to planning permission B/2004/1324 - Moorfield Farm, Waystone Lane, Belbroughton, DY9 0HG	Appeal dismissed (3rd March 2008)
3.3	Mr. and Mrs. G. Williams	B/2007/0282 - Proposed two-storey side extension - Rose Cottage, 14 Greenhill, Burcot, Bromsgrove, B60 1BJ	Appeal dismissed (4th March 2008)
3.4	Mrs. A. Thomas	B/2007/0783 - Proposed first floor bedroom extension - 8 Snake Lane, Alvechurch, B48 7NU	Appeal allowed (4th March 2008)

	<b>Name of Appellant</b>	<b>Plan Ref. / Proposal</b>	<b>Decision / Date</b>
3.5	Mr. and Mrs. P. Sharman	B/2007/0401 - Proposed first floor side extension - 41 Worcester Road, Hagley, DY9 0LF	Appeal dismissed (5th March 2008)

4. **FINANCIAL IMPLICATIONS**

4.1 There are no financial implications directly related to this report.

5. **LEGAL IMPLICATIONS**

5.1 There are no legal implications directly related to this report.

6. **COUNCIL OBJECTIVES**

6.1 This report does not directly relate to the Council's Corporate Objectives.

7. **RISK MANAGEMENT**

7.1 There are no identifiable risk implications directly related to this report.

8. **CUSTOMER IMPLICATIONS**

8.1 There are no customer implications directly relating to this report.

9. **EQUALITIES AND DIVERSITY IMPLICATIONS**

9.1 There are no equality and / or diversity implications directly relating to this report.

10. **OTHER IMPLICATIONS**

10.1	Procurement Issues	None
	Personnel Implications	None
	Governance / Performance Management	None
	Community Safety (including Section 17 of the Crime and Disorder Act 1998)	None
	Policy	None
	Environmental	None

11. **OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	No
Chief Executive	No
Corporate Director (Services)	No
Assistant Chief Executive	No
Head of Service	No

Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	No
Head of Organisational Development & HR	No
Corporate Procurement Team	No

12. **APPENDICES**

12.1 None.

13. **BACKGROUND PAPERS**

13.1 Appeal decision letters received from the Planning Inspectorate, dated 3rd, 4th and 5th March 2008.

**CONTACT OFFICER**

Name: Andy C. Stephens

email: a.stephens@bromsgrove.gov.uk

Tel: 01527 881410

This page is intentionally left blank

By virtue of paragraph(s) 2, 6 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 2, 6 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank