



BROMSGROVE DISTRICT COUNCIL

VIRTUAL MEETING OF THE PLANNING COMMITTEE

MONDAY 22ND MARCH 2021
AT 6.00 P.M.

MEMBERS: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, J. E. King, P. M. McDonald and P.L. Thomas

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. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
4. 20/01064/FUL - Proposed single storey extension to the front elevation and first floor rear extension - 25 Long Compton Drive, Hagley, Stourbridge, Worcestershire, DY9 0PD - Mr & Mrs Nock (Pages 1 - 4)
5. 20/01065/FUL - Proposed single storey extension to front elevation and first floor rear extension - 27 Long Compton Drive, Hagley, Stourbridge, Worcestershire, DY9 0PD - Mr & Mrs Mumby (Pages 5 - 18)
6. 20/01129/FUL - Two storey side extension. Demolition of workshop and modern garage. Removal and excavation of existing hard surface and replace with garden area with tiered retaining walls - 9 Parish Hill, Bournheath, Bromsgrove, Worcestershire, B61 9JH - Amie Holden (Pages 19 - 42)

7. 20/01446/FUL - Variation to Section 106 Agreement attached to application 13/0054 for the erection of an agricultural dwelling - Hill Farm, Hockley Brook Lane, Belbroughton, Stourbridge, Worcestershire DY9 0AA - Mr. R. Fairbairn (Pages 43 - 50)
8. 20/01603/FUL - Installation of boiler and long log drying store within the existing barn onsite - Stoney Lane Farm, Stoney Lane, Alvechurch, Worcestershire, B60 1LZ - Mr. M. Powell (Pages 51 - 62)
9. 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

11th March 2021

If you have any queries on this Agenda please contact

**Pauline Ross
Democratic Services Officer**

Parkside, Market Street, Bromsgrove, Worcestershire, B61 8DA

Tel: 01527 881406

email: p.ross@bromsgroveandredditch.gov.uk

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

GUIDANCE ON VIRTUAL MEETINGS AND PUBLIC SPEAKING

Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police Crime Panels meetings) (England and Wales) Regulations 2020.

The meeting is open to the public except for any exempt/confidential items. Where a meeting is held remotely, “open” means available for live viewing. Members of the public will be able to see and hear the meetings via a live stream on the Council’s YouTube channel, which can be accessed using the link below:

[Live Streaming of Planning Committee](#)

Members of the Committee, officers and public speakers will participate in the meeting using Microsoft Teams, and details of any access codes/passwords will be made available separately.

If you have any questions regarding the agenda or attached papers please do not hesitate to contact the officer named above.

PUBLIC SPEAKING

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments for the smooth running of virtual meetings. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council’s website at [Planning Committee Procedure Rules](#).

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 3) Public Speaking - in the following order:-
 - a. objector (or agent/ spokesperson on behalf of objectors);

- b. applicant, or their agent (or supporter);
- c. Parish Council representative (if applicable);
- d. Ward Councillor

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team and invited to unmute their microphone and address the committee via Microsoft Teams.

- 4) Members' questions to the Officers and formal debate / determination.

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Officer on 01527 881406 or by email at p.ross@bromsgroveandredditch.gov.uk before 12 noon on Thursday 18th March 2021.
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate via a Microsoft Teams invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Microsoft Teams, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Thursday 18th March 2021.
- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation 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 Council's website www.bromsgrove.gov.uk
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.

- 5) **Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.**

| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|-------------------|--|-------------|--------------|
| Mr & Mrs Nock | Proposed single storey extension to the front elevation and first floor rear extension 25 Long Compton Drive, Hagley, Stourbridge, Worcestershire, DY9 0PD | 31.10.2020 | 20/01064/FUL |

RECOMMENDATION:

(a) MINDED to APPROVE FULL PLANNING PERMISSION

(b) That DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following the satisfactory completion of a Unilateral Undertaking to agree that both planning consents (20/01064/FUL and 20/01065/FUL) are implemented at the same time

Consultations

Hagley Parish Council

No objection

Publicity

4 letters sent - Expired 09.11.20

No comments received

Relevant Policies

Bromsgrove District Plan

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2019)

Bromsgrove High Quality Design SPD

Relevant Planning History

None

Assessment of Proposal

The dwelling is semi-detached, and the proposal is for a single storey front extension to the lounge and a first-floor extension at the rear of the dwelling. The site is located within the residential area where it is considered that the principle of residential development is acceptable subject to satisfying of Policy BDP19 of the Bromsgrove District Local Plan and the guidance in the Bromsgrove High Quality Design SPD.

Long Compton Drive has a mix of dwellings including a number of semi-detached and link-detached properties. The proposed single storey lounge extension would be

constructed to the front of the dwelling and would not project any further forward than the existing building line. Whilst this is the case, the projection would be in breach of the 45-degree guidance and would therefore have a detrimental impact on the residential amenity of the occupiers of No 27 Long Compton Drive. The proposal is therefore considered unacceptable.

The extension would follow the roof pattern of the existing garage and porch. In terms of design, the proposal is designed to reflect the surrounding properties. Having regard to the relationship of the proposed extensions in terms of design, to the surrounding properties, the proposal raises no residential amenity issues and is therefore considered acceptable.

The proposed first floor extension at the rear would project two metres beyond the rear wall. The two-metre projection would be in breach of the 45-degree guidance and would therefore have a detrimental impact on the residential amenity of the occupiers of No 27 Long Compton Drive. The proposal is therefore considered unacceptable.

The residents of 27 Long Compton Drive have also submitted an application (20/01065) which replicates this proposal. To overcome the 45-degree breach, both parties have agreed to enter into a Unilateral Undertaking with the Council to construct both the extensions at the same time. This joint approach would remedy the 45-degree code conflict.

Conclusion

Having regard to the above, the standalone proposal is considered to be an unacceptable form of development in this location and would not be in compliance with Policy BDP19 of the Bromsgrove District Local Plan and the guidance afforded in the Bromsgrove High Quality Design SPD and the National Planning Policy Framework and should be refused.

However, the implementation of the two proposals at the same time would overcome the breach and would make the proposal acceptable. The Unilateral Undertaking would ensure that both the proposals are constructed at the same time.

RECOMMENDATION:

(a) MINDED to APPROVE FULL PLANNING PERMISSION

(b) That DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following the satisfactory completion of a Unilateral Undertaking to agree that both planning consents (20/01064/FUL and 20/01065/FUL) are implemented at the same time

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.

Plan reference

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:
GD2155-03 - Site Location Plan
GD2155/02 Rev B - Amended - Proposed Layouts and Elevations
GD2155/04 Rev A - Amended - Block Plan

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

Case Officer: Nina Chana Tel: 01527 548241
Email: nina.chana@bromsgroveandredditch.gov.uk

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| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|-------------------|--|-------------|--------------|
| Mr & Mrs Mumby | Proposed single storey extension to front elevation and first floor rear extension 27 Long Compton Drive, Hagley, Stourbridge, Worcestershire, DY9 0PD | 01.11.2020 | 20/01065/FUL |

RECOMMENDATION:

(a) MINDED to APPROVE FULL PLANNING PERMISSION

(b) That DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following the satisfactory completion of a Unilateral Undertaking to agree that both planning consents (20/01064/FUL and 20/01065/FUL) are implemented at the same time

Consultations

Hagley Parish Council

No objection.

Publicity

5 letters sent – Expired 09.11.2020

Relevant Policies

Bromsgrove District Plan

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2019)

Bromsgrove High Quality Design SPD

Relevant Planning History

None

Assessment of Proposal

The dwelling is semi-detached, and the proposal is for a single storey front extension to the lounge and a first-floor extension at the rear of the dwelling. The site is located within the residential area where it is considered that the principle of residential development is acceptable subject to satisfying of Policy BDP19 of the Bromsgrove District Local Plan and the guidance in the Bromsgrove High Quality Design SPD.

Long Compton Drive has a mix of dwellings including a number of semi-detached and link-detached properties. The proposed single storey lounge extension would be constructed to the front of the dwelling and would not project any further forward than the

existing building line. Whilst this is the case, the projection would be in breach of the 45-degree guidance and would therefore have a detrimental impact on the residential amenity of the occupiers of No 25 Long Compton Drive. The proposal is therefore considered unacceptable.

The extension would follow the roof pattern of the existing garage and porch. In terms of design, the proposal is designed to reflect the surrounding properties. Having regard to the relationship of the proposed extensions in terms of design, to the surrounding properties, the proposal raises no residential amenity issues and is therefore considered acceptable.

The proposed first floor extension at the rear would project two metres beyond the rear wall. The two-metre projection would be in breach of the 45-degree guidance and would therefore have a detrimental impact on the residential amenity of the occupiers of No 25 Long Compton Drive. The proposal is therefore considered unacceptable. It is not considered that this aspect of the scheme would cause adverse overlooking issues to the adjacent properties given the existing configuration of the first-floor windows to the rear elevation.

The residents of 25 Long Compton Drive have also submitted an application (20/01065) which replicates these proposals. To overcome the 45-degree breach, both parties have agreed to enter into a Unilateral Undertaking with the Council to construct both the front and the rear extensions at the same time. This joint approach would remedy the 45-degree code conflict.

Conclusion

Having regard to the above, the standalone proposal is considered to be an unacceptable form of development in this location and would not be in compliance with Policy BDP19 of the Bromsgrove District Local Plan and the guidance afforded in the Bromsgrove High Quality Design SPD and the National Planning Policy Framework and should be refused.

However, the implementation of the two proposals at the same time would overcome the breach and would make the proposal acceptable. The Unilateral Undertaking would ensure that both the proposals are constructed at the same time.

(a) MINDED to APPROVE FULL PLANNING PERMISSION

(b) That DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following the satisfactory completion of a Unilateral Undertaking to agree that both planning consents (20/01064/FUL and 20/01065/FUL) are implemented at the same time

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:
GD2179/03 - Site Location Plan
GD2179/02 Rev B - Amended - Proposed Elevations and Layouts
GD2179/04 Rev A - Amended - Block Plan

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

Case Officer: Nina Chana Tel: 01527 548241
Email: nina.chana@bromsgroveandredditch.gov.uk

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20/01064/FUL & 20/01065/FUL

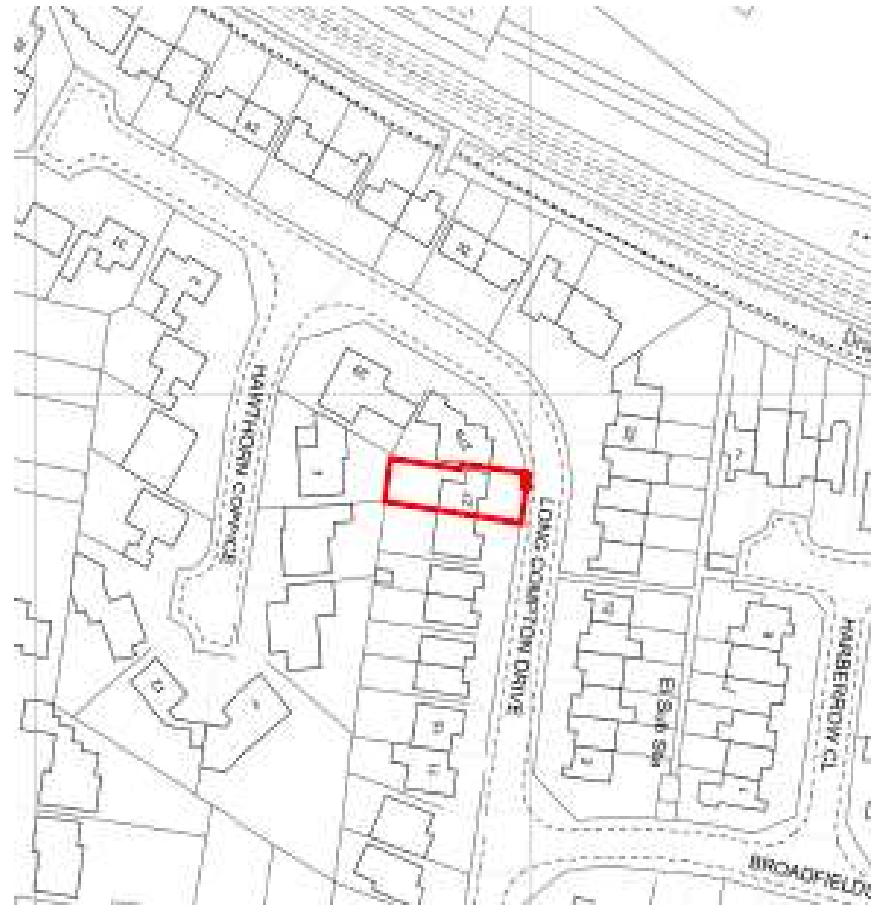
Proposed single storey extension to front elevation and first floor rear extension

Recommendation: Grant Planning Permission subject to Unilateral Undertaking

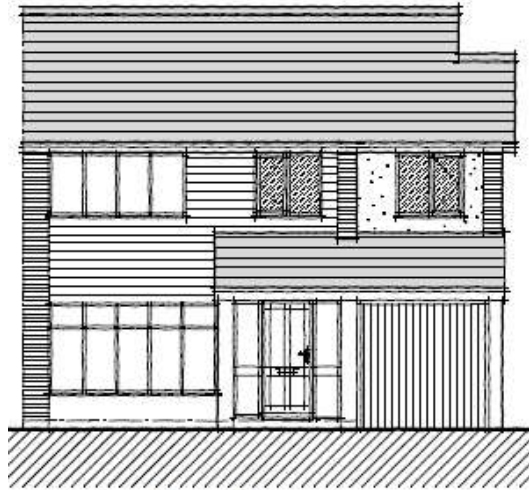
Site Location Plan

No. 25

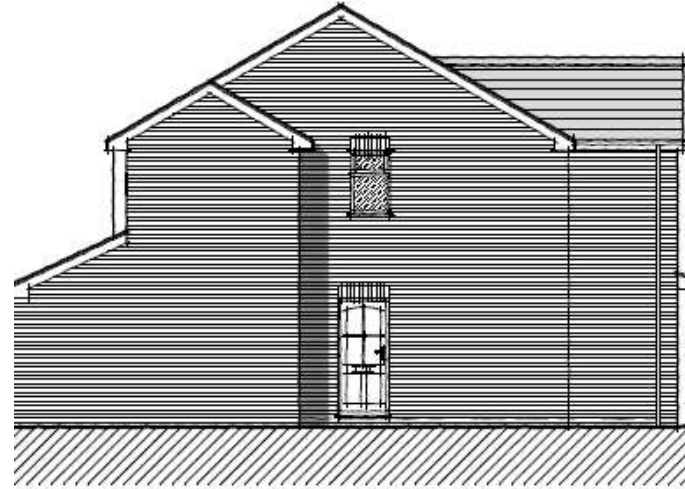
No. 27



Existing Elevations – No. 27



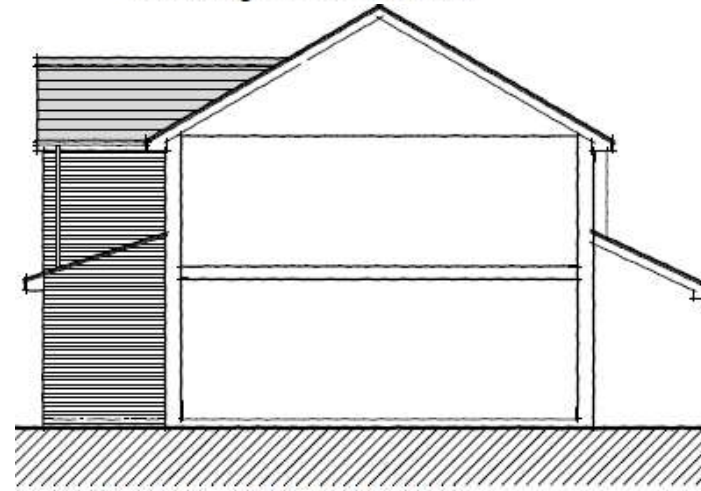
Existing Front Elevation



Existing Side Elevation

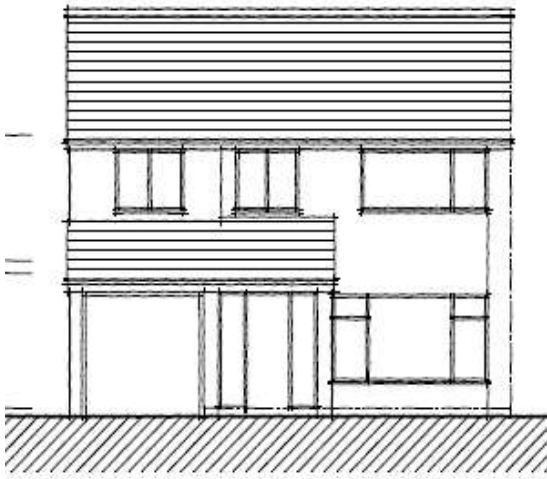


Existing Rear Elevation

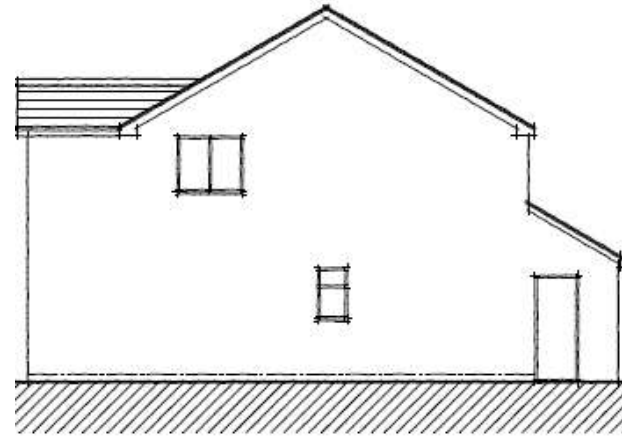


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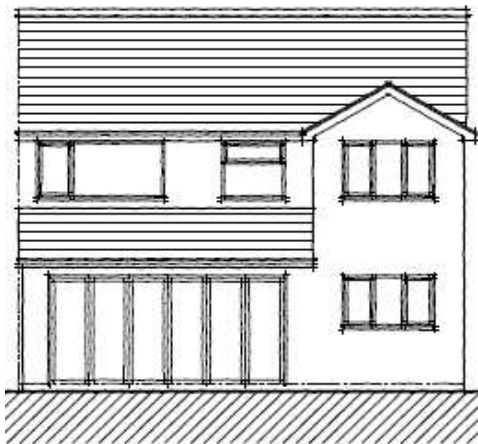
Existing Elevations – No. 25



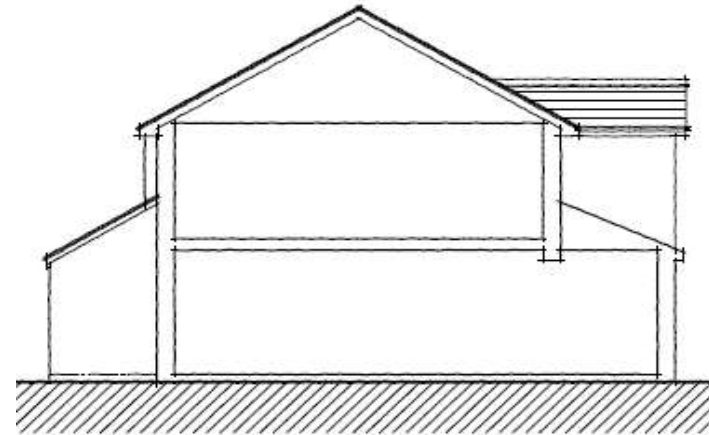
Existing Front Elevation



Existing Side Elevation



Existing Rear Elevation

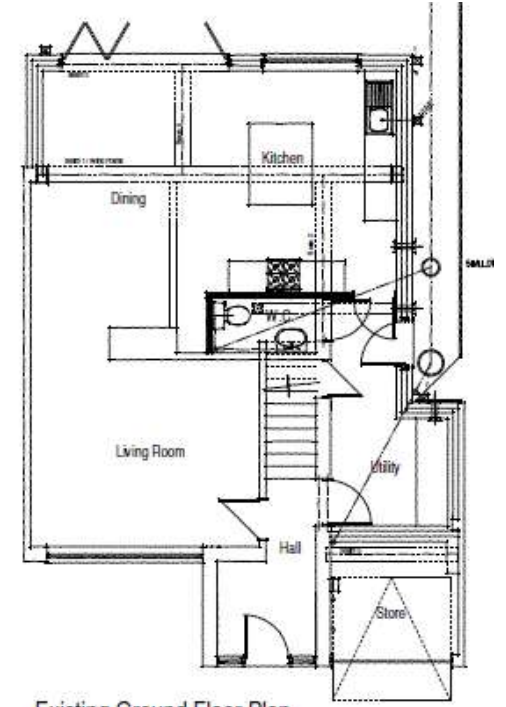
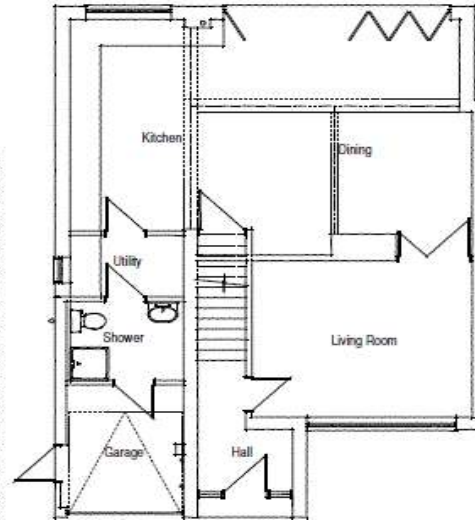


Existing Side Elevation

No. 25

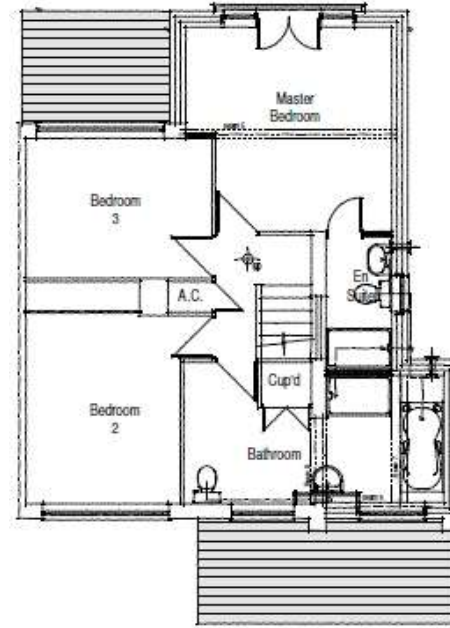
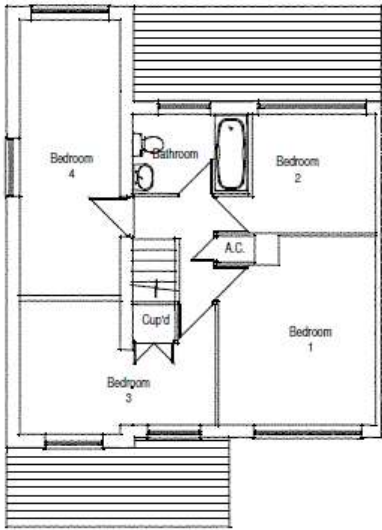
Existing Layouts

No. 27



Existing Ground Floor Plan

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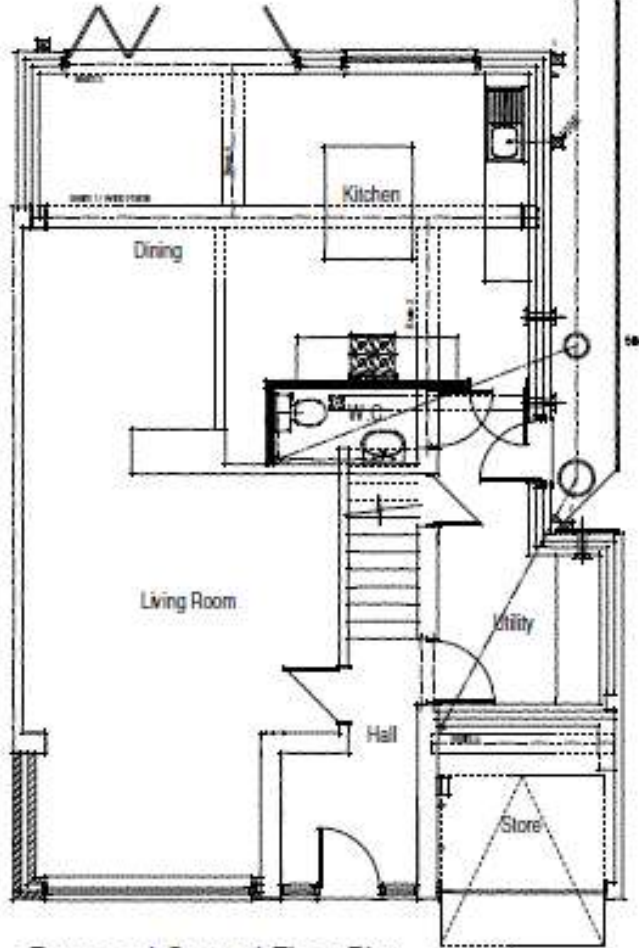
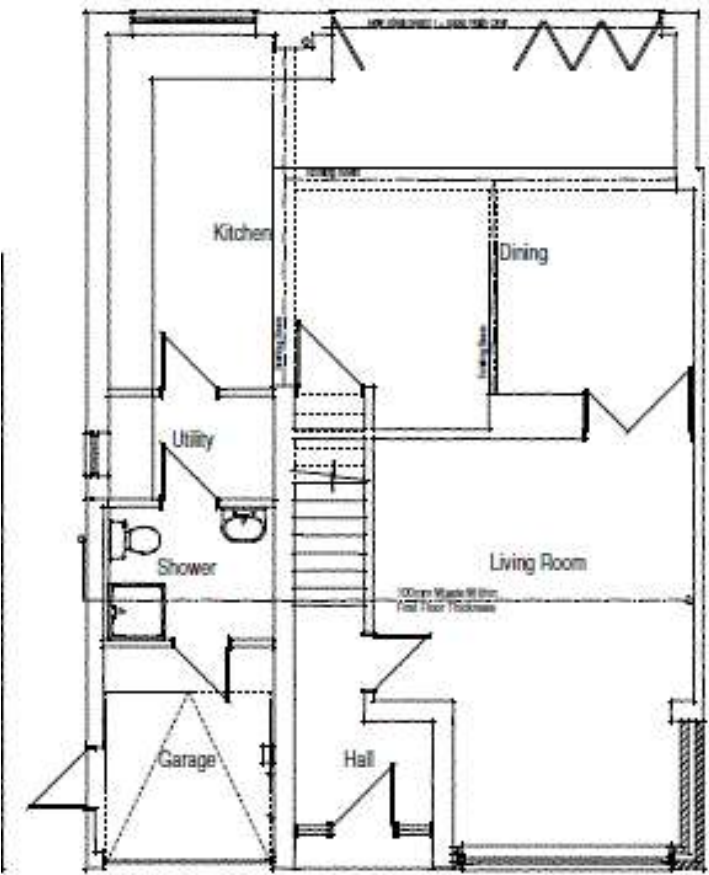
Agenda Item 5

Proposed Ground Floor Layouts

No. 25

No. 27

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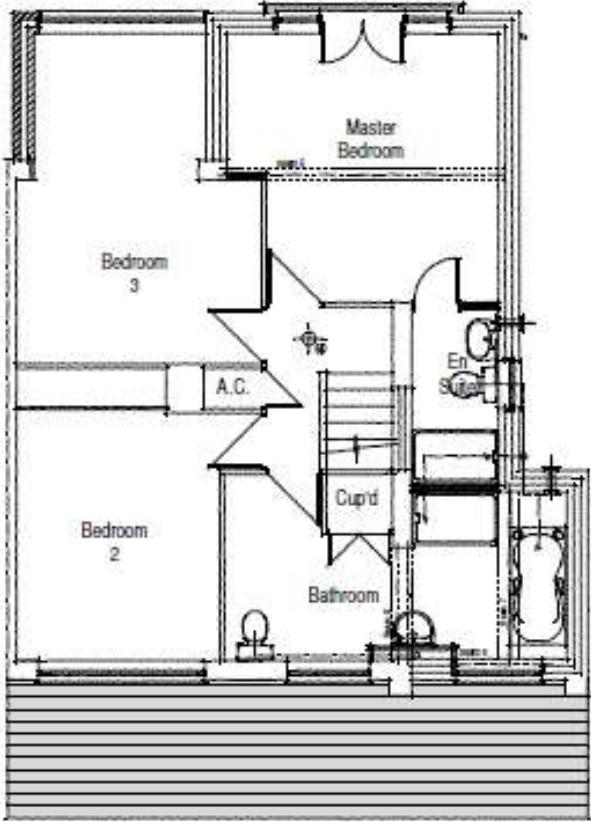
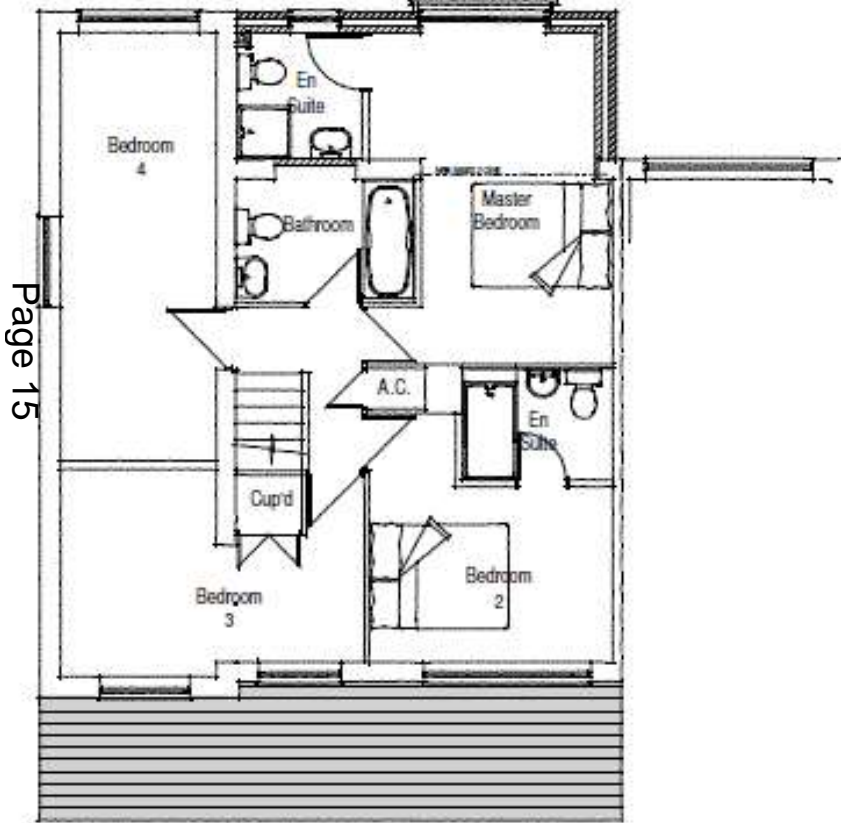


Proposed Ground Floor Plan

Proposed first floor layout

No. 25

No. 27



Proposed First Floor Plan

Proposed Rear Elevations

No. 25



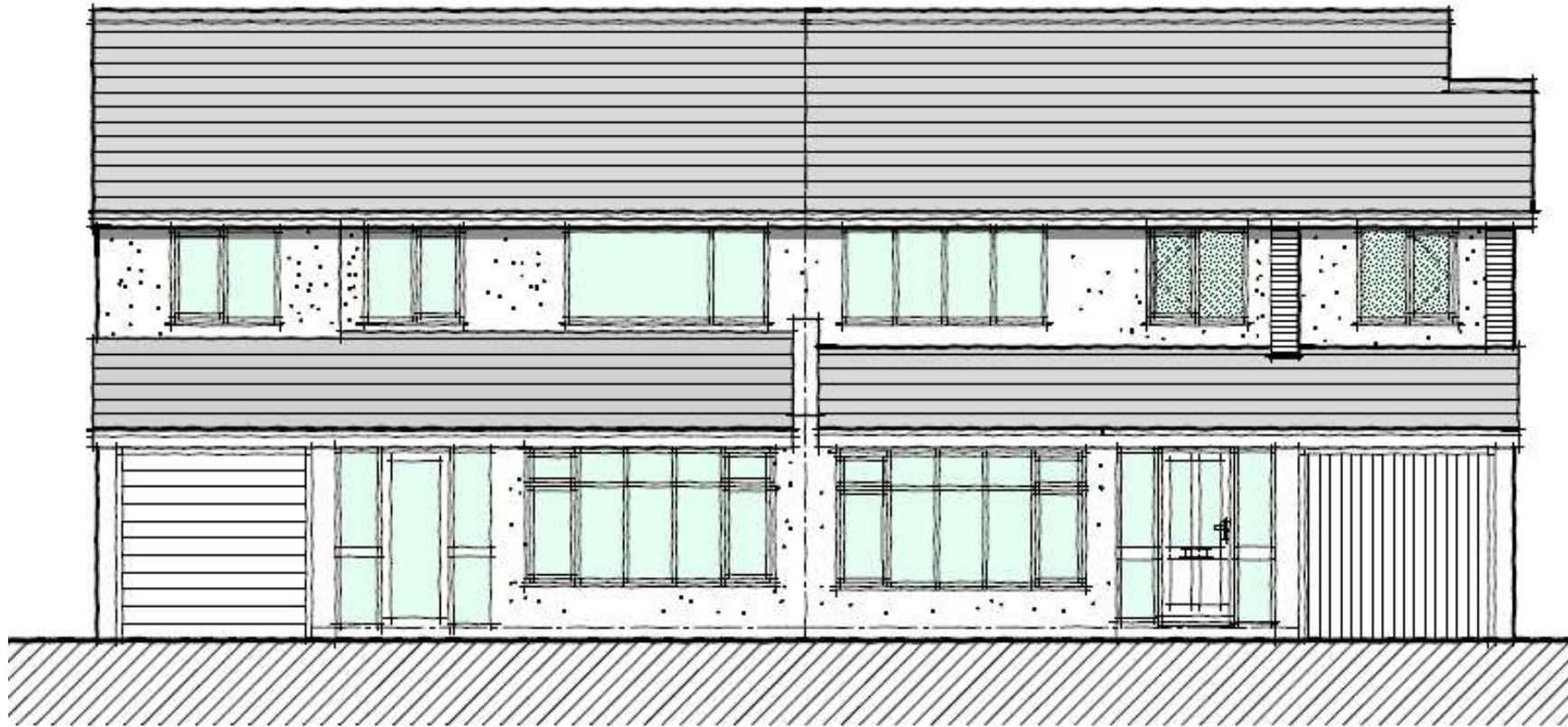
No. 27



Proposed Front Elevations

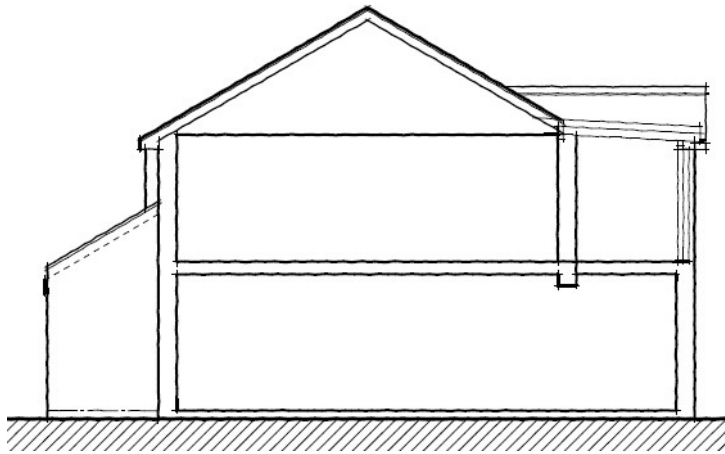
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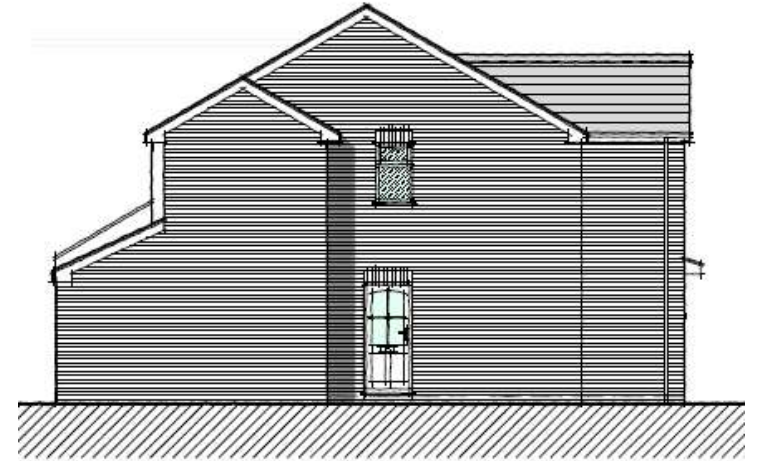


Proposed Side Elevations

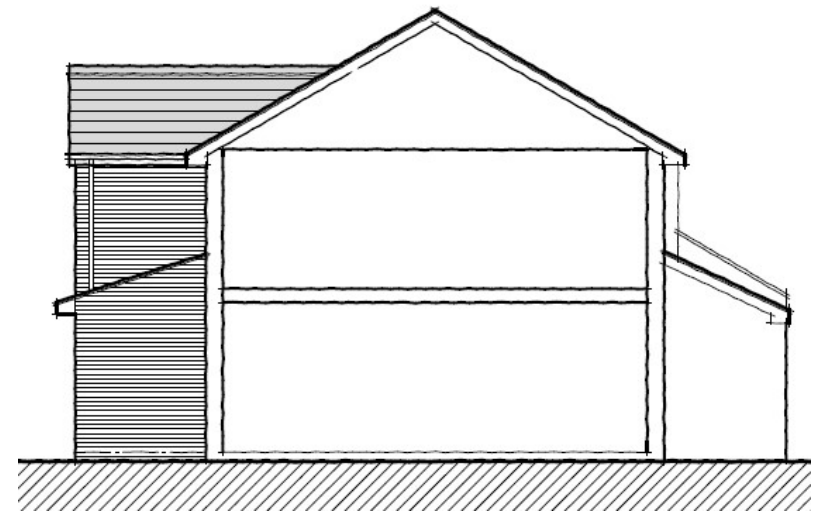
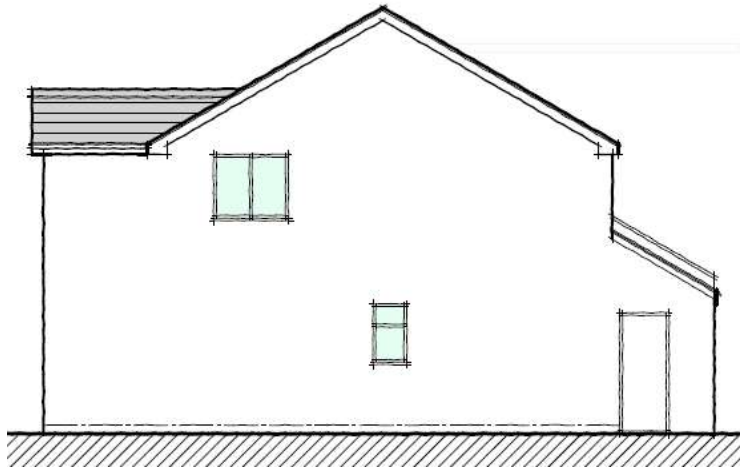
No. 25



No. 27



Proposed Side Elevation



| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|-------------------|--|-------------|--------------|
| Amie Holden | Two storey side extension. Demolition of workshop and modern garage. Removal and excavation of existing hard surface and replace with garden area with tiered retaining walls. 9 Parish Hill, Bournheath, Bromsgrove, Worcestershire, B61 9JH | 11.11.2020 | 20/01129/FUL |

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

RECOMMENDATION: That planning permission be **REFUSED**

Consultations

Highways

No objection - The property has the ability to park 3 plus vehicles on site

North Worcestershire Water Management

No objection.

Condition requested to ensure a porous surface is retained in perpetuity.

Node (Conservation Consultant)

The local importance of the nailing industry is recognised within local planning policy BDP20.12. As such the house and workshop are non-designated heritage assets as defined by National Planning Practice Guidance paragraph 18a-039, with a degree of heritage significance that merits consideration in determining the application. Decision makers are advised that the significance of the assets is low, balancing the importance of the buildings' historic function to local distinctiveness, against the relatively extensive alterations of the structures, and the impacts of 20th century development on the ability to understand their historic function. Further, the degree of harm represents a total loss of the significance of the workshop; however, it is recognised that the cottage itself will remain, albeit in an extended form. The submitted structural survey, and its conclusions as to the low potential for the workshop's restoration, should be weighed in decision making, accordingly. Should the local planning authority deem the survey's methodology sound, officers are advised that the loss of the workshop would be regrettable but permissible under prevailing legislation and policy for heritage assets.

Worcestershire Archive And Archaeological Service

This application has been checked against Worcestershire's Historic Environment Record and is considered to affect an undesignated heritage asset recorded on the HER. WSM73539 "Small late 19th century garage/workshop associated with the nail industry. Brick with corrugated tin or iron roof." The nail industry is an important part of the heritage of the Bromsgrove area, therefore, whilst the building is of low significance, it still makes a contribution to the understanding of that industry.

Whilst there is no objection to the proposed development, should the LPA be minded to grant permission, a Level 1 (as defined by Historic England) Historic Building Record should be undertaken and submitted to the HER

Bournheath Parish Council

No objection

The appearance of the property would be much improved, as the old nail shop is falling down and the existing garage is not in keeping with the cottage. The gravel areas are good for drainage but members would like to see some measures to ensure that gravel is not washed into the road during heavy storms.

Public notifications

4 neighbour letters were sent 08.10.2020 and expired 01.11.2020

A site notice was posted on 06.10.2020 and expired on 30.10.2020

No response received

Councillor May

Requested the application be considered by the Planning Committee rather than being determined under delegated powers.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP20 Managing the Historic Environment

Others

Bromsgrove High Quality Design SPD

NPPF National Planning Policy Framework (2019)

Relevant Planning History

| | | | |
|-------------|-------------------------------|----------|------------|
| BU/271/1973 | Replace cottage with bungalow | Approved | 13.05.1973 |
| B/1994/0364 | Extensions and alterations | Approved | 18.07.1994 |

Assessment of Proposal

Application Site and Proposal

The application site is located on the north-eastern side of Parish Hill in Bournheath, in the designated Green Belt and outside of the defined village settlement boundary. It comprises an existing cottage set back from the highway behind a detached workshop, with a modern, flat roof garage attached to the south-western elevation of the dwelling. There is a very small amenity area to the rear of the existing dwelling with the majority of the remainder of the site being a tarmac driveway. The site is bound to the north-east and

south-west by dwellings and to the south-east by a field. There is a relatively steep gradient to the road with the land sloping downwards by approximately 3 metres from south-west to north-east. The existing ground has been built up against the side wall of the house and the workshop, meaning that the ground floor of the existing dwelling and the workshop are partly obscured from view and that the attached flat roof garage sits at first floor level with an eaves height higher than the eaves of the existing dwelling.

This proposal seeks permission to construct a two storey side extension, to demolish the workshop and modern garage, and to remove and excavate the existing hard surface which would be replaced with a tiered grassed garden area comprising retaining walls. The two storey extension would create enlarged living space on the ground floor and two more bedrooms and a study at first floor.

Conservation

The existing dwelling was originally constructed as a very modest one bedroom nailer's cottage with the original principal elevation forming what is now considered to be the existing rear elevation of the cottage. In front of the nailer's cottage stands a brick built nailer's workshop with a corrugated roof. Both buildings are thought to date back to the 19th century and are considered non-designated heritage assets. Whilst not listed nationally, buildings relating to the nailing industry are recognised in policy BDP20 of the Bromsgrove District Plan as being Heritage Assets of local importance due to their notability in terms of local character and distinctiveness. The nailer's workshop is listed as an undesignated heritage asset on the Historic Environment Record.

A Structural Engineers report has been provided in support of the application which states that the building would require extensive repairs and reconstruction to provide structural stability. The report recommends the building be demolished.

A heritage statement submitted with the application identifies that the workshop has been extensively altered, partially rebuilt, re-roofed and that the principal openings have been blocked and new large openings created. The building retains little historic interest. The raised car parking area also screens one elevation of the structure.

For the reasons above the Conservation Officer is in agreement that the nailer's cottage is of low significance and acknowledges the low potential for restoration of the building.

Policy BDP20 seeks to enhance and retain non-designated Heritage Assets and is consistent with paragraph 197 of the National Planning Policy Framework (NPPF) which states that a balanced judgment should be applied to applications that directly or indirectly affect heritage assets, having regard to the scale of any harm or loss as a result of the proposed development and the significance of the heritage asset.

As the workshop is neither structurally viable nor retains any significant features related to its original function, in this instance its loss would be considered acceptable, subject to a condition requiring an historic building record being undertaken. It is recognised that the nailer's cottage would remain, albeit in an altered and extended form.

Originally number 11 Parish Hill was a cottage attached to number 9 where the modern garage currently sits. In the 1970s the cottage forming number 11 was demolished and

rebuilt higher up the hill as a bungalow. A modern garage was then erected as an extension in its place. This garage originally fell within the ownership of number 11 but over time has become part of the ownership of number 9.

In 1994 the nailer's cottage was extended by virtue of a two storey front gable projection to provide a second bedroom at first floor and extended living accommodation at ground floor. It is considered that the character of the original nailer's cottage has already been lost through these extensions and alterations.

Green Belt

The development of new buildings in the Green Belt is considered inappropriate, except for a number of exceptions as outlined in Policy BDP4 of the District Plan and paragraph 145 of the NPPF. Criteria 4 of Policy BDP4 sets out that extensions are permitted to existing residential dwellings either up to a maximum of 40% increase of the original dwelling, or, an increase of up to a maximum total floor space of 140m² (original dwelling plus extensions) provided that this scale of development has no adverse impact on the openness of the Green Belt. This policy is compliant with the NPPF. The NPPF defines 'original building' as 'a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'.

The Officer's report for the 1994 extensions stated that an additional floor area of 10m² would be created, however, the plans appear to show the floor area created to have been greater than this. As the 1994 plans can no longer be scaled your Officer has deducted 10 square metres from the floor area of the existing plans submitted with the application to obtain an approximate original floor area for the dwelling. Although the workshop is proposed to be demolished, it is still classed as an 'original' building in close proximity of the dwelling, therefore its floor area of 32.5m² has been included when determining the original base figure from which to calculate the percentage increase from. The High Quality Design SPD states that a 40% increase can be calculated as either floor space or volume and that this should be measured externally, therefore the ground **and** first floor areas have been calculated. On this basis and from measuring the submitted plans your Officer considers the original floor area was 112.5m². The total floor area (ground and first floor) of the proposed extension would be 85.8m². This combined with the existing extension (of a minimum of) 10m² would still equate to an increase of 85.1%. The existing non-original attached garage has not been included in the calculations due to the fact it is proposed to be removed as part of the proposal.

Notwithstanding the above, where the original dwelling was of a modest size, a more appropriate approach would be to apply the 140m² limit. Again, this approach is based on floor area, not just ground floor footprint. Using this approach, the resultant dwelling would have a total floor area of 175.8m². As the built form on site already exceeds the 140m² limit it is necessary to compare this with the proposed built form. The proposal would result in an increase in floor area on the site of 22.4m² when compared with the existing built form on site.

In considering proportionality, it is also necessary to consider the form, bulk, height and overall scale of the enlarged building not just the floorspace and size calculations. Given its scale and siting, the proposed side extension would add substantial bulk and would dominate the original building which has already been extended. As such, the size of the

proposed development would result in a disproportionate addition over and above the size of the original building, thus resulting in inappropriate development in the Green Belt.

Openness

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness refers to the absence of development on land and has a visual and spatial element. Openness is a separate issue from the effect of a development on the character and appearance of an area.

The Agent maintains there will be a net gain to the openness of the Green Belt, however, this is based on comparing just the footprint of the buildings to be demolished and the ground floor only of the proposed extension. A hard surface area comparison has also been provided by the Agent which shows the proposed development would reduce the level of hard surfacing by 103.4m² also contributing to the openness of the Green Belt. Having visited the site, your Officer notes that the area marked as slabbed on the existing site plan is grassed, therefore this figure is considered to be approximately 44m², a smaller net gain.

It is recognised that the removal of the existing workshop and garage along with the hardstanding would noticeably reduce the footprint/coverage of development on the site. However, this does not take into account the height and mass created by the two storey extension which would be fully exposed due to its siting, the demolition of the workshop and the proposed excavation works to make the ground level the same as the existing cottage. The garden area would also still involve the introduction of tiered retaining walls. Given its height, mass and siting the proposed extension would undoubtedly have a greater spatial and visual impact on the openness of the Green Belt compared to the existing situation.

For the above reasons, the development would not preserve the openness of the Green Belt and would therefore conflict with the aims of Policies BDP1 (Sustainable Development Principles), BDP4 (Green Belt) and BDP15 (Rural Renaissance) of the District Plan and the NPPF.

Character and Design

Policy BDP19 of the District Plan requires development to follow the guidance within the High Quality Design SPD and the NPPF to achieve good design. The SPD requires side extensions to reflect the proportions of the original building. They should appear smaller and less substantial scale than the main building and should be clearly set down from the ridge of the dwelling and set back from the principal elevation.

The proposed extension has been designed to reflect the existing gable frontage of the dwelling with the intention of providing a symmetrical appearance. Whilst the proposed gable is narrower than the existing gable it protrudes forward of the original building line to be in line with the existing projection and is not set down from the ridge line. As such, the proposed extension would, by virtue of its design and scale, have a detrimental effect on the character and appearance of the dwelling.

Residential Amenity

The proposed extension does not raise any concerns in respect of residential amenity by virtue of its siting and the positioning of the proposed windows. Number 7 Parish Hill is on the opposite side of the house to the extension and number 11 Parish Hill is some 17 metres away from the proposed extension and 5.4 metres higher.

Highways

The Highways Officer considers there to be sufficient space for the parking of three vehicles on site and therefore has no objection to the proposal.

Ecology

A Preliminary Ecological Appraisal was submitted with the application which found the buildings to have negligible suitability for roosting bats and the overall site of low value for foraging or commuting bats.

Very Special Circumstances

The development constitutes inappropriate development in the Green Belt. The NPPF states that inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. Moreover, the proposal would be harmful to the openness of the Green Belt. Paragraph 144 of the NPPF attributes substantial weight to this harm. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. This is a high hurdle for a development proposal to overcome.

The applicant has put forward a case for very special circumstances. The first point in case is the impact on the openness of the Green Belt. The applicant maintains that due to the raised ground levels, the existing flat roof of the garage exceeds the height of the eaves of the existing dwelling, therefore the additional bulk of the roof of the extension would be the only resulting impact. However, due to the raised land levels, the garage currently appears as a single storey flat roof building when viewed from the public vantage point of Parish Hill. The proposed works would fully expose a two storey extension with a pitched roof which has a greater footprint than the existing flat roof garage.

In addition, to the above the applicant maintains that a large proportion of the new extension would be constructed at a subterranean level given the existing ground levels of the site. However, the proposal is to excavate the existing land levels to fully expose the new extension, therefore no part of the extension would be subterranean.

The second point relates to the improvement of the visual amenity of the site through the demolition of a dilapidated workshop and an incongruous flat roof modern garage, both of which obstruct views of an attractive cottage. The workshop is recognised as being in a state of disrepair, nonetheless it is still recognised as a non-designated heritage asset and its loss, whilst accepted for the reasons stated above, should not be viewed as a benefit of the scheme. Policy BDP1 states that regard should be had to the impact on

visual amenity. The proposed works would improve the visual amenity of the site through the removal of a significant amount of hard standing and replacing it with a more natural grassed area, and the removal of an obstructive, unsympathetic flat roofed garage, however, the proposed extension would still have a greater visual and spatial impact on the openness of the Green Belt by virtue of its scale, height and massing and would not appear subservient to the existing dwelling. Furthermore, it is also noted that the introduction of a grassed area, would still comprise tiered retaining walls, thus would not appear entirely natural. For this reason, limited weight is attributed to these benefits.

The final point relates to the structural issues on the site. The ground floor side wall of the dwelling and the workshop are below external ground level and have major damp issues. A damp proofing specialist has advised that the most successful way to remedy the damp issue would be to demolish the garage and excavate the external ground out at the side of the house down to that of the existing dwelling to allow for a chemically injected damp proof course to be installed. The structural concerns in respect of the workshop have been considered and the demolition accepted earlier in this report, however, whilst excavation may be required it is not accepted that a disproportionate extension is also required to remedy the structural issue or to ensure that the dwelling is retained in the future. As such, limited weight is attributed to this benefit.

The desire to create a larger family home is acknowledged, however, this is an argument that can be easily repeated and is thus not 'very special'. Furthermore, personal circumstances are rarely a material planning consideration and the personal circumstances of the owner or the site ownership could change. It is considered that the necessary works could be carried out to remedy structural issues, the visual amenity of the site improved, and extra living space created through a more subservient and proportionate addition.

The proposal would cause no harm to residential amenity or protected species. A lack of harm carries neutral weight in the planning balance.

Conclusion

For the reasons set out above, the benefits advanced in favour of the proposal would carry limited weight in its favour. In conclusion and on balance, the substantial weight to be given to Green Belt harm and the harm to the character and appearance of the dwelling is not clearly outweighed by the other considerations put forward and therefore the very special circumstances needed to justify the proposed development do not exist. As such, the development would conflict with policies within the District Plan and the NPPF.

RECOMMENDATION: That planning permission be Refused

Reasons for Refusal

- 1) The proposed extension in addition to the existing extension would constitute a disproportionate addition to the original dwelling. Disproportionate additions are by

definition inappropriate development in the Green Belt. Given its height, mass and siting the proposed extension would undoubtedly have a greater spatial and visual impact on the openness of the Green Belt compared to the existing situation. It is not considered that the very special circumstances put forward clearly outweigh the substantial weight given to the harm identified. The proposal would therefore be contrary to Policy BDP4.4 of the Bromsgrove District Plan and the provisions of the NPPF.

- 2) The proposed extension would not, by virtue of its design and scale, appear subordinate and would thus have a detrimental effect on the character and appearance of the dwelling. As such, the development would be contrary to Policy BDP19 of the Bromsgrove District Plan and the Bromsgrove High Quality Design SPD.

Case Officer: Laura Russ Tel: 01527 534122
Email: l.russ@bromsgroveandredditch.gov.uk

Bromsgrove District Council

Meeