



## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY 8TH JANUARY 2018**

**AT 6.00 P.M.**

**PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA**

**PLEASE NOTE THAT AFTER 5PM, ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD. PLEASE ALSO NOTE THAT THERE IS NO PUBLIC PARKING AVAILABLE FOR THE NEW PREMISES. THE NEAREST PARKING IS THE PARKSIDE (MARKET STREET) PAY AND DISPLAY CAR PARK.**

**MEMBERS:** Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Updates to the Reports of the Head of Planning and Regeneration 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.

Members of the Committee are requested to arrive at least fifteen minutes before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting.

### **AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 4th December 2017 (Pages 1 - 6)

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 2015/0548 - Relocation of dayroom approved at appeal (ref: APP/P1805/A/09/2106041) of application (ref: 08/0727) - Sheltwood Grange, Sheltwood Lane, Tardebigge, Worcestershire, B60 3EY - Mr A. Bridges (Pages 7 - 10)
6. 2017/00482/OUT - Outline permission for the demolition of existing workshops, offices and other related buildings. Erection of new single dwelling house and garage - 9 Bromsgrove Road, Romsley, Halesowen, Worcestershire, B62 0ET - Mr M. Buckley (Pages 11 - 16)
7. 2017/00872/FUL - Erection of agricultural building; laying of hardstanding for external storage of farm machinery and equipment - Land Rear of Units, Heath Farm, Alcester Road, Wythall, Worcestershire, B47 6AJ - A Beckett and Sons (Pages 17 - 20)
8. 2017/01153/FUL - Single storey extension to form new entrance and waiting area to the front, single storey extension to the side, first floor extension incorporating attic space of new extension to provide additional offices - Clent Vets, 5 Kidderminster Road, Bromsgrove, Worcestershire, B61 7JJ - Rebekka Fiorani (Pages 21 - 26)
9. 2017/01237/FUL - Demolition of all structures and hard standings and erection of six detached residential dwellings together with associated access and landscaping - The Mount School, 277 Birmingham Road, Bromsgrove, Worcestershire, B61 0EP - ParkGate (Bromsgrove) Limited (Pages 27 - 32)
10. 2017/01302/FUL - Removal of existing conservatory and erection of extension to rear of property - Bankside, Kidderminster Road, Woodcote Green, Dodford, Bromsgrove, Worcestershire, B61 9DX - Mrs H. Robbins (Pages 33 - 38)
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

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

21st December 2017

# BROMSGROVE DISTRICT COUNCIL

## PLANNING COMMITTEE

### Information for Members of the Public

The Planning Committee comprises 11 Councillors. Meetings are held once a month on Mondays **at 6.00 p.m.** in the Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

The Chairman of the Committee, who is responsible for the conduct of the meeting, sits at the head of the table. The other Councillors sit around the inner-tables in their party groupings. To the immediate right of the Chairman are the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic Services Officer who takes the Minutes of the Meeting. The Officers are paid employees of the Council who attend the Meeting to advise the Committee. They can make recommendations, and give advice (both in terms of procedures which must be followed by the Committee, and on planning legislation / policy / guidance), but they are not permitted to take part in the decision making.

All items on the Agenda are (usually) for discussion in public. You have the right to request to inspect copies of previous Minutes, reports on this agenda, together with the background documents used in the preparation of these reports. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available in the public gallery. The Chairman will normally take each item of the Agenda in turn although, in particular circumstances, these may be taken out of sequence.

The Agenda is divided into the following sections:-

- Procedural Items

Procedural matters usually take just a few minutes and include: apologies for absence, approval of the Minutes of the previous meeting(s) and, where necessary, election of a Chairman and / or Vice-Chairman. In addition, Councillors are asked to declare whether they have any disclosable pecuniary and / or other disclosable interests in any items to be discussed. If a Councillor declares a disclosable pecuniary interest, he/she will withdraw from the meeting during the discussion and voting on that item. However, it is up to the individual Councillor concerned to decide whether or not to declare any interest.

- Reports of the Head of Planning and Regeneration

(i) **Plans and Applications to Develop, or Change of Use** - Reports on all applications will include a response from consultees, a summary of

any observations received and a recommendation. Recent consultation responses will be reported at the meeting within the Update Report.

Each application will be considered in turn. When the Chairman considers that there has been sufficient discussion, a decision will be called for. Councillors may decide that, in order to make a fully informed decision, they need to visit the site. If this is the case, then a decision on the application will be deferred until the next meeting of the Committee. Alternatively, a decision may be deferred in order that more information can be presented / reported. If the Councillors consider that they can proceed to making a decision, they can either accept the recommendation(s) made in the report (suggesting any additional conditions and / or reasons for their decision), or they can propose an amendment, whereby Councillors may make their own recommendation. A decision will then be taken, usually by way of a show of hands, and the Chairman will announce the result of the vote. Officers are not permitted to vote on applications.

Note: **Delegation** - All items are presumed to be matters which the Planning Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply, an appropriate indication will be given at the meeting.

Any members of the public wishing to make late additional representations should do so in writing, or by contacting their Ward Councillor(s) well in advance of the Meeting. You can find out who your Ward Councillor(s) is/are at [www.writetothem.com](http://www.writetothem.com).

Members of the public should note that any application can be determined in any manner, notwithstanding any (or no) recommendation being made to the Planning Committee.

- (ii) **Development Control (Planning Enforcement) / Building Control** - These matters include such items as to whether or not enforcement action should be taken, applications to carry out work on trees that are the subject of a Tree Preservation Order, etc.. 'Public Speaking' policy does not apply to this type of report, and enforcement matters are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Reports of the Head of Legal and Democratic Services

These reports relate to, for example, cases where authority is sought to commence legal proceedings for non-compliance with a variety of formal planning notices. They are generally mainly concerned with administrative and legal aspects of planning matters. 'Public Speaking' policy does not apply to this type of report, and legal issues are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Urgent Business

In exceptional circumstances, and at the discretion of the Chairman, certain items may be raised at the meeting which are not on the Agenda. The Agenda is published a week in advance of the meeting and an urgent matter may require a decision. However, the Chairman must give a reason

for accepting any "urgent business". 'Public Speaking' policy would not necessarily apply to this type of report.

- **Confidential / Exempt Business**

Certain items on the Agenda may be marked "confidential" or "exempt"; any papers relating to such items will not be available to the press and public. The Committee has the right to ask the press and public to leave the room while these reports are considered. Brief details of the matters to be discussed will be given, but the Committee has to give specific reasons for excluding the press and public.

### **Public Speaking**

Where members of the public have registered to speak on planning applications, the item will be dealt with in the following order (subject to the discretion of the Chairman):-

- Introduction of item by the Chairman;
- Officer's presentation;
- Representations by objector;
- Representations by applicant (or representative) or supporter;
- Parish Council speaker (if applicable) and / or Ward Councillor;
- Consideration of application by Councillors, including questions to officers.

All public speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

Feedback forms will be available within the Council Chamber for the duration of the meeting in order that members of the public may comment on the facilities for speaking at Planning Committee meetings.

### **NOTES**

Councillors who have not been appointed to the Planning Committee but who wish to attend and to make comments on any application on the attached agenda are required to inform the Chairman and the relevant Committee Services Officer before 12:00 noon on the day of the meeting. They will also be subject to three minute time limit.

Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officer(s) in order to avoid unnecessary debate on such detail at the meeting. Members of the Committee are requested to arrive at least one hour before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting. Councillors should

familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.

Councillors are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to Committee for determination where the matter cannot be authorised to be determined by the Head of Planning and Regeneration Services.

In certain circumstances, items may be taken out of the order than that shown on the agenda and, therefore, no certain advice can be provided about the time at which any item may be considered. However, it is recommended that any person attending a meeting of the Committee, whether to speak or to just observe proceedings and listen to the debate, be present for the commencement of the meeting at 6.00 p.m.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - SECTION 100D

1. All applications for planning permission include, as background papers, the following documents:-
  - a. The application - the forms and any other written documents submitted by the applicant, the applicant's architect or agent, or both, whichever the case may be, together with any submitted plans, drawings or diagrams.
  - b. Letters of objection, observations, comments or other representations received about the proposals.
  - c. Any written notes by officers relating to the application and contained within the file relating to the particular application.
  - d. Invitations to the Council to comment or make observations on matters which are primarily the concern of another Authority, Statutory Body or Government Department.
  
2. In relation to any matters referred to in the reports, the following are regarded as the standard background papers:-

Policies contained within the County Structure Plan and Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District 2011-2-30
SPG	-	Supplementary Policy Guidance
SPD		Supplementary Planning Document
  
3. Any other items listed, or referred to, in the report.

Note: For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 100D will always include the Case Officer's written report and any letters or memoranda of representation received (including

correspondence from Parish Councils, the Highway Authority, statutory consultees, other 'statutory undertakers' and all internal District Council Departments).

**Further information**

If you require any further information on the Planning Committee, or wish to register to speak on any application for planning permission to be considered by the Committee, in the first instance, please contact Pauline Ross, Democratic Services Officer, at [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk), or telephone (01527) 881406

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## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY, 4TH DECEMBER 2017, AT 6.00 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), C. Allen-Jones, S. J. Baxter, M. Glass, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Observers: Ms. J. Archer, Highways Development Control Manager, Warwickshire County Council

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr. G. Boyes, Mrs. N. Chana, Ms. C. Flanagan, Mr. A. Fulford, Mr. S. Hawley (Worcestershire Highways Authority), Mr. S. Jones, Mrs. T. Lovejoy, Miss C. Wood and Mrs. P. Ross

43/17 **APOLOGIES**

Apologies for absence were received on behalf of Councillors P.L. Thomas and M. T. Buxton. Councillor M. Glass was confirmed as Councillor P. L. Thomas's substitute for the meeting.

44/17 **DECLARATIONS OF INTEREST**

Councillor P. J. Whittaker declared a Disclosable Pecuniary Interest in Agenda Item 7 – Planning Application 17/00459/FUL – Stoney Lane Farm, Stoney Lane, Broad Green, Bromsgrove - in that he was the Applicant. Councillor Whittaker withdrew from the meeting prior to consideration of this item and took no part in the discussion or voting on the matter.

All Members present at the meeting also declared Other Disclosable Interests in Agenda Item 7 (Planning Application 17/00459/FUL) Conversion of existing barn to form two bedroom dwelling - Stoney Lane Farm, Stoney Lane, Broad Green, Bromsgrove, B60 1LZ, in that they were all acquainted with the Applicant, Mr. P. Whittaker, through their roles as District Councillors.

45/17 **MINUTES**

The minutes of the meeting of the Planning Committee held on 6th November 2017 were received.

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

46/17

**TREE PRESERVATION ORDER (7) 2017 - TREES ON LAND ADJOINING HARRIS BRUSH WORKS AND SAXON BUSINESS PARK, HANBURY ROAD, BROMSGROVE.**

The Committee considered a report which detailed proposals to confirm, with modification, Tree Preservation Order (No 7) 2017, relating to trees on land adjoining Harris Brush Works and Saxon Business Park, Hanbury Road, Bromsgrove.

Councillor P. J. Whittaker informed the Committee that he was the Portfolio Holder for Environmental Services which was the department that initiated Tree Preservation Orders.

Officers drew Members' attention to the Supplementary Documentation – 2 agenda pack and the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

**RESOLVED** that Provisional Tree Preservation Order (No.7) 2017, relating to trees on land adjoining Harris Brush Works and Saxon Business Park Hanbury Road, Bromsgrove be confirmed with modification from the Provisional Order, as raised and shown in Appendix (1) to that as shown on the plan and described in the schedule of trees in Appendix (2).

47/17

**TREE PRESERVATION ORDER (11) 2017 - TREES ON LAND ADJACENT TO 73 LINTHURST NEWTOWN, BLACKWELL**

Due to the late arrival of a significant amount of additional information from the landowner's solicitor, Officers withdrew this item from the agenda.

48/17

**2017/00459/FUL - CONVERSION OF EXISTING BARN TO FORM TWO BEDROOM DWELLING - STONEY LANE FARM, STONEY LANE, BROAD GREEN, BROMSGROVE, WORCESTERSHIRE, B60 1LZ - MR P. J. WHITTAKER**

At the invitation of the Chairman, Mr. R. Whittaker, on behalf of the Applicant addressed the Committee.

**RESOLVED** that Planning Permission be refused for the reasons as detailed on page 156 of the main agenda report.

49/17

**2017/00701/OUT - HYBRID APPLICATION COMPRISING: OUTLINE PLANNING APPLICATION (WITH MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT, SCALE AND DETAILS OF INTERNAL CIRCULATION ROUTES RESERVED) FOR THE DEVELOPMENT ON A PHASED BASIS OF 32HA OF EMPLOYMENT LAND FOR BUSINESS/INDUSTRIAL USES (USE CLASSES B1, B2, B8). THE DEVELOPMENT SHALL INCLUDE: LANDSCAPING, PARKING, ASSOCIATED INFRASTRUCTURE, UTILITIES, DRAINAGE (INCLUDING**

**SUDS) AND GROUND ENGINEERING WORKS; AND FULL PLANNING APPLICATION FOR PHASE 1 GROUND ENGINEERING WORKS, AND DETAILS OF MEANS OF ACCESS TO THE SITE FROM THE A4023 - REDDITCH GATEWAY, LAND ADJACENT TO THE A4023, COVENTRY HIGHWAY, REDDITCH, WORCESTERSHIRE - REDDITCH GATEWAY INFRASTRUCTURE LTD**

Officers provided updates on Additional Conditions, Procedure, Condition 12 (Construction Environmental Management Plan) which outlined the permitted hours for demolition/construction, additional comments received from Warwickshire County Council Ecology, 11 additional comments received from third party representations raising objections to the application, a representation from Councillor A. Pulsford, Redditch Borough Council and a representation from Beoley Parish Council, as detailed in the published Update Report, copies of which were provided to the Committee and public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. C. Eden and Mr. M. Burke, residents, addressed the Committee objecting to the Application. Mr. R. Wells, the Applicant's agent, also addressed the Committee.

The Committee then considered the Application which Officers had recommended for approval. Members expressed concerns and sought clarification on various issues, which included matters relating to: the height of the buildings, HGV routing plan, retaining the setting of the listed building - Gorcott Hall, biodiversity loss, potential changes being made to the application at a later stage, and the period of time, 15 years, which the £200,000.00 bond would be retained for.

The Council's Principal Planning Officer and the County's Highways Officer provided clarification with regard to Members concerns and questions and in doing so, explained that any remaining combined biodiversity loss would be compensated via biodiversity offsetting.

Members were informed that the building heights would be restricted to between 9m and 21m above the development plateau ground level and that the lower buildings would be sited at sensitive locations in relation to existing surrounding development. It was also agreed during pre-application discussion that the buildings do not exceed a certain height in order to ensure that the setting of Gorcott Hall was protected; as detailed on page 179 in the main agenda report. Officers had worked with Historic England and conservation officers from Bromsgrove District Council and Stratford on Avon District Council to ensure maximum protection to Gorcott Hall.

An HGV routing plan had been devised to reduce HGV routing through sensitive areas and had been accepted in principle by both Highway Authorities. Whilst the VISSIM Model had not been reviewed, the results indicated that the proposed development would have minimal impact in queues and journey times on the surrounding network. Highways

# Agenda Item 3

England had agreed with the conclusions of the modelling and Worcestershire County Council had requested a financial contribution towards a wider improvement scheme.

The Council's Head of Planning and Regeneration informed the Committee that the hybrid application was being detailed in its entirety, but each of the three authorities were being asked to consider their own administrative area and jurisdiction. The proposed development included land within three Local Planning Authority (LPA) boundaries; whilst some of the recommended conditions would be common to all three areas; each authority would be responsible for enforcement of any planning conditions imposed that related to specific areas of the development or issues which were confined or unique to particular parts of the site within the particular LPA, should planning permission be granted by each LPA.

Members were reassured that should there be any substantial amendments or changes to the application, the usual planning process, consultation and advertisement, would commence and a report would be brought back to Planning Committee Members for consideration.

Following further discussion with regard to the £200,000.00 to be paid on first occupation and held for a period of 15 years from its receipt in the form of a bond, it was

**RESOLVED** that, authority be delegated to the Head of Planning and Regeneration Services to grant planning permission subject to:

- A. The Applicant entering into a suitable legal mechanism to secure the following:
  - 1. £200,000.00 to be paid on first occupation and held for a period of 15 years from its receipt OR until 12 months after the last premises was occupied, whichever was sooner; and
  - 2. Biodiversity offset scheme for each phase of development and biodiversity monitoring contribution; and
- B. Conditions as set out in summary form\* as detailed on pages 206 to 209 in the main agenda report;
  - 1. With updated condition 12 regarding the Construction Environmental Management Plan (hours of working during the demolition/construction stage); and
  - 2. The inclusion of the 3 year time limit for the full application.

\*Officers have delegated authority to agree the final wording of the conditions in conjunction with Stratford on Avon District Council, Redditch Borough Council, the Applicant and the Head of Planning and Regeneration, Bromsgrove District Council.

50/17

**2017/00786/FUL - CONVERSION AND EXTENSION OF TWO EXISTING DWELLINGS HOUSES TO CREATE 10 X 2 BED APARTMENTS - 77 LYTTLETON AVENUE, BROMSGROVE, WORCESTERSHIRE, B60 3LH - MR JEREMY KIMBERLEY**

Officers drew Members' attention to the amended Recommendation and the reasons for the amendment, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

Councillor S. P. Shannon, in whose Ward, the application site was located, addressed the Committee.

Officers clarified that planning permission was being sought for 6 x 2 bed properties and 4 x 1 bed properties, as detailed on page 213 of the main agenda report and not as indicated on page 211 of the main agenda report.

**RESOLVED** that planning permission be granted as detailed in the preamble above.

51/17

**2017/01160/FUL - TWO-STOREY EXTENSION TO ORIGINAL FRONT OF DWELLING (RETROSPECTIVE) - ALLANDALE COTTAGE, REDHILL ROAD, KINGS NORTON, BIRMINGHAM, WORCESTERSHIRE, B38 9EW - MR D. SANDERSON**

The Committee received an update on an additional objection, received from one neighbour, as detailed in the published Update Report, copies of which were provided to Members and the public gallery prior to the start of the meeting.

At the invitation of the Chairman, Mrs. K. Sanderson, the Applicant addressed the Committee.

**RESOLVED** that Planning Permission be granted, subject to Conditions, as set out on page 222 of the main agenda report and a unilateral agreement to remove Part 1, Class A permitted development rights.

The meeting closed at 8.18 p.m.

Chairman

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# Agenda Item 5

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr A. Bridges	Relocation of dayroom approved at appeal (ref: APP/P1805/A/09/2106041) of application (ref: 08/0727)  Sheltwood Grange, Sheltwood Lane, Tardebigge, Worcestershire, B60 3EY	02.09.2015	15/0548

## **RECOMMENDATION:**

(a) Minded to approve full planning permission

(b) That authority be delegated to the Head of Planning and Regeneration to grant full planning permission subject to conditions and a Unilateral Undertaking to ensure only one dayroom is constructed at the site.

## **Consultations**

**Bentley & Pauncefoot Parish Council** Consulted 16.08.2016  
No Comments Received To Date

## **Relevant Planning History**

08/0727 To retain on permanent base, one railway carriage, one mobile home, five touring caravans and one utility dayroom block with associated change of use and hardstanding. Refused 04.03.2009  
Appeal allowed  
14.10.2009

12/0124 Repositioning and enlargement of dayroom Approved under B/2008/0727 Refused 23.04.12

## **Publicity**

One site notice posted on Sheltwood Lane on 16<sup>th</sup> September 2016 which expired 7<sup>th</sup> October 2016.

## **Relevant Policies**

Bromsgrove District Plan:  
BDP1 – Sustainable Development Principles  
BDP4 – Green Belt

Others:  
NPPF - National Planning Policy Framework  
NPPG – National Planning Practice Guidance

## **Assessment of Proposal**

### Site Characteristics

The application site comprises an occupied Gypsy site accessed off Shelthwood Lane, Tardebigge. The front of the site nearest to Shelthwood Lane is laid to gravel hardstanding with woodland and open countryside beyond. One mobile home is positioned in this area.

### Proposed development

The application seeks approval for the relocation and enlargement of a dayroom, previously granted permission at the site under application 08/0727 but never constructed.

### *Principle*

The application site lies within the Green Belt. National policy on development in the Green Belt is set out in the National Planning Policy Framework (NPPF), which advises that the essential characteristics of Green Belts are their openness and permanence. There is a general presumption against inappropriate development in the Green Belt unless 'very special circumstances' exist. The large majority of development within the Green Belt is considered to be inappropriate subject to a limited number of exceptions.

Paragraph 89 of the NPPF lists the exceptions to inappropriate development in the Green Belt. The provision of new buildings of the nature proposed in this application are not contained within this list.

It is therefore considered that the proposed development represents inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt. Paragraph 88 of the NPPF states that substantial weight should be given to any harm to the Green Belt. In such cases very special circumstances need to exist to outweigh any harm.

*Do very special circumstances exist?*

### *Extant permission*

In this case the site benefits from planning permission for the construction of a dayroom, approved as part of application reference 08/0727. Whilst the site has been occupied in accordance with this permission and therefore the permission implemented the dayroom has never been constructed. The part of the permission relating to the dayroom remains extant and could therefore be constructed at any point. This forms a material consideration which has to be given weight in the determination of this application.

### *Changes to the proposed scheme when compared with that approved*

The approved dayroom measures 6 metres by 5 metres with a maximum height of 4 metres. The accommodation proposed comprised a kitchen, washroom, toilets and an area void of annotation which presumably was to provide living type accommodation. The design of the building was relatively utilitarian with the plans showing a single doorway



opening in to the building and two windows on the front and two on the rear. The building was shown to have a pitched roof.

The application now proposes a dayroom which measures 8.10 metres by 5 metres with a maximum height of 4 metres. The design remains similar to that previously approved with the only difference being the increased width. The accommodation proposed also remains the same with a utility/store room, bathroom and combined kitchen/living area proposed.

The proposal also includes the repositioning of the dayroom from its approved location to one adjacent to the mobile home on the site. In terms of the impact of the development on the Green Belt, the approved siting of the dayroom is detached from the approved mobile home siting and therefore introduces built form in to an otherwise undeveloped part of the site. By contrast the proposed location is sited adjacent to the existing mobile home and therefore consolidates the development on the site. In this regard the proposed siting would have a moderate benefit in terms of the impact on the openness of the Green Belt.

### *Other matters*

In terms of the increase in the size of the dayroom the applicants agent has submitted medical information to justify why the larger size of dayroom is now required. This information was submitted on the basis that it remains confidential, however your Officers are satisfied that it adequately justifies why the additional size of building is required. Furthermore, the applicants have offered to remove an existing portaloo on the site which would reduce the amount of development on the site and therefore result in an improvement to the openness of the Green Belt.

### Conclusion

Weighing against the proposal, the scheme represents inappropriate development in the Green Belt which is by definition harmful and this harm carries substantial weight. Very special circumstances are required to outweigh this harm. This harm is further exacerbated due to the siting of the approved dayroom being detached from the siting of the approved mobile home on the site leading to built form being spread over a wider area across the site.

Weighing in favour of the proposed development, your Officers are mindful that the original dayroom could be constructed on the site which in itself would result in harm to the Green Belt. However, the proposed building will be sited adjacent to the existing mobile home on the site consolidating the built form. The applicants have submitted medical information which justifies the larger size of the dayroom in this case and have offered to remove an existing feature from the site which would improve the openness of the Green Belt.

Taking all these matters in to account it is considered that the balance weighs in favour of granting planning permission.

A legal agreement will be required in the event that this permission is granted in order to ensure that only one dayroom is constructed at the site given that the siting of the two do not overlap and that the original permission relating to the dayroom remains extant.

## **RECOMMENDATION:**

(a) Minded to approve full planning permission

(b) That authority be delegated to the Head of Planning and Regeneration to grant full planning permission subject to conditions and a Unilateral Undertaking to ensure only one dayroom is constructed at the site.

## **Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following plans and drawings:

AB15-SLP (Rev 3)  
1536/05 Rev A (April 2017)  
1536/01C

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. All new external walls and roofs shall be finished in the following materials:

External walls: Red brick  
Windows and Doors: Brown uPVC  
Roof: Dark Brown Concrete Tiles

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

4. The existing portaloo on the site as indicated on plan AB15-PL shall be permanently removed from the site within one month of the first use of the dayroom hereby approved.

Reason: To improve the openness of the Green Belt

**Case Officer:** Sarah Hazlewood Tel: 01527881720  
Email: sarah.hazlewood@bromsgroveandredditch.gov.uk

# Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Michael Buckley	Outline permission for the demolition of existing workshops, offices and other related buildings. Erection of new single dwelling house and garage.  9 Bromsgrove Road, Romsley, Halesowen, Worcestershire, B62 0ET	12.12.2017	17/00482/OUT

**Councillor Allen-Jones has requested that this application be considered by Planning Committee rather than being determined under delegated powers.**

**RECOMMENDATION:** That outline planning permission be **REFUSED**

## Consultations

**Romsley Parish Council** Consulted 01.11.2017  
No Comments Received To Date

**Highways - Bromsgrove** Consulted 01.11.2017  
The Highways Officer raises no objections subject to a number of conditions outline below:

Turning area and parking are consolidated, surfaced and drained.

- 3 car parking spaces are provided and retained
- 6 cycle spaces are provides and retained
- An electric vehicle charging point is provided

**Arboricultural Officer** Consulted 01.11.2017  
No objection to the scheme as the existing vegetation is not of significant amenity value. However it should be noted that the height of the existing laurel hedge could not be controlled by condition.

**Parks & Green Space Development Officer Martin Lewis** Consulted 01.11.2017  
No objections

## **Public notifications**

One site notice was posted 06.11.2017 and expired 27.11.2017  
One neighbour letter sent 01.11.2017 and expired 22.11.2017

Two representations have been received raising the following objections:

- Development is unnecessary within the Green Belt and the site could be cleared irrespective of the proposed development
- One of the outbuildings shown on the site plan falls outside the application site and belongs to 11 Bromsgrove Road
- The current condition of the site does not create noise or nuisance, and is therefore preferable to the proposal

- The proposal would detract from the appearance of the area and the local environment
- Additional executive housing is not required in the area
- The proposal may set a precedent for other such proposals in the area
- Additional vehicles exiting onto Bromsgrove Road will increase the risk of traffic accidents

One representation has been received in support of the proposal.

**Cllr Allen-Jones** - requested this application is considered by Planning Committee rather than determined under delegated powers on the basis that the grounds of the application are worthy of consideration by Members.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP21 Natural Environment

### **Others**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SPG1 Residential Design Guide

## **Relevant Planning History**

B/14197/1986	Erection of detached dwelling. APPEAL DISMISSED 07.07.1986	Refused	28.07.1986
B/16900/1988	Change of use from dwelling to residential home for the elderly. (as augmented by letter dated 23.8.88).	Approved	10.10.1988
B/1996/0704	Widen entrance.	Approved	09.10.1996

## **Assessment of Proposal**

The application site is a parcel of land adjacent to the property 9 Bromsgrove Road. The site lies within a rural location within the Green Belt. There is a small ribbon of development on the opposite side of the road to the north of the site, and Romsley village lies approximately 1.2 kilometres to the north of the site.

The proposal is for the demolition of an existing workshop building and a number of other smaller structures on the site, in replacement for a new dwelling and detached garage.

The application is seeking outline permission for the approval of access, layout and scale. The matters of landscaping and appearance are reserved for future consideration.

The main issues to consider with this application are whether the proposal would constitute inappropriate development within the Green Belt, whether it would have any adverse impacts on the openness of the Green Belt, whether the proposal would constitute a sustainable form of development and the impact of the development on highways, residential amenity, trees and protected species.

## Green Belt

There is a presumption against inappropriate development within the Green Belt, however paragraph 89 and 90 of the National Planning Policy Framework (NPPF) lists a number of exceptions that may not be inappropriate, which include the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it. The NPPF defines that previously developed land is land which is occupied by a permanent structure and case law has clarified that previously developed land includes residential garden land provided it is not within a "built-up" area.

The application site is occupied by a number of structures, and the site is covered by hardstanding, although this is somewhat softened by vegetation growing through. The permanent buildings on the site comprise a large single storey workshop building and a number of smaller structures. The Site Plan submitted with the application illustrate a number of motor homes on the site, however it is noted that these do not constitute permanent structures.

It is well established in case law that openness has both a visual and spatial dimension (Turner 2016). The site is well screened by a number of substantial trees surrounding the site and therefore any public view of the new house and garage would be limited. The proposed dwelling would be set below the existing ground level which would help reduce the appearance of the height of the building within the landscape. However although the visual impact of the proposal is somewhat reduced by the characteristics of the site, there is also the spatial element of openness to consider.

Openness in this regard includes the consideration of footprint, floor area, height and volume. Figures have been provided in terms of the combined footprint of the existing buildings on site compared to the proposed, and the height of the existing workshop building compared to the proposed house and garage. In view of the proposed height of the main dwelling, it is considered likely that this would be a two storey building, and based on this, an estimation of floor space for the proposed dwelling and garage has also been calculated. These figures are provided in the table below:-

	Existing workshop and other permanent buildings	Proposed house and garage
Footprint	230 sqm	327 sqm
Height (maximum)	3.9 m	7.1 m
Floor space	230 sqm	591 sqm (estimation)

It can be seen that the proposal would result in a significant increase in terms of footprint (42%), maximum height of the development (82%), and floor space (157%) when

compared to the existing permanent buildings on site. In view of this the proposal would clearly have a much greater impact on the openness of the Green Belt, and the proposal would therefore constitute inappropriate development.

In accordance with the NPPF inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances. It has been put forward that the site has a lawful use for vehicle storage (motor homes), and that the parking of vehicles on the site would also have an impact on openness. A timeline of the use of the site has been provided within the Planning statement; however the only evidence to substantiate this is a signed letter by the applicant's accountant which refers to various business enterprises operating from the site over the last 25 years. It is considered that the evidence contained within the letter does not provide the level of detail required to demonstrate that on balance of probabilities the storage of motorhomes has taken place on the land continuously for 10 years. It is also noted that within a representation received from neighbouring property number 11 Bromsgrove Road, the site is described to have been "little used for many years" and has "never created noise or nuisance".

It has also been put forward that the traffic generation of a single dwelling would be less when compared to a potentially intensified commercial use on the site. However given that a lawful status of the site has not been demonstrated, this matter is given little weight.

Finally it has been suggested that the proposed new building would not be visible outside the confines of the site. However as established earlier in the report, openness has both a visual and spatial dimension, and although the characteristics of the site may go some way to reducing the visual impact of the development, it would not completely diminish the harm arising through the increased scale of the development. Furthermore as the current height of the laurel hedge surrounding the site cannot be retained by condition, the visual screening currently provided may not always be present.

## **Sustainability**

Paragraph 55 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities, and isolated homes should be avoided. Although the application site lies within 1km of a first school and pub, and there are several shops located slightly further in Romsley, there is limited public transport available nearby, and there is only a narrow, unlit pavement on the east side of Bromsgrove Road for pedestrians to use. It is therefore likely that the future occupiers of this dwelling would be reliant on travelling by car. It is also noted that a number of other services such as health facilities and high schools are not within close proximity.

Overall access to a full provision of services would not be readily available for the future occupiers and the proposed new dwelling would constitute an isolated dwelling which would fail to maintain or enhance the vitality of a rural community.

## **Neighbouring Amenity**

Given the relationship and distance between the proposed development and the neighbouring dwelling, it is considered that the new dwelling could secure a development that would not have a detrimental impact to neighbouring amenity.

## Highways

The new dwelling would utilise the existing access serving 9 Bromsgrove Road. The Highways Officer raises no objections with regards to the use of the access, considering the existing arrangements suitable.

## Ecology

Ecology were consulted with regards to the potential impacts of the proposed development on protected species. In view of both the characteristics of the site and the design and materials of the existing workshop building, they raised no concerns.

## Trees

There are a large number of substantial trees outlining the site and providing screening between the application site and 11 Bromsgrove Road, which mainly consist of Laurel tress. The Tree Officer considered that the existing vegetation is not of significant amenity value and therefore raised no objection to the proposed scheme.

## Conclusion

The proposal is considered to be inappropriate development as the proposed redevelopment of the site would have a greater impact to the openness of the Green Belt when compared to the existing development. The proposal would also result in an isolated dwelling which would rely on car use in order to access essential services. Inappropriate development is harmful by definition and substantial weight is attributed to any harm arising to the Green Belt by inappropriateness and through any other harm. It is considered that the lack of harm arising through the impact of the development on highways, trees, ecology would only weigh neutrally in the balance of determining whether Very Special Circumstances exist. Therefore in this case it is considered that there are no Very Special Circumstances present that would outweigh the harm arising by reason of inappropriateness and other harm, and thus outline planning permission should be refused.

**RECOMMENDATION:** That outline planning permission be **REFUSED**

## Reasons for Refusal

1. The proposal would fail to comply with Policies BDP4 of the Bromsgrove District Plan (2011-2030) and the provisions of the National Planning Policy Framework. The proposed development would comprise the redevelopment of a brownfield site which would have a greater impact to the openness of the Green Belt by reason of the increase in footprint, floor space, height and volume of the proposed buildings compared to the existing permanent buildings on site. The proposal would therefore constitute inappropriate development, which is by harmful by definition, and should not be approved unless Very Special Circumstances exist which would outweigh the harm arising to the Green Belt by reason of inappropriateness. In this case it is considered that there are no Very Special Circumstances that would outweigh the identified harm.
2. Contrary to Policies BDP1 and BDP2 of the Bromsgrove District Plan (2011-2030) and paragraph 55 of the National Planning Policy Framework, the proposal would result in an isolated new dwelling which, by reason of its location would fail to

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enhance or maintain the vitality of a rural community and would result in an unsustainable form of development.

**Case Officer:** Charlotte Wood Tel: 01527 64252 Ext 3412  
Email: [Charlotte.Wood@bromsgroveandredditch.gov.uk](mailto:Charlotte.Wood@bromsgroveandredditch.gov.uk)



# Agenda Item 7

Name of Applicant	Proposal	Expiry Date	Plan Ref.
A Beckett And Sons	Erection of agricultural building; laying of hardstanding for external storage of farm machinery and equipment.  Land Rear Of Units, Heath Farm, Alcester Road, Wythall, Worcestershire B47 6AJ	27.10.2017	17/00872/FUL

**RECOMMENDATION:** That planning permission be **REFUSED**

## Consultations

**Wythall Parish Council** Consulted 29.08.2017

Objection, bearing in mind that a very recent application has been made and approved on the same site, to convert a redundant agricultural building (grain store) to a retail outlet for Shirley Aquatics, when this existing building was already available.

Also, we can see no justification for granting permission for yet another building for agricultural machinery on this particular site, given the number of actual farm premises the applicants have in the surrounding area.

The current site is primarily a number of retail outlets with minimal farming activities and has a history of converting 'farm' buildings to further retail outlets.

The site has already been significantly developed and we consider that a further large building, in the green belt, would constitute overdevelopment of the site.

**Highways - Bromsgrove** Consulted 29.08.2017

Recommends that the permission be Refused for the following reasons:-

This application is considered be contrary to the NPPF paragraphs 32 & 35 and the adopted Highway Design Guide which forms part of the Local Transport Plan; this document was updated in February 2016.

The applicant is proposing to use an existing vehicular access located off the A435 dual-carriageway which has a speed limit of 70mph. It is acknowledged the existing vehicular access consists of a dropped kerb which the applicant has confirmed was installed in 1970 and that there was never a grant of planning permission for it. Site visits have confirmed this vehicular access has not been recently or regularly used.

The intensification of vehicle movement onto the A435, which is a classified road, will have an adverse impact on the existing highway network. This increase in daily traffic movements from negligible movements to 20 a day in the summer months will increase vehicle conflict and have a detrimental impact on highway safety.

The range of vehicles using this access would include combine harvesters, together with straw and fertilizer. Due to the size of these vehicles and the turning radius required to enter / leave the access; I am concerned since this is a strategic link with fast flowing /

Plan reference

high speed traffic, with the slowing down of large vehicles entering and leaving this access would have a detrimental impact on highway safety.

Therefore it is the Highway Authority's conclusion that the application generates increased trips and is therefore contrary to the adopted local transport plan and to paragraphs 32 and 35 of the National Planning Practice Framework.

**Kernon Countryside Consultants** - views received 23 November 2017:

No objection subject to consent having a condition requiring that "where the building ceases to be used for agriculture within 10 years of its completion than it should be removed" as per the advice given in Part 6 A2 (5) of the GPDO (2015)"

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP4 Green Belt  
BDP15 Rural Renaissance  
BDP16 Sustainable Transport

### **Others**

NPPF National Planning Policy Framework  
SPG5 Agricultural Buildings Design Guide

## **Relevant Planning History**

No History

## **Publicity**

1 site notice 04.09.17 (expires 25.09.17): no response received  
1 press notice 08.09.17 (expires 22.09.2017): no response received

## **Assessment of Proposal**

The site is a large open field which lies to the south west of Heath Farm. Heath Farm is located on Alcester Road, Wythall (A435), and better known as Becketts Farm. There are a number of buildings in existence at this location with areas of parking. This proposal is to construct the agricultural building at the south-western end of the existing buildings, on the north-west corner of a large, open field. The site area is approximately 2777.23 square metres.

The site is located within the Green Belt, therefore, it is necessary to consider whether the proposal represents inappropriate development in the Green Belt and if so whether any very special circumstances exist that outweigh any identified harm.

## Very Special Circumstances

One of the exceptions to Paragraph 89 of the National Planning Policy Framework is buildings that are needed for purpose of agriculture. The applicant has provided a statement justifying the agricultural need for the building. He is the owner/occupier of Billesley Farm at Portway and Manor Farm at Wythall where there are a number of buildings present which are used for the purpose of agriculture and storage. The applicant is due to lose occupancy of Manor Farm where there are a number of farm buildings and a large external storage area, hence, the need for a new agricultural building at Heath Farm and external storage facilities.

## The Proposal

The site area is approximately 2777.23 square metres. The dimensions of the building are proposed to be:

- floor area - 1010.60 square metres
- eaves height - 6.1 metres
- overall height - 8.8 metres

The structure will be fully clad with concrete panels, box profile cladding, a fibre cement sheet roof and roller shutter doors.

The area of the hardstanding to be used for external storage will be 1346 square metres.

The Parish Council has raised an objection to the proposal and their comments have been noted.

The Highways Officer is not supporting the application on grounds of safety and his comments have been noted.

## Character Impact

This is a substantial structure which is 8.8 metres high and covers 1010.60 square metres and an additional 1346 square metres of hardstanding for the purpose of external storage. The building is not proposed to be open fronted and will be enclosed by means of roller shutters. The location of the building is such that it will be clearly visible from the surrounding area. The provision of any form of landscaping will not deter views to the structure.

In summary, the site lies in the Green Belt and within an open field used for agriculture. The Agriculture Consultants comments are noted. Members will also be mindful of the case put forward by the applicant in relation to the loss of the space and buildings at Manor Farm. The scheme is therefore noted to be an appropriate form of development in the Green Belt in accordance with Policy BDP4 of the Bromsgrove District Local Plan and Paragraphs 89 of the National Planning Policy Framework

The proposed access which is an existing access located off the A435 dual-carriageway, which has a speed limit of 70mph. This access is not regularly used; therefore, the

increased level of traffic movement directly onto the dual carriageway from this access will have a detrimental impact to highway safety. The impact of the proposal is therefore considered to cause harm to highway safety which is contrary to Policy BDP16 of the Bromsgrove District Plan and Paragraph 32 of the National Planning Policy Guidance. Members will note the objection from Worcestershire Highways.

**RECOMMENDATION:** That planning permission be **REFUSED**:

1. The proposed access is an existing access located off the A435 dual-carriageway, which has a speed limit of 70mph. This access is not regularly used; therefore, the increased level of traffic movement directly onto and off the dual carriageway from this access will have a detrimental impact to highway safety. The impact of the proposal is therefore considered to cause harm to highway safety which is contrary to Policy BDP16 of the Bromsgrove District Plan and Paragraph 32 of the National Planning Policy Guidance.

**Case Officer:** Nina Chana Tel: 01527 548241 Ext 3207  
Email: [nina.chana@bromsgroveandredditch.gov.uk](mailto:nina.chana@bromsgroveandredditch.gov.uk)

# Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Rebekka Fiorani	Single storey extension to form new entrance and waiting area to the front, single storey extension to the side, first floor extension incorporating attic space of new extension to provide additional offices  Clent Vets, 5 Kidderminster Road, Bromsgrove, Worcestershire, B61 7JJ	05.12.2017	17/01153/FUL

**Councillor Buxton has requested that the application is considered by the Members of Planning Committee rather than being under Delegated Powers.**

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

## Consultations

**Mary Worsfold** Consulted 31.10.2017

5 Kidderminster Road comprises a large two storey 1980s building with extensions to the rear, fronting the roundabout at the bottom of Kidderminster Road, where it intersects with St Johns Street and Hanover Street. The front section is rendered, while the rear section is red brick, beneath a pitched clay tile roof. There are views of the building as one approaches along St John's Street from the northeast, Kidderminster Road from the north west and Hanover Street from the south, as well as views of the rear across the carpark in Perry lane.

The proposal is to remove the existing porch and replace it with a flat roofed extension along the front of the rendered part of the building; construct a small single storey extension to the south of the rendered section in front of the brick set back section; and a large extension to the side or north west of the building to the rear of 7 & 9 Kidderminster Road.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires local planning authorities when considering applications in conservation areas to pay attention to the desirability of preserving or enhancing the character or appearance of that area. BDP 20.2 of the Bromsgrove Local Plan states that the Local Authority will 'support development proposals which sustain and enhance the significance of Heritage Assets including their setting.' Similarly BDP20.3 states 'Development affecting Heritage Assets, including alterations or additions as well as development within the setting of Heritage Assets, should not have a detrimental impact on the character, appearance or significance of the Heritage Asset or Heritage Assets.' BDP 20.9 requires that 'Development within or adjacent to a Conservation Area should preserve or enhance the character or appearance of the area.'

These clauses are supported by the NPPF, notably Paragraph 137 which states, 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to

enhance or better reveal their significance.' Paragraph 132 requires 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

5 Kidderminster Road is located just within the south east boundary of the St Johns Conservation Area. The Conservation Area has substantial historic and architectural interest, with some of the oldest surviving buildings in the town within the Conservation Area. The Church is a strong landmark feature for the town, and is supported by a collection of surrounding listed and unlisted historic buildings dating from the 17th to 19th centuries. The area as a whole has a leafy green setting which contributes to the local sense of place and establishes a positive relationship between the built and the natural environment. The applicant has questioned why this unremarkable building, in fact it is identified in the 2011 Conservation Area Appraisal and Management plan (CAAMP) as a negative building, was included in the conservation area. It has been included because it forms part of a definable block of buildings to the south east of Perry Lane. Conservation areas will include buildings which are negative, but it is poor practice to draw the boundary in such a way as to exclude the negative building where they clearly form part of a group. It is always possible that such sites may come forward for redevelopment in the future. Even if the building fell outside the boundary it would still be within the setting of a designated heritage asset in, in this case the Conservation Area, in addition to several listed buildings, and as can be seen from the Local Plan policies quoted above, any application would be assessed in terms of its impact on these assets.

5 Kidderminster Road is situated to the south east of Perry Lane on the corner of Kidderminster Road, adjacent to a group of small 19th century buildings, on both roads. Despite having been subject to 20th century alterations and extensions they have still retained their historic appearance, and the tight grain that existed in this area historically, illustrated by the 1884 Ordnance Survey Map in the Heritage Statement, is still apparent. The property on the corner of Kidderminster Road and Perry Lane has been extended along Perry Lane, and is described in the Heritage Statement as a poor modern extension, however it has followed the linear form of the original Victorian buildings, with simple detailing including historically correct window openings albeit in upvc, and so complements the Perry Lane and 7-11 Kidderminster Road properties.

5 Kidderminster Road as noted above is a large detached property, at odds with the immediately neighbouring properties in the Conservation Area. The white rendered section to the front of the building reduces the bulk of the building as a whole, as the brick section, although wider is set back. This reduces the bulk of the building in views as one approaches from St Johns Street, and also from Hanover Street. I would have no objection to the removal of the existing porch and the construction of a flat roofed extension to the front of the rendered section, which I do not think will drastically alter the appearance of the building in views from St Johns Street. I do have concerns in respect of the small extension to the front south east corner, which will bring the building forward and will increase the bulky appearance of the building. It will leave it further at odds with its immediate neighbours in the Conservation Area, and will increase its negative impact on the Area. The rear extension will be highly visible in views across the carpark in Perry Lane. It will again increase the bulkiness of the building in views from the north west

which is as noted above out of character with the surrounding buildings, and particularly out of scale with the 19th century Perry Lane properties. The mansard roof detail further detracts as it is not only contrasts with the Victorian buildings, but it is not a typical detail found in this part of Worcestershire. In addition it also jars with the original building.

I would agree with the applicant that the 5 Kidderminster Road is sufficiently far away from any of the listed buildings in the vicinity that the proposed extensions are not likely to impact on their settings and therefore their significance.

The proposal in my opinion would not preserve or enhance the character or appearance of the St John's Conservation Area as required by legislation and supported by policies in BDP 20, as well as clauses in the NPPF. The harm to the designated heritage asset, the Conservation Area, has not been justified as required by the NPPF. As the harm is likely to be less than substantial in terms of the NPPF, Paragraph 134 requires that the harm should be weighed against the public benefits. I am of the view that the addition of the proposed extensions to the north west and south east will not outweigh the harm to the designated heritage asset, the conservation of which carries great weight. I would therefore recommend that this application is refused.

## **Highways - Bromsgrove** Consulted 31.10.2017

Has No Objection to the grant of permission.

I have no highway objections to the proposed single storey extension to form new entrance and waiting area to the front, a single storey extension to the side to provide 2 No. additional consulting rooms and internal alterations. Proposed first floor extension incorporating attic space of new extension to provide additional offices.

The site has existing on-site car parking; double yellow parking restrictions exist on one side of Perry Lane which is a dead end road with parking bays on the opposite side. Parking restrictions also exist on the surrounding roads in the vicinity of the site.

## **WRS - Noise** Consulted 31.10.2017

No Comments Received To Date.

## **Arboricultural Officer** Consulted 31.10.2017

I would have no objection to the proposed development in view of any tree related issues.

## **Drainage Engineers Internal Planning Consultation** Consulted 31.10.2017

I therefore have no adverse comments and do not recommend that any conditions are attached to your decision notice.

## **Relevant Policies**

### **Bromsgrove District Plan**

Plan reference

BDP1 Sustainable Development Principles  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
NPPF National Planning Policy Framework

## **Relevant Planning History**

B/18679/1989	Single Storey extension to surgery.	Approved	11.12.1989
B/11965/1984	Doctors surgery and flat (As amended by plans received 14.5.84)	Approved	21.05.1984
B/10787/1983	Change of use to veterinary surgery	Approved	23.05.1983
B/10893/1983	Change of use to Museum Antique and Craft Centre	Approved	20.06.1983
B/1992/0451	Extension to provide 2 consulting rooms (as amended by letter dated 28.09.92).	Approved	12.10.1992

## **Assessment of Proposal**

The proposal consists of three elements; the construction of a new entrance to the front of the building, a small lean to the south side of the front elevation and a first floor side extension on the northern side of the building. The existing building was constructed as a doctors surgery in the 1980's and a single storey flat roof extension was constructed on the north side of the building in the early 1990's(Ref: B/18679/1989). The proposal is seeking to facilitate two additional consulting rooms on the ground floor (total of 7), an enlarged entrance/reception area and four offices within the first floor extension.

### *Impact on Conservation Area*

Members should note that the site falls within St John's Conservation Area and of the requirement to preserve or enhance the character of the conservation area as a designated heritage asset as required by policy BDP20 of the Bromsgrove District Plan and paragraphs 134 - 139 of the Framework. Your Officers, in assessing the plans in consultation with the Conservation Officer consider that whilst the front extension to create a larger reception would have a neutral impact on the character of the conservation area, the ground floor single storey side extension and first floor side extension would detract from the building and would be visible from the streetscene (either St John's St or Perry Lane. The single storey ground floor side extension effectively breaks the existing set back of the bulk of the building from the street and the first floor extension would amount to a bulky addition with the amended design proposed amounting to a 'mansard' style roof uncharacteristic of the conservation area. The



applicant's amended Statement of Significance is noted. Whilst the document assesses the impact on listed building settings in the vicinity, it fails to recognize the conservation area as a heritage asset or explain how the proposal would enhance or preserve it. The views of the Conservation Officer should be noted. In summary, the proposed extensions detract from the character building and conservation area contrary to policy BDP20, the NPPF and Section 72 of the Listed Buildings and Conservation Areas Act 1990.

### *Impact on Amenity*

Members will note from the plans and on the site visit the proximity of the proposal from the rear first floor elevations of the properties 7 - 9 Kidderminster Road and 1, 1a and 3 Perry Lane. The proposed first floor side extension would be located 4.2m from the rear first floor elevation of 7 Kidderminster Road (currently being refurbished for office use) and approximately 5.6m from the rear elevations of the properties on Perry Lane. In the latter case, the first floor has residential occupancy (permitted under application 12/1073) and the amenity of this property would be significantly harmed by the proposal located on it's southern aspect. There is at least one bedroom window facing to the SE elevation of this property. Members should note the Third Party Representations received from the owners of No. 7 Kidderminster Road and your Officer would share the concerns raised in respect of the loss of privacy and amenity to this premises by virtue of the unduly close proximity (4m) of the proposed extension. The proposal conflicts with policy BDP19 and the NPPF.

There are no objections noted from other consultees.

**RECOMMENDATION:** That planning permission be Refused for the following reasons:

- 1) The proposed extensions would result in significant harm to the character of the conservation area by virtue of the scale, design and position of the extensions. The first floor extension in particular and ground floor side extension would not respect the character of the existing building and would be visible from the streetscene. The proposal would fail to preserve or enhance the character and appearance of the conservation area contrary to policy BDP20 of the Bromsgrove District Plan 2017, the National Planning Policy Framework and the requirements of Section 72 of the Listed Buildings and Conservation Areas Act 2017.
- 2) The first floor side extension element would have a detrimental impact on the amenity of the properties to the east (especially the rear first floors of 7 - 9 Kidderminster Road) and the residential amenity of the properties to the north (Nos. 1, 1A and 3 Perry Lane) through the loss of light and privacy. Thereby, the proposal would be contrary to policies BDP1 and BDP19 of the Bromsgrove District Plan 2017 and the NPPF.

**Case Officer:** David Kelly Tel: 01527 881345  
Email: D.kelly@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
ParkGate (Bromsgrove) Ltd	Demolition of all structures and hard standings and erection of six detached residential dwellings together with associated access and landscaping.  The Mount School, 277 Birmingham Road, Bromsgrove, Worcestershire, B61 0EP	26.01.2018	17/01237/FU L

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

## Consultations

**Highways - Bromsgrove** Consulted 03.11.2017

No objection subject to conditions

**Conservation Officer** Consulted 03.11.2017

The building is clearly a candidate for the Bromsgrove Local Heritage List, compilation of which has recently commenced. I am of the view that it would meet the following criteria for the Local Heritage List:

- Age, authenticity and rarity;
- Architectural Interest & Historic Interest; and
- Landscape Interest

The case for demolition of this heritage asset has not been made, as a scheme for the reuse of the building with some additional new build could provide a similar number of residential units. I therefore recommend that this application is refused.

**Drainage Engineers Internal Planning Consultation** Consulted 03.11.2017

No objections subject to conditions

**Parks & Green Space Development Officer Martin Lewis** Consulted 03.11.2017

No objection subject to conditions

**Waste Management** Consulted 03.11.2017

Financial Requirements for waste storage provision should be met.

**Leisure Services Manager** Consulted 03.11.2017

Financial contributions required to improve and maintain Lickey End Park.

**WRS - Contaminated Land** Consulted 03.11.2017

No objection

**Arboricultural Officer** Consulted 03.11.2017

No objection subject to conditions

**Worcestershire Archive and Archaeological Service** Consulted

No objection subject to conditions

Plan reference

## Publicity:

22 letters sent on the 3rd November 2017 (expired 24<sup>th</sup> November 2017)  
1 site notice posted on the 9th November 2017 (expired 30<sup>th</sup> November 2017)  
1 press notice published 10<sup>th</sup> November 2017 (expired 24<sup>th</sup> November 2017)

## Neighbour comments:

1 comment has been received raising the following matters:

- o Boundary fence needed to secure privacy; and
- o Damaged trees should be cleared from site

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP6 Infrastructure Contributions  
BDP7 Housing Mix and Density  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment

### **Others**

NPPF National Planning Policy Framework  
SPG1 Residential Design Guide

## **Relevant Planning History**

No relevant history

## **Assessment of Proposal**

### Site Description

This application site consists of the former Mount School which is a 3 storey Victorian building that is now in office use. The Mount is surrounded by a number of single storey outbuildings that are disused. The site is located in the Green Belt on the edge of the residential area of Bromsgrove. A new development is under construction to the south of the site with a run of residential dwellings located to the north. Fields bound the site to the west. The site is served a single driveway off the Birmingham Road.

### Proposed development

Permission is sought to demolish all buildings on the site and erect 6 identical 3 storey detached dwellings. These are substantial 5 bedroom properties each with an integral garage and substantial garden.

### Planning Considerations

The main issues to be considered in assessing the application are the following:

- i) Green Belt;
- ii) Residential Amenity;
- iii) Street Scene & Character Impact;

- iv) Housing Mix;
- v) Highways and Sustainability Considerations;
- vi) Ecology;
- vii) Landscape and Trees; and
- viii) Planning Contributions

i) Green Belt

It is first important to determine whether the proposal constitutes an appropriate form of development in the Green Belt when considered against either paragraphs 89 and 90 of the NPPF and policy BDP4 of the BDP. The application site consists of the former Mount School and a series of single storey outbuildings. The main building is in office use. The redevelopment of previously developed sites can be acceptable however it is important to consider whether there is a greater impact on the openness of the Green Belt when compared to the current situation.

It is relevant to consider factors such as floor area, height, volume and the siting of the development. Currently development is concentrated on the western half of the site with the Mount School itself which is a mix of 2 and 3 storey in height and then a series of single storey outbuildings. The site has an access in the south east corner with a tarmac parking area in the south west corner of the site. The plans indicate that the Mount School is 11.5m high (although a chimney is 13m high) whereas the replacement dwellings are 9.2m high (although the chimneys are 9.8m high). However, the proposal spreads development across a larger area of the site and all of the built form is substantial 3 storey dwellings whereas currently many areas are covered by low key single storey buildings that vary between 2.3m and 4.4m high. Based on the information provided the proposal would reduce the volume of built form on site by 1.2%, which in visual terms is of negligible difference. However, taking into account the spread of 3 storey development across the site and the addition of garden fencing and garden paraphernalia it is considered that the proposal has a much greater impact on the openness of the Green Belt. The proposal therefore constitutes an inappropriate form of development that by definition causes substantial harm to the Green Belt contrary to NPPF and Policy BDP4 of the BDP. This by definition causes significant harm to the Green Belt. No very special circumstances have been put forward and it is not considered that any exist to outweigh the substantial harm to the Green Belt.

ii) Impact on Amenity

A residential development is currently under construction to the south of the application site and a single dwelling is located to the north. Due to the separation distances involved and the mature boundary treatments there would be no significant amenity impacts.

It is also necessary to consider amenity levels for the occupiers of the proposed dwellings. The facing dwellings retain a separation distance of 21m required by SPG1 and no habitable windows are proposed above ground level on side elevations to ensure no loss of privacy. Substantial gardens are proposed for all 6 dwellings which comfortably exceeds the minimum of 70sqm. The proposal is not considered to unduly impact upon residential amenity in accordance with Policy BDP1 of the BDP and the guidance within SPG1.

iii) Impact on Character and Street Scene

The Mount School comprises a large Victorian vicarage, constructed in 1876-7 to designs by the prominent Birmingham architect JA Chatwin. It was later extended unsympathetically and converted into a school. The application is supported by a Heritage Statement. It is agreed by both the applicant and the Council's Conservation Officer that The Mount is a heritage asset, albeit not of sufficient architectural interest to be included on a statutory list. The Council's Conservation Officer highlights that the building is clearly a candidate for the Bromsgrove Local Heritage List. The Mount dates from 1876/7 and its original form has survived largely intact. The Conservation Officer considers it is a well detailed building which is a good example of the 19th century Gothic architecture commonly used for residential properties including vicarages, at the time.

Policy BDP20 of the adopted Local Plan requires that when considering applications which impact on heritage assets, a 'balanced judgement will be applied having regard to the scale of any harm or loss as a result of proposed development and the significance of the Heritage asset', which mirrors paragraph 135 of the NPPF. In addition BDP 20.5 states 'In considering applications regard will be paid to the desirability of securing the retention, restoration, maintenance and continued use of Heritage Assets, for example, the District Council will support the sensitive reuse of redundant historic buildings, and will encourage proposals which provide for a sustainable future for Heritage Assets, particularly those at risk.'

As The Mount is a non-designated heritage asset, the benefits of the proposed scheme must be weighed against the significance of the asset. Documentation submitted with the application indicates various scenarios for re use, including offices and apartments have been considered but are apparently unviable. Importantly no financial data has been submitted to support this claim. The applicant is of the view that the provision of 6 houses outweighs the loss of the heritage asset. Whilst the provision of housing is clearly a benefit, 6 dwellings will only make a very modest addition to the supply of housing in Bromsgrove District. This clearly does not outweigh the harm arising from the permanent loss of a heritage asset that is worthy of appearing on a local list. The Conservation Officer strongly objects to the demolition of the mount and indicates her support for the conversion and extension of the original building in accordance with BDP20.5.

The intention is to erect 6 identical 3 storey dwellings with dormer windows on the front and rear. The properties have gable end roofs and would be primarily red brick with elements of white render. Such dwellings would not appear out of character with varied dwellings along the Birmingham Road or the adjacent development under construction. The application site is accessed via a long drive and there is substantial tree coverage along the front of the site adjoining the Birmingham Road meaning the proposals impact on the wider street scene would therefore be limited.

In summary the proposal would lead to the loss of heritage asset which is not outweighed by other benefits. Importantly no financial evidence has been presented to validate the argument that reuse is not viable. The proposal is therefore contrary to Policy BDP20 of the BDP and paragraph 135 of the NPPF.

#### iv) Housing Mix

Policy BDP7 of the adopted Bromsgrove District Plan requires a focus on the delivery of 2 and 3 bedroom properties. This scheme proposes 6 identical 5 bedroom properties which clearly conflicts with the aims of this policy. In a district where there are already a

high proportion of larger detached dwellings a greater mix of house types is required to help redress this situation. The provision of only large detached properties is contrary to Policy BDP7 of the BDP.

v) Highways and Sustainability Considerations

The applicant proposes to utilise the existing drive to access the 6 dwellings. Sufficient space has been provided that 3 parking spaces are available for each dwelling to ensure compliance with the County Council's Parking Standards. The County Council Highway Engineer to the scheme. The proposal therefore accords with Policy BDP16 of the BDP.

vi) Landscape and Trees

There a substantial number of trees on the site, most of which are located towards the northern and eastern boundaries of the site. All of the important trees are being retained and the development does not impinge upon the root protection areas of these trees. The proposal will therefore not unduly impact on the local tree stock in accordance with BDP19 and BDP21.

vii) Ecology

An Ecology Appraisal has been submitted by the applicant. It identifies that one of the buildings on site provides a roost for brown long-eared and common pipistrelle bats. A series of mitigation measures are proposed to ensure that the loss of this habitat can be satisfactorily overcome on site. The proposal therefore has no undue impact upon protected species in accordance with policy BDP21 of the BDP.

viii) Planning Contributions

Planning contributions would not usually be sought on schemes of 10 dwellings or less but in this instance the gross floor area exceeds 1000sqm meaning contributions can be sought. In accordance with paragraph 204 of the NPPF and section 122 of the CIL planning obligations have been requested to mitigate the impact of the development, if the application were to be approved. The obligations would cover open space improvements to Lickey End play area and the provision of bin storage. The applicant has refused to enter into a legal agreement. Consequently the proposal will have an adverse impact on infrastructure in the local area contrary to Policy BDP6 of the BDP.

## Conclusion

The proposal is acceptable in terms of character, amenity and landscape considerations. However, the development is considered to be inappropriate development in the Green Belt and there are not considered to be very special circumstances to clearly outweigh the harm. The proposal would also result in the loss of a heritage asset, has a negative impact on local infrastructure and fails to provide adequate housing mix. The proposal is therefore contrary to Policies BDP4, BDP6, BDP7 and BDP20 of the BDP and the NPPF.

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

## Reasons for Refusal

- 1) The proposed development does not fall within any of the categories of appropriate development specified in Policy BDP4 of the Bromsgrove District Plan

2017 (BDP) or at paragraph 89 of the National Planning Policy Framework 2012 (NPPF). Thus, the dwellings constitute an inappropriate form of development in the Green Belt which harms the Green Belt by reason of inappropriateness and harm to the openness of the Green Belt. No very special circumstances have been put forward or exist that would clearly outweigh the identified harm to the Green Belt.

- 2) The proposal results in the complete demolition of a non-designated heritage asset of particular architectural merit. Its loss has not been fully justified and would not be outweighed by the benefits of the scheme. The proposal is therefore contrary to Policy BDP20 of the BDP and paragraph 135 of the NPPF.
- 3) The scheme provides only 5 bedroom properties thereby further unbalancing the local housing market and failing to meet the identified need for smaller properties contrary to Policy BDP7 of the BDP and the NPPF.
- 4) This major application would have an adverse impact on infrastructure in the local area. Contrary to paragraph 204 of the NPPF the applicant has failed to enter into a S106 agreement to mitigate these impacts.

**Case Officer:** Andrew Fulford Tel: 01527 881323  
Email: A.fulford@bromsgroveandredditch.gov.uk



Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mrs H Robbins	Removal of existing conservatory and erection of extension to rear of property.  Bankside, Kidderminster Road, Woodcote Green, Dodford, Bromsgrove Worcestershire B61 9DX	31.01.2018	17/01302/FUL

**This application is for consideration by Planning Committee due to the requirement for a legal agreement.**

## **RECOMMENDATION:**

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
  - (a) The expiry of the publicity period on 8 January 2018 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly and;
  - (b) The applicant entering into a suitable unilateral agreement to ensure that the approved prior notification scheme cannot be implemented

## **Consultations**

**Dodford With Grafton Parish Council** Consulted 06.12.2017  
No Comments Received To Date

**Parks & Green Space Development Officer Martin Lewis** Consulted  
No objections.

## **Public Notifications**

One site notice was posted 18.12.2017; expires 08.01.2018: No response received.  
One neighbour letters sent 06.12.2017; expires 27.12.2017; No response received.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP4 Green Belt  
BDP19 High Quality Design  
BDP21 Natural Environment

## Others

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

### Relevant Planning History

17/01154/HHP RIO	Single storey 8m extension from original rear elevation	Approved	03.11.2017
B/7496/1980	Erection of rear verandah.	Approved	14.05.1980
BR/402/1965	Extension.	Approved	13.07.1965
BR/145/1965	Bungalow.	Approved	13.04.1965

### Assessment of Proposal

The application site is a detached bungalow located on the northern side of Kidderminster Road, which is an area designated as Green Belt. The building has a plain and simple appearance and therefore it is likely that the building was originally constructed as a farm worker's cottage. The property is unusual as historic plans show the original principal elevation to be the north west elevation rather than the elevation that faces towards Kidderminster Road.

The dwelling has previously been extended in the 1960's and 1980's, however these permissions did not include a condition for the removal of Permitted Development rights, meaning that these are still available to use.

This application seeks permission for the demolition of a conservatory building and for the addition of a single storey extension to the north east side elevation.

The main considerations for this application are whether the proposal would constitute inappropriate development, whether there would be an adverse impact to the openness of the Green Belt, and the impact of the proposal on the character of the dwelling and local area, and whether Very Special Circumstances exist that would outweigh the harm arising by reason of inappropriateness and any other harm.

## Green Belt

There is a presumption against development within the Green Belt; however paragraph 89 of the National Planning Policy Framework (NPPF) lists a number of exceptions that may not be inappropriate within the Green Belt, which includes a proportionate addition to the an original building. Policy BDP4.4c of the Bromsgrove District Plan states that an extension of up to a 40% increase of the original dwelling may be appropriate provided it has no adverse impact on the openness of the Green Belt. In this case the property already has a number of extensions which amount to an increase in floor space of 108% over and above the

original. Any further extensions to Bankside would therefore amount to disproportionate additions and would be inappropriate development within the Green Belt. In accordance with the NPPF inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances.

The property has permission for an 8 metre rear extension under Part 1, Class A of the General Permitted Development Order after successfully completing the Prior Notification process (reference: 17/01154/HHPRIO). As this Prior Notification scheme would provide the same type of accommodation, and the applicants would have until the 30th May 2019 to implement this, it is considered that this alternative scheme is likely to be implemented if the current proposal is refused planning permission.

The applicants have therefore proposed to "trade off" their prior notification scheme in exchange for the current proposal. In view of this it is noted that the proposal scheme would result in one square metre less floor space, however because of the changes in land levels, the Prior Notification scheme would be overall taller in height and would therefore result in 48 cubic metres of additional volume when compared to the proposal scheme. The additional height and volume of the prior notification scheme would have a greater adverse impact to the openness of the Green Belt when viewed from vantage points along Kidderminster Road.

Given the proposal scheme would have a reduced volume and a reduced visual impact to the openness of the Green Belt when compared to the prior notification fall back scheme, it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness.

## **Impact on the Character of the Dwelling and Local Area**

Policy BDP19 of the Bromsgrove District Plan requires development to be of a high quality design that will enhance the character and distinctiveness of the local area. The proposal scheme would be relatively low in height when compared to the main dwelling, giving it a subordinate appearance which would ensure that the main part of the dwelling remained the dominant feature. Conversely, as the prior notification scheme would be required to be taller in height in order to accommodate land levels, it would result in an extension that would appear over-dominant when compared to the modest gable of the existing dwelling. The scale and design of the prior notification scheme would therefore detract from the existing character of the dwelling.

The prior notification scheme would also be far more prominent in term of views along Kidderminster Road, whereas the discreet positioning of the proposal scheme would mean that there would be no harm arising to the street scene.

The proposed development is therefore preferable in terms of its impact on the appearance of the host dwelling and the local area, and would therefore accord with Policy BDP19 and the provisions of SPG 1.

## **Ecology/Trees**

Ecology have been consulted with regards to the proposal and have raised no objections on the basis that the conservatory to be demolished would not be suitable for bats, and that the proposed extension would not connect into the main roof of the dwelling. The proposal

scheme would be sited on the formalised garden area, whereas the prior notification scheme would be sited on land which is less maintained and adjacent to a stream, meaning there would likely be a greater impact to protected species.

The proposal scheme would not result in the loss of any trees.

## **Conclusion**

The proposed development would constitute disproportionate additions, which would be inappropriate development within the Green Belt. Inappropriate development is harmful by definition and should only be approved if Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. In this case the applicants have the benefit of a prior notification scheme which they are willing to forfeit in exchange for the proposal scheme. The proposal scheme would have a reduced volume and a reduced visual impact to the openness of the Green Belt when compared to the prior notification fall back scheme. The proposal would also be preferable in terms of design and its impact on the street scene, and also be less harmful to the natural environment.

In view of this it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. The proposal is therefore considered acceptable subject to the applicants entering into a legal agreement, to ensure that the prior notification scheme cannot also be implemented, and to remove Class A permitted development rights for any further extensions.

## **RECOMMENDATION:**

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
  - (a) The expiry of the publicity period on 8 January 2018 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly and;
  - (b) The applicant entering into a suitable unilateral agreement to ensure that the approved prior notification scheme cannot be implemented

## **Conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Plan reference

- 2) The development hereby permitted shall be carried out in accordance with the Materials specified in question 11 of the application form and the Approved Plans/ Drawings listed in this notice:

Location Plan, Site Plan, Proposed Floor Plans and Elevations - drawing no. 08B

Reason: For the avoidance of doubt and in the interests of proper planning.

**Case Officer:** Charlotte Wood Tel: 01527 64252 Ext 3412  
Email: Charlotte.Wood@bromsgroveandredditch.gov.uk

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