



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 4TH JUNE 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 C. Allen-Jones, S. J. Baxter, M. T. Buxton,
R. J. Deeming, C.A. Hotham, S. R. Peters, S. P. Shannon,
M. A. Sherrey, C. J. Spencer, P.L. Thomas 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. Election of Chairman for the ensuing Municipal Year
2. Election of Vice-Chairman for the ensuing Municipal Year
3. To receive apologies for absence and notification of substitutes

4. 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.

5. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 9th April 2018 (Pages 1 - 6)
6. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
7. 16/1090 - Proposed two storey extension to the northern elevation - Coach House, Priory Road, Dodford, Bromsgrove, Worcestershire, B61 9DB - Mr Stewart Hadley (Pages 7 - 12)
8. 18/00346/FUL - Change of use from B1/B2 to D2 usage for a gymnastics club - Unit 75, Basepoint Business Centre, Isidore Road, Bromsgrove Enterprise Park, Bromsgrove - Ms Marie Carrigan (Pages 13 - 18)
9. 18/00366/FUL - Proposed single storey extension - New Road Dental Surgery, 68 New Road, Bromsgrove, Worcestershire, B60 2LA - Mr Solanki (Pages 19 - 24)
10. 18/00412/FUL - Change of use of agricultural building and associated outdoor space to dog day care facility - Bentley House Farm, Copyholt Lane, Redditch, Bromsgrove, Worcestershire, B60 3BE - Mr and Mrs M Morgan (Pages 25 - 30)
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

24th May 2018

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 summary of the responses received from

consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the District Council's website www.bromsgrove.gov.uk. Recent consultee and third party 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.

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, or telephone (01527) 881406

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 9TH APRIL 2018, AT 6.00 P.M.

PRESENT: 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

Observers: Ms. K. Vass, Planning Assistant

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Miss C. Gilbert, Miss. E. Farmer, Vass, Mrs. P. Ross and Miss. C Wood

74/17 **APOLOGIES**

No apologies for absence were received.

75/17 **DECLARATIONS OF INTEREST**

Councillor C. A. Hotham declared an Other Disclosable Interest in Agenda Item 5 (Application 2017/00924/FUL – Hopwood Park Services, Redditch Road, Alvechurch, Birmingham), in that he had a predetermined view on the matter and would be withdrawing to the public gallery to speak on this item as Ward Councillor under the Council's public speaking rules. Following the conclusion of public speaking, Councillor Hotham withdrew from the meeting for the duration of the Committee's debate and took no part in the Committee's consideration nor voting on the matter.

Councillor C. Allen-Jones declared an Other Disclosable Interest in Agenda Item 6 (Application Besford, High House Lane, Tardebigge, Bromsgrove), in that he knew the Applicants. Councillor Allen-Jones withdrew from the meeting prior to the consideration of the Application and took no part in its discussion nor voted on the matter.

76/17 **MINUTES**

The minutes of the meeting of the Planning Committee held on 5th March 2018 were received.

RESOLVED that the minutes of the meeting held on 5th March 2018 be approved as a correct record.

77/17 **2017/00924/FUL - EXTENSION TO EXISTING HGV PARK TO CREATE ADDITIONAL PARKING SPACES AND ASSOCIATED WORKS -**

HOPWOOD PARK SERVICES, REDDITCH ROAD, ALVECHURCH, BIRMINGHAM, WORCESTERSHIRE, B48 7AU - WELCOME BREAK HOLDINGS

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor C. A. Hotham, Ward Member.

At the invitation of the Chairman Councillor C. A. Hotham, in whose Ward the Site was located, and Ms. J. Smith, the Applicant's agent, addressed the Committee.

The Committee then considered the Application, which Officers had recommended for approval. Members commented that the site visit had proved extremely useful and that they were supportive of the Application. Members were of the view that the additional HGV parking spaces would provide much needed facilities for HGV drivers, thus reducing the need for drivers to look for alternative places to park when taking their required regular rest breaks.

Members referred to the Department for Transport (Dft) Circular 02/2013, as detailed on page 13 of the main agenda report, that sets out the formula for calculating the level of parking that was required at Motorway Service Areas (MSAs); and that Highways England had set out in their comments that the required parking at this site would be 95 spaces if it were built now, this was 35 more spaces than currently available within the site.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on page 15 of the main agenda report.

78/17

2017/01278/FUL - PROPOSED FIRST FLOOR EXTENSION, BESFORD, HIGH HOUSE LANE, TARDEBIGGE, BROMSGROVE, WORCESTERSHIRE, B60 3AQ - MR A. & MRS C. WOOD

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor P. J. Whittaker, Ward Member.

Officers provided a verbal update with regard to Planning Application Reference 18/002294/HHPRI, single storey rear extension, as detailed in the Relevant Planning History on page 18 of the main agenda report; informing the Committee that planning permission had been granted on 4th April 2018.

At the invitation of the Chairman Mr. A. Wood and Mrs. d Mrs. A. Wood, the Applicants, addressed the Committee in support of the Application.

It was noted that the Applicants were willing to submit an Ecology report.

Agenda Item 5

Planning Committee
9th April 2018

Officers drew Members' attention to page 19 of the main agenda report - Ecology; that an Ecology report had not been received and that in the absence of such definitive information the Local Planning Authority were unable to consider the likely impact on protected species and their habitat and would be failing its legal duty if it was recommended that planning permission was granted until this information was forthcoming.

The Committee then considered the Application, which had been recommended for refusal by Officers. Having considered the Application and the information provided, Members commented that having conducted a site visit they understood the Applicants reasons for submitting their Application, however; Members were of the view that the existing building was an attractive building and that the proposed first floor extension would be overbearing due to the bulky rear wing and would therefore impact on the character and appearance of the building. Members were therefore minded to refuse the Application.

RESOLVED that Planning Permission be refused for the reasons set out on page 20 of the main agenda report.

79/17

2018/00030/FUL - ERECT A GREENHOUSE - SUNDAY HILL, WHINFIELD ROAD, DODFORD, BROMSGROVE, WORCESTERSHIRE, B61 9BG - MR & MRS R. LYDON

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor K. J. May, Ward Member.

At the invitation of the Chairman Mr. R. Lydon, the Applicant addressed the Committee in support of the Application.

The Committee then considered the Application, which had been recommended for refusal by Officers. Officers confirmed that the 15 metre solid brick wall could be constructed separately as it would fall within the limits of permitted development. Having considered the Application and all of the information provided, Members were of the view that the proposal comprised of the erection of a new building; which would be inappropriate development in the Green Belt and that no very special circumstances had been put forward. Members were therefore minded to refuse the Application.

RESOLVED that Planning Permission be refused for the reason set out on page 26 of the main agenda report.

80/17

2018/00057/FUL - PROPOSED TWO STOREY REAR EXTENSION - LILAC COTTAGE, THE GUTTER, BELL HEATH, STOURBRIDGE, WORCESTERSHIRE, DY9 9XB - MR. R. STRAIN

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

- 1) receipt of a suitable and satisfactory legal mechanism covering the following matters:
 - i) that should the two storey extension proposed under this application be implemented, the single storey extension granted permission under Planning Application Reference: 14/0133 and Appeal reference: APP/P1805/D/14/2220976 will not be further implemented.
- 2) the conditions set out on page 30 of the main Agenda report, and
- 3) that if a satisfactory legal mechanism is not submitted for this application,
that delegated powers be granted to the Head of Planning and Regeneration Services to refuse planning permission.

81/17

2018/00190/FUL - TWO STOREY FRONT AND SIDE EXTENSION. SINGLE STOREY REAR EXTENSION AND REPLACEMENT DETACHED GARAGE - 80 ROCK HILL, BROMSGROVE, WORCESTERSHIRE, B61 7HX - MR. S. ROWLAND

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor M. Thompson, Ward Member.

At the invitation of the Chairman Mr. S. Rowland, the Applicant and Mr. A. Wheeler, neighbour, addressed the Committee in support of the Application.

The Committee then considered the Application, which had been recommended for refusal by Officers. Having considered the Application and the information provided, Members were of the view that the proposed two storey front and side extension and single storey rear extension would completely change the look of the site, properties nearby had been sympathetically extended. The proposed two storey front and side extensions would remove any presence of the existing house and were not in keeping with the current design of the property or the character of the local area.

Members were therefore minded to refuse the Application.

RESOLVED that Planning Permission be refused for the reason set out on page 33 of the main agenda report.

The meeting closed at 7.10 p.m.

Agenda Item 5

Planning Committee
9th April 2018

Chairman

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Stewart Hadley	Proposed two storey extension to the northern elevation Coach House, Priory Road, Dodford, Bromsgrove, Worcestershire B61 9DB	11.01.2017	16/1090

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:
 - (i) The applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

Consultations

Dodford With Grafton Parish Council Consulted 16.12.2016

No objection in principle but express concern over forfeiting the 40% rule in the Green Belt. Request that the District Council is also mindful of floodlighting and the materials used to finish the extension.

Conservation Officer Consulted 16.12.2016

No objection to the proposal provided that proposed materials are conditioned and Permitted Development rights are withdrawn to prevent any further extension to what was originally the rear but is now the front.

Highways - Bromsgrove Consulted 16.12.2016

No objections

Arboricultural Officer Consulted 16.12.2016

No objections

Public Notifications

One site notice was posted 20.12.2016; and expired 10.01.2017

One press notice was published in The Bromsgrove Standard 13.01.2017; and expired 27.01.2017

One neighbour letter sent 16.12.2016; and expired 06.01.2017

One representation has been received raising the following objections:

- The extension may breach the limits of a 40% maximum increase contained in Green Belt Policy BDP4.4

Plan reference

- Loss of privacy to the private driveway area
- Vegetation protecting view from the street scene will not be always be in situ

Relevant Policies

Bromsgrove District Plan

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

Others

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

Relevant Planning History

B/2007/0026	Timer frame garage block and timber frame stables (as amended by plans received on: 07/09/2007).	Granted	13.09.2007
B/2006/1224	Timber frame garage block.	Granted	10.01.2007
B/2006/0734	Two storey side extension (as amended by plans received on: 15/08/2006)	Granted	19.09.2006
B/8862/1981	Alterations and extensions	Refused	20.07.1981
B/5028/1978	Replacement of old Coach House with bungalow (Outline) (As amended by plans received 24/7/78)	Refused	14.08.1978

Assessment of Proposal

The application site is a detached property located within the Green Belt and Dodford Conservation Area. The Coach House originally formed the outbuildings to the neighbouring Hawthorn Cottage, but has since been occupied separately. Despite that the property is now accessed from the south east elevation, and is recognisable as the front of the dwelling, it has been confirmed that the original principal elevation of the property would have been the north west elevation, fronting towards Hawthorn Cottage. The current proposal is for a two storey gable extension on the north west elevation, originally the front.

Given the constraints of the site, the main considerations for this application are whether the proposal would be inappropriate development within the Green Belt, whether there would be an adverse impact to the openness of the Green Belt, the impact of the proposal on the character and appearance of the host building and Dodford Conservation Area, and whether there are Very Special Circumstances present that would outweigh any 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 has already been extended above the 40% threshold by way of a two storey side extension and a single storey attached garage. Any further extensions to the property would therefore amount to inappropriate development within the Green. In accordance with the NPPF, inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances.

In this case the property still benefits from permitted development rights, and therefore a two storey extension, 3 metres in depth, could be constructed under permitted development to the south east elevation, now understood to be the front. This extension would provide the same amount of accommodation as the proposed extension, and thus would result in the same amount of harm to the Green Belt.

Design/Impact on the Appearance of the Conservation 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 proposed gable extension would extend off a previous two storey extension. The extension would be relatively narrow in width and the ridgeline of the roof would be lower than that of the main dwelling which would ensure that the overall proportions of the extension would appear subordinate to the existing dwelling. Furthermore matching materials, style of windows and the brick corbeling detailing on the eaves would ensure that the finish of the extension would reflect the character of the host dwelling. In view of this the proposal would meet the requirements of Policy BDP19 and the provisions of Supplementary Planning Guidance note 1 - Residential Design Guide (SPG1). This addresses the concerns of the Parish Council in relation to materials.

The Conservation Officer has been consulted as part of the application and has raised no concerns with the impact of the proposal on the character and appearance of Dodford Conservation Area. It is considered that the proposed extension be viewed as a rear extension, and unlike the permitted development fall back option, would not disrupt the plain and linear south east elevation which is now recognised to be the front. The proposal scheme would also appear less prominent from public views within the Conservation Area compared to the permitted development fall back scheme on the south east elevation. The proposal is therefore considered to comply with Policy BDP20 of the Bromsgrove District Plan which broadly aims to sustain and enhance the significance of Heritage Assets such as Conservation Areas.

Amenity

The neighbouring occupiers of Hawthorn Cottage have raised concerns regarding the impact of the proposal on their privacy.

It is noted that the proposed extension would be located approximately 8 metres from the private driveway of Hawthorn Cottage, and that the first floor bedroom window of the extension would broadly face towards this area. SGP1 advises that main windows should be set back by a distance of 5 metres per storey where new development adjoins a private garden area. Although the proposal would fall slightly short of this guidance it is noted that the occupiers of Hawthorn Cottage benefit from a large garden area surrounding the property and that this would only affect a small area of their private amenity space.

In view of this it is considered that the proposal would not result in a detrimental impact to the privacy of the occupiers.

Very Special Circumstances

As previously established the proposal would amount to inappropriate development within the Green Belt, which would also have a moderate impact to the openness of the Green Belt. Where there is harm arising to the Green Belt, paragraph 88 of the NPPF states that development should not be approved except in very special circumstances. Further to this paragraph 89 of the NPPF states that very special circumstances would need to outweigh harm arising to the Green Belt by reason of inappropriateness and any other harm.

A permitted development fall back has been put forward which would provide the same type and amount of accommodation on the south east elevation, which would result in the same amount of harm to the Green Belt. Furthermore the proposal would not impact the plain and linear south east elevation which is recognised to be the front. The proposal would also be less conspicuous from views within the Conservation Area and thus would contribute towards sustaining the significance of Dodford Conservation Area.

On the basis of the above it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness.

Other Matters

The letter of objection received in relation to the application raised further concerns regarding the impact of the proposal on the Green Belt. This matter has been addressed within the report and balanced in light of national and local planning policies.

The objection also raised that the screening provided by the existing vegetation may not always be in situ. However the proposal has not been considered acceptable on the basis of the presence of the existing vegetation.

The Parish Council raised concerns in relation to floodlighting on the site; there are no changes proposed with regards to the existing floodlighting.

To ensure that the permitted development fall back cannot also be implemented the applicants are prepared to enter into a unilateral legal agreement to relinquish their permitted development rights for further extensions to the dwelling.

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:
 - (i) The applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

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 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 and Site Plan - Drawing no. PL01
Ground Floor Plans - Drawing no. PL02B
First Floor Plans - Drawing no. PL03B
Elevations - Rear - Drawing no. PL04B
Elevations - Side and Section - Drawing no. PL05B

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

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls, roofs, windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance and to safeguard the appearance of the Conservation Area.

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

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Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Ms Marie Carrigan	Change of use from B1/B2 to D2 usage for a gymnastics club Unit 75, Basepoint Business Centre, Isidore Road, Bromsgrove Enterprise Park, Bromsgrove		18/00346/FUL

Councillor Thomas has requested that this application be considered by Planning Committee rather than being determined under Delegated Powers.

RECOMMENDATION: That planning permission be **Refused**

Consultations

Worcestershire Highways Consulted 16.04.2018

- No objections

Strategic Planning and Conservation Consulted 16.04.2018

- Recent research suggests that vacancy rates on the District's Business Parks are low and employment land is demand.
- Although the gymnastics club provides a community and sporting facility, it has no associated employees and therefore could not be considered as an employment generating use.
- Whilst both Local Plan Policy BD25 and paragraph 92c of the revised NPPF place some material weight on the provision of additional community and sport facilities, given the application site's allocation for employment uses, I consider that these would carry less weight under these circumstances.
- Accordingly I consider that the application does not accord with planning policy and may set further precedent for similar changes of use which would result in the loss of valuable employment land within the District.

North Worcestershire Economic Development and Regeneration Consulted 24.04.2018

- The applicant has not provided evidence to suggest an active period of marketing for the unit as an employment use has taken place; therefore there is currently no proof that the unit is no longer viable for employment.
- To permit a change of use to D2, without evidence to suggest it is no longer viable for employment use is not in line with Bromsgrove District council policy.

Publicity

One site notice posted 19.04.2018 (expires 15.05.2018)

One response received from Basepoint Business Park setting out their vacancies/marketing strategy:

Vacancies:

- Incubator site for new and SME businesses;

- Work on month to month rolling contract;
- Since October we have had 4 available workshops, 17 workshop viewings of which 2 have taken workshops; 2 more becoming vacant in the near future as they have outgrown the centre. That is the nature of our Business.

Marketing:

- We have our own website where we post availability
- We are part of IGW/Regus - dedicated sales team and call centre working with direct customer enquiries/ National Brokers/ work with Birmingham Regus agents;
- We are in contact with local brokers which we update with our availability and also hold Broker Days to introduce brokers to the centre, our facilities and share availability
- We appear on RightMove and Zoopla;
- As we are part of IWG, I also update my availability to the Birmingham Regus agents that can take enquiries, view and sell on my behalf
- We use Twitter to tweet availability and our TweetDeck is updated on a regular basis to reflect availability and ensure tweets are posted on a regular basis; the last posting for workshop availability was 14th May
- I and my colleagues attend several networking events and take stands at Business Shows on a regular basis.
- We place adverts in local Bullivant publications as well as larger publications; we currently have campaigns running in the Birmingham Business Post, Cotswold Life, Pears Magazine, Business and Innovation Magazine and Business Direction Magazine
- We have pitch side advertising at Bromsgrove Rugby Club and home match programme adverts

Councillor Thomas - views received 26 April 2018:

I have been asked that this application be heard by Committee, in view of the level of interest shown in the application.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP14 Designated Employment

BDP16 Sustainable Transport

BDP25 Health and Well Being

Others

NPPF National Planning Policy Framework

Relevant Planning History

B/2005/1225 Erection of business and enterprise centre - Reserved Matters to B/2002/1014. Approved 11.05.2006

B/2002/1014 Major mixed use redevelopment for residential development and ancillary uses and employment uses within use class B1 and B2 - Outline Consent. Approved 24.11.2003.

Assessment of Proposal

The Site

The application site is a modern B1/B2 industrial unit arranged as part of a block of 9 similar units set around a shared car park. It is located within Basepoint Business Centre and forms part of the Designated Employment Area to the South East of the A38 Stoke Road.

The Proposal

This application seeks retrospective planning permission for the change of use of the industrial unit from B1/B2 to D2 for the purpose of operating a gymnastics club.

Opening hours set out on the application form are Monday-Friday 09:00-20:30 and Saturday 08:30-16:30.

There are no external changes to the building.

The application was submitted as a result of an enforcement investigation.

Assessment

Basepoint Business Centre provides a range of employment accommodation ranging from micro units suitable for one person businesses, through to large linked business suites, drive up studios and spacious workshop units. It is clear that it provides a valuable and flexible employment offer within the District. Recent evidence suggests that existing employment stock is well used and that there is evidence of investment and renewal on most of the District's employment estates. Stock accommodates a booming small business economy and recently there has been no vacant property for firms to expand into.

Against this evidence, Policy BDP14 creates a clear framework for safeguarding existing employment land within the District. It places a strong expectation on the applicant to demonstrate that employment land and premises are no longer viable for an employment use, through the submission of a marketing report. Furthermore, local evidence suggests that vacancy rates on the District's Business Parks are low and that employment land of all types is in demand. This is particularly relevant given that the District has a higher than average rate of self-employed workers at 14%.

This approach is supported by the national context and the Revised NPPF continues to place significant weight on the need to support local business needs.

The key considerations in the determination of this application are:

- a) Significant weight required to be given by the NPPF to support economic growth and the requirement on the Local Planning Authority to proactively meet the needs of business and support the economy – reflected in the requirements of BDP14
- b) NPPF acknowledges the importance and provision of leisure activities and identifies them as town centre uses – reflected in BDP25

For the reference of Members, the following information has been submitted by the applicant:

- Basepoint does not require a minimum number of employees
- Waiting list for the club – may create additional employment in the future;
- Identical unit been empty since October 2017
- 2 more units may become vacant;
- In light of the climate of childhood obesity, Starbound Academy are providing a safe and much-needed recreational service to the population

a) Economic growth and Designated Employment Areas

To support economic growth within Bromsgrove and ensure the continued provision of suitable employment units, policy BDP14 seeks to protect the loss of employment land and sets out that proposals will not be favourably considered unless it can be demonstrated that the requirements set out in BDP14.4 criteria i)-iii) **or** iv)-v) can be met. These are considered in turn:

i) The proposal would not have an adverse impact upon the quality and quantity of employment land within the local area;

Basepoint Business Centre has suggested that its policies do not allow activities that are noisy or odorous that would be detrimental to businesses. However, this is one of the most modern premises within the District, offering flexible terms to support new businesses to get off the ground and grow. Comments provided by the Strategic Policy and Conservation team identify the boom in the small business economy and lack of available property. The loss of an employment unit would inevitably reduce the number of available units for B1/B2 uses, representing a potential hindrance to economic growth in the District. This criterion is not met.

ii) There would be a net improvement in amenity (e.g. 'non-conforming' uses close to residential areas);

This application does not involve any improvement in amenity, nor the removal of any non-conforming use. This criterion is not met.

iii) The site has been actively marketed for employment uses for a minimum period of 12 months, providing full and detailed evidence or where an informed assessment has been made as to the sustainability of the site and/or premises to contribute to the employment land portfolio within the District (as part of this assessment, consideration should be given to the appropriateness for subdivision of premises);

The submitted information clearly demonstrates that this criterion is not met: the longest vacancy at the Centre is 7 months. The information provided by Basepoint sets out that 2 workshops have been let within the last 6 months. No evidence has been submitted to suggest that the unit could not be let for its intended B1/B2 use. Members will note the views of North Worcestershire Economic Development and Regeneration on this issue. This criterion is not met.

As criteria i)-iii) have not been met, consideration is now given to criteria iv) & v):

iv) The new use would result in a significant improvement to the environment, to access and highway arrangements, or sustainable travel patterns which outweighs the loss of employment land;

There would be no change or significant improvement and therefore the criterion is not met.

v) The site/premises are not viable for an employment use or mixed use that includes an appropriate level of employment. A development appraisal should accompany proposals to clearly demonstrate why redevelopment for employment purposes is not commercially viable.

No information has been submitted with this application to suggest that the unit is not commercially viable for B1/B2 use. Two units have been let in the past 6 months suggesting there is demand and this is supported by the comments of the Strategic Planning and Conservation Team. This criterion is not met.

b) Provision of Additional Sport/Recreation Assets

Members will be aware there is general support in the NPPF and Policy BDP25 of the BDP for the provision of new sport and recreation facilities in sustainable locations. However, such facilities should be sited appropriately and whilst I note the views expressed by the applicant in terms of potential health benefits arising from the new use, this in isolation clearly does not outweigh the loss of the site for employment purposes.

Conclusion

The gymnastic club is not an employment use. The NPPF places a strong requirement on the LPA to provide for and support economic growth. To this end, this site is located in a designated employment area and in my view there is a reasonable prospect of this unit being used for B1/B2. Information submitted with the application does not meet any of the criteria set out as a requirement in adopted Policy BDP14.4 of the BDP. The provision of this leisure/recreation opportunity does not justify the loss of the employment unit or outweigh the economic policy requirements set out in the NPPF and the Bromsgrove District Plan.

I therefore consider the scheme to be unacceptable.

RECOMMENDATION: That planning permission be **Refused**

Insufficient information has been provided to justify the loss of this employment unit for a non-employment use as required by the criteria set out in policy BDP14.4 of the BDP. The proposal would have an adverse impact on the quality and quantity of employment land, it would not lead to a net improvement in amenity and the evidence provided fails to demonstrate that there is no reasonable prospect of the application site being used for B1/B2 use. The new use would not result in significant improvements which would outweigh the loss of employment land and the applicant has not demonstrated that the continued use of the unit for employment purposes is not commercially viable. The information put forward in support of the application therefore does not outweigh the policy conflict identified. The change of use of this industrial unit from B1/B2 to D2 would therefore be contrary to Policy BDP14 of the Bromsgrove District Plan and the provisions of the NPPF.

Case Officer: Jo Chambers Tel: 01527 881373

Agenda Item 8

Plan reference

Email: jo.chambers@bromsgroveandredditch.gov.uk

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Solanki	Proposed single storey side extension New Road Dental Surgery, 68 New Road, Bromsgrove, Worcestershire, B60 2LA	18.05.2018	18/00366/FUL

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

RECOMMENDATION: That planning permission be Granted

Consultations

WRS - Contaminated Land Consulted 05.04.2018
No objection

Highways - Bromsgrove Consulted 05.04.2018

I have no highway objections to the proposed extension development. New Road Dental Surgery sits on a corner plot at the junction of New Road and Wellington Road which are both have 30mph speed limits. The site is located within a residential area which is close to the centre of Bromsgrove. No additional treatment rooms are proposed and no car parking restrictions are in force within the vicinity of the site, it is noted the majority of the properties surrounding the site have dropped kerbs for off road parking.

Publicity

A total of 33 letters were sent on 5th April to neighbours and contributors on the previous applications at the site which expired on 26th April.

Public Comments

23 letters of Objection have been received, the contents of which have been summarised as follows –

- The practice has steadily increased with stealth development, little and often.
- The original dentist started with only two treatment rooms and now has ten.
- Previous development has been permitted without adequate controls.
- Telephonist room could be used as an additional treatment room.
- Previous applications did not apply for treatment rooms and have since been used as such.
- Development not in keeping with locality or character of the building.
- The dentist has not considered an alternative site more suitable for expansion.
- Concern over noise from building works.
- Site is too small for further expansion. .
- The parking from patients and staff on the road causes traffic problems;
- Pushchairs are forced onto the road
- There is a lack of visibility for those using their driveways
- High volume of local traffic
- People have been parking on the bus stop causing traffic issues
- Concern over road safety

- Dangerous at junction with New Road and Wellington Road
- No. 70 New Road has concerns over proximity of extension and loss of light to lounge.

Cllr C. B. Taylor Received 09.04.2018

Please could you register my opposition to this application as the County councillor for the area. This surgery has caused huge problems in the local area with the inconsiderate discourteous parking and blocking of residents driveways.

The site is heavily overdeveloped and is one of the worst cases of abuse of our planning policies in the district continual with applications and expansion by stealth.

Cllr P. L. Thomas Received 09.04.2018

Please keep me advised of any developments with regard to this application.

Given the level of public interest in this site, I would request that the application be determined by committee.

Cllr R. L. Dent Received 14.05.2018

The continued expansion of this modest bungalow is massively concerning to the local community.

Dentists are invaluable to us all; however the growth of this business is disproportionate to the location it occupies.

It is massively overdeveloped causing parking disruption to local residents whilst producing no economic benefits to our district.

It would appear almost every available interior space is now occupied by the dentists and their associated services resulting in the original bungalow which blended well into the area losing all its character due to the expansive building work undertaken.

We now understand yet another treatment "Skin Care" is being conducted on the site attracting more inconvenience to residents and resulting if passed another single storey extension being constructed. Surely this cannot be correct, I therefore ask the committee to reject this application.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP16 Sustainable Transport

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework

SPG1 Residential Design Guide

Relevant Planning History

16/0894	Single storey extension to provide a separate data storage and privacy room	Allowed at Appeal	10.11.2016
15/0632	Single Storey Side Extension to provide private receptionist area	Refused	07.10.2015

13/0691	Proposed First Floor Extension	Approved	10.12.2013
12/0402	Extension of existing dental surgery to provide additional treatment room (as amended by plans received 20/6/12).	Approved	02.07.2012
B/2000/0123	Extension to form new office and enlarge waiting room.	Approved	15.05.2000
B/1992/0501	Change of use of ground floor dormer bungalow to dentists surgery	Approved	10.08.1992

Assessment of Proposal

This application relates to a single storey side extension to be used as a telephonist. This property is currently used as a dental surgery. This business premises is located in a Residential Area as defined in the Bromsgrove Local Plan.

This proposal follows a number of recent applications for extensions on site including reference 15/0632 for a single storey extension in this location. This application was refused by members at committee and subsequently dismissed at appeal on the grounds of its design and impact on the building and street scene. The application has included a statement to address how they have amended the scheme to overcome these concerns. This statement is available in full on the Councils website.

In the 15/0632 appeal decision the Planning Inspector considered "Due to the angle of the extension's front elevation, and the introduction of a further hipped roof element, the appeal scheme would introduce additional cluttered complexity to a building that is already incongruous in the context of the simpler elevational and roof treatments of its immediate neighbours". Although the proposed extension is on the same elevation as the previously refused extension, the design has been amended to reflect the existing hip roof treatments on the building. The application site, as a corner plot, occupies a spacious ground and has an off-set relationship with its neighbours giving it a standalone presence in the street scene. Given the level of alterations to the building, the roof form has become complicated; however the hip roofed arrangement is a defining feature of the overall design of the building. The current proposal has been altered to remove the flat roof element, re-orientate parallel with the existing elevation and adjust the hipped roof so it sits below the existing. The proposed hipped roof mirrors the form of the hip above. It is therefore considered that the amendments since the previous scheme have simplified the design of the proposed extension and therefore would not cause demonstrable harm to the character of the building which in turn means that the character and appearance of the street scene remains unharmed.

The applicants have stated that the intended use of the proposed extension is for a telephonist room. The proposal is not intended for the increase in treatment rooms or patients, and as a result the proposal would not require any additional parking having

regard to the County Council's Standards. From the public consultation, it is appreciated that the neighbours are experiencing a number of highway issues in regards to this site. However, the Highways Authority has not objected to the scheme given the use of the proposed extension. Therefore a condition is placed on the use of the telephonist room to ensure sufficient parking remains on site to accommodate any staff and visitors and any existing Highway concerns are not exacerbated from this approval.

This application follows two previous applications. 15/0632 and 16/0894 for a private receptionist and data storage room/privacy room respectively. It should be noted although different outcomes were reached during these appeals; the inspector did not raise any highways concerns.

The neighbour at No. 70 New Road has raised concerns in respect of the position of the air conditioning units and a loss of light into their lounge. Given the location of the site, along a busy road with associated traffic noise, a re-position of the air conditioning units on this extension would not significantly harm the neighbouring property in terms of noise and disturbance to the occupiers of No. 70. In respect of loss of light, No. 70 has a small window to the rear of the property on the side elevation. This appears to be a secondary window and in addition, the extension is sited to the north of this dwelling. Having regard to this orientation the proposed extension is not considered to have an impact on the light into this property.

RECOMMENDATION: That planning permission be granted

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 permitted shall be carried out in accordance with the Materials specified in question 9 of the application form and Approved Plans/ Drawings listed in this notice:

3601-02 - Proposed Floor Plans and Elevations
OS Map - Location Plan Scale 1:1250

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

- 3) The extension hereby permitted shall not be used as an additional treatment room and shall only be used as a telephonist room as stated in this application for perpetuity.

Plan reference

Reason: To ensure sufficient parking remains onsite having regard the Councils Standards in the interests of Highway safety.

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

Case Officer: Emily Farmer Tel: 01527 881657
Email: emily.farmer@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs M Morgan	Change of use of agricultural building and associated outdoor space to dog day care facility Bentley House Farm, Copyholt Lane, Redditch, Bromsgrove, Worcestershire B60 3BE	31.05.2018	18/00412/FUL

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

RECOMMENDATION: That planning permission be Refused

Consultations

Conservation Officer Consulted 11.04.2018

I consider that the conversion of this barn to a dog care facility would have a negligible impact on the significance of the listed farmhouse and therefore raise no objection.

Arboricultural Officer Consulted 11.04.2018

No objection subject to condition.

Drainage Engineers Internal Planning Consultation Consulted 11.04.2018

No objection.

WRS Consulted 11.04.2018

No objection to the application in terms of noise / nuisance / odour.

Highways - Bromsgrove Consulted 11.04.2018

Objection raised given unsustainable location. Given the minibus cannot be conditioned, if the minibus was not used at all times customers would need to travel to the site to drop and pick up the dogs on a daily basis, which would lead to intensification of the vehicular access and track.

Bentley & Paucefoot Parish Council Consulted 11.04.2018

Bentley Paucefoot Parish Council do not object in principle to this application but would suggest that certain conditions need to be attached to any permission granted. The supporting statement presented by the applicant's consultant describes the building for which planning permission is required, as underutilised and currently in poor repair (4.2) which would be remedied if the proposed dog day care facility was approved. It is argued that such a facility would be an acceptable use, appropriate to the area and having no more negative or detrimental impact on the character and openness of the Green Belt than the existing building. It would also provide employment for three people.

Whether or not the facility will provide an essential service to dog owners in the local area and encourage responsible ownership (8.3. bullet point 1) is open to question but the operational organisation described in the application highlights the need for any

permission granted to be subject to a series of conditions to mitigate the impact of any such change of use;

Should the business organisation suggested by the application not be followed there would be an unwelcome impact on the local area as regards traffic, noise and visual pollution.

Thus, we suggest that conditions could include reference to the statement that there will be no owner pick-ups but rather a pick-up service van night and morning. Hours of operation should also be clearly defined.

Concerns about possible noise could be allayed by conditions specifying no overnight boarding of animals and the insulation of the existing building.

To mitigate the visual impact of the business (admittedly not large), lighting and signage could be specified with added plantings to obscure the fence around the outdoor dog exercise area.

Economic Development

It is considered that the current proposal would help to redress some of the key challenges highlighted within the adopted plan regarding the farming industry in the District. In addition, the proposal is for a farm diversification scheme that is to be developed in an existing unit that has been identified as being capable for conversion. The applicant has identified that the proposal would help to provide a new source of income to support the existing farming operations and would also create job opportunities and so, from an economic perspective, it is something we would be supportive of.

Building Control Consulted 11.04.2018

The building appears to be capable of conversion.

Publicity

Two letters were sent to the neighbouring properties on 11th April and expired on 2nd May.

A site notice was placed on site on 12th April and expired on 3rd May.

An advert was placed in the Bromsgrove Standard on 20th April and expired on 4th May.

Public Comments

25 letters of support have been received from members of public. The comments state that the facility is a 'good idea' and would be useful to them.

Cllr Peter Whittaker Received 01.05.2018

If the officer is minded to refuse the application, I request the it be heard by Committee for determination given there are a number of issues that would benefit from a wider discussion.

Relevant Policies

Bromsgrove District Plan

Plan reference

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP12 Sustainable Communities
BDP14 Designated Employment
BDP15 Rural Renaissance
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment
BDP22 Climate Change

Others

NPPF National Planning Policy Framework

Relevant Planning History

17/01320/FUL	Change of use of existing building and associated outdoor space to dog day care facility	Withdrawn	26.02.2018
13/0208	Grain Storage Building	Approved	24.04.2013

Assessment of Proposal

Site Proposal and Description

The application site comprises of a steel framed building with sheet cladding on three elevations sited within a working farmyard. The building is to the rear of a Grade II listed building and is currently used for the storage of machinery and has a pigsty to the rear. The proposed development is to re-use the building and associated outdoor space as a dog day care facility. To facilitate this use the proposal requires external cladding, insulation, creation of new openings and a new flooring and base on the existing building, the formation of two parking spaces and the enclosing of a run-around area to the rear. The applicants have suggested that they intend the business to accommodate for 20-30 dogs per day and they intend to provide a pick-up and drop off service to reduce vehicular movements to and from the site. No information has been provided in respect of the logistics of the pick-up service or details on the bus, or number of trips inward and outward required to collect the dogs the business intends to accommodate.

Dimensions of Sustainable Development

Having regard to the scheme under the three dimensions of sustainable development outlined in Paragraph 7 of the NPPF I have afforded appropriate weight to all the factors as outlined below.

Economic

In terms of the economic benefits of the scheme it is acknowledged that it will provide 2-3 jobs to which I afford moderate weight in favour of the scheme. Other benefits advanced by the applicant include; support of other local businesses, farm diversification and local demand. No information has been provided to demonstrate how the scheme would support other businesses or how the farm diversification either is required for the viability of the farm or is the proposed business use appropriately related to the farm as to justify its location. In terms of the demand, I note that the applicants have undertaken some market research in the area; however demand is not a need. These factors are therefore given limited weight in favour of the scheme. The economic role within the NPPF requires the right type of development is located in the right places. I would suggest that given the up to date Local Plan has allocated land for the requirement of businesses; and in this instance the business has no requirement to be in this location and would in fact be better located within the more urban areas I afford this moderate weight against the scheme.

Social

In terms of the social role; it is acknowledged that the business would create access to the service for rural communities. However, the purpose of the social role is to create accessible local services that reflect the community's needs. The use of a dog day service, although welcomed in the public comments, is not a local need. The proposed use would only benefit a limited number of residents and therefore is not a need for the community as a whole. The site is not accessible to the local community given its location and lack of transport options. I therefore afford this moderate weight against the scheme.

Environmental

In regards to the environmental dimension of sustainable development, I acknowledge that the applicants intend to use sustainable construction methods and there are some benefits to the re-use of the building. I would afford limited weight to these benefits given the building is not prominent within its context of the working farm and in any event the building could also be removed if no longer required for the farm holding which would have a greater environmental benefit on site particularly in relation to the Green Belt impact. The concern in regards to the environmental impacts of this proposal relate to the isolated position which is to be afforded significant weight. The location has created the requirement to use a collection service which is indicative of this unsustainable location. Furthermore, it would not be considered reasonable or enforceable to condition this collection service and therefore should this not become commercially the with a business would operate in this rural location looking after 20-30 dogs per day and generating a large number of vehicular movements to the site. The highways engineer has confirmed that should the collection service not be conditioned an objection would be placed on the scheme. I afford this significant weight against the scheme.

The applicants refer to Policy BDP15 of the Bromsgrove District Plan which states that the Council will support proposals for the conversion of suitably located/constructed buildings and rural diversification schemes. In this instance, the building is not suitably located given its rural location as discussed earlier within this report. Although the comments from Building Control are noted BDP15c, states that steel portal frame buildings are not normally suitable for conversion. The building subject to this application

is a steel portal frame building with single skin of profiled sheeting with no base and one open side. BDP15g also supports schemes for rural diversification that satisfies the social and economic needs of rural communities. As outlined previously, the proposed use would meet some demand of local dog owners however this is not a community need. Taking all these matters into account, the proposal fails to meet the criteria BDP15.

Green Belt

The site is located within the designated Green Belt and therefore having regard to Paragraph 90 of the NPPF the re-use of buildings can be considered acceptable provided that the buildings are of permanent and substantial construction and preserve the openness of the Green Belt. The existing building is constructed from only a single skin of profiled sheeting with no base and one open side. Building Control has confirmed that the building would be capable of conversion; however the policy requires the building to be of permanent and substantial construction. The proposal involves substantial alterations to the structure to make it suitable for its intended purpose including the external cladding, insulation, creation of new openings and a new flooring and base. Notwithstanding the letter from the structural engineer submitted, as a matter of fact and degree, taking into account the only salvaged part of the building is the steel frame and the degree of addition and alteration required for use means it an unsuitable building for conversion. In my judgement this does not constitute 'substantial construction' within the context of Green Belt policies. In addition to this, the existing building is modest and unobtrusive within its current setting of the working farm courtyard. Its re-use as a dog care facility would give rise to a more intensive, formalised use of which requires fencing and parking to facilitate, these elements would not preserve the openness of the Green Belt. Therefore having regard to this, the proposal would constitute inappropriate development in the Green Belt and would have an adverse impact on the openness of the Green Belt.

Setting of the Listed Building

In respect of the listed building Bentley House Farm, the Conservation Officer has been consulted in respect of the setting to this building. The building lies to the south of the farmhouse and the existing access runs along the eastern boundary. Having regard to the Listed Buildings and Conservation Area Act 1990, the proposal is not considered to have an impact on the significance of the listed building and therefore no objections have been raised in this respect subject to conditions for the proposed materials and fencing details.

Conclusion

The applicants have stated that they would welcome the condition controlling the use of the minibus to collect and return dogs. I am not convinced that all customers would want to use this service and I would expect that some customers would want the flexibility to drop off or collect their dog when convenient. In addition to this, the condition is not considered reasonable or enforceable having regard to the six tests within Paragraph 206 of the NPPF. Should the bus not be viable for use in the future, the entire business would need to cease from site. In addition, the continued use of the bus would not be enforceable for the Council to monitor or control. The requirement for this condition is indicative of the unsuitable location of this proposed development and therefore would not mitigate the adverse effects of the development.

The application does not raise any other planning considerations, the applicant has submitted a preliminary Ecological Survey which has identified the site to be of low ecological value and no further objections have been received by any consultees.

RECOMMENDATION: That planning permission be Refused

Reasons for Refusal

- 1) The business is proposed to be situated in the countryside, outside any defined village envelope and isolated from key facilities. The transport solution advanced by the applicant is not realistic or enforceable. The business therefore has poor access to public transport with no pedestrian footway. Customers would be likely to rely heavily on the private car for travel to and from the service which could result in two trips per day, per customer, and for these reasons this is an unsustainable location for such development. The proposal therefore does not constitute a sustainable form of development having regard to the three dimensions as outlined in Paragraph 7 of the NPPF. It is therefore contrary to policies BDP1, BDP12, BDP14, BDP15, BDP16, BDP22 of the Bromsgrove District Plan 2011-2030 and Paragraph 7 of the NPPF.
- 2) The existing building is constructed from only a single skin of profiled sheeting with no base and one open side. Furthermore, the proposal involves substantial alterations to the structure to make it for its intended use and the only salvaged part of the building is to be the steel frame. Having regard to this, it is considered that the existing building does not constitute a substantial construction within the context of Green Belt policies. Furthermore, the existing building is modest and unobtrusive within its current setting of the working farm courtyard. Its re-use as a dog care facility would give rise to a more intensive, formalised use of which requires alterations to the building, fencing and parking to facilitate. Therefore having regard to this, the proposal would constitute inappropriate development in the Green Belt and would have an adverse impact on the openness of the Green Belt. As a result the proposal is contrary to Paragraph 90 of the NPPF and policies BDP1 and BDP4 of the Bromsgrove District Plan 2011-2030 and the National Planning Policy Framework.

Informatives

- 1) The Council advised the applicant that the proposal would not be supported as a matter of principle; therefore the previous application was withdrawn and re-submitted. The re-submission does not make any changes to the scheme that would result in a different officer recommendation and therefore the application has been registered as soon as possible to avoid further delay to the applicant.

Case Officer: Emily Farmer Tel: 01527 881657
Email: emily.farmer@bromsgroveandredditch.gov.uk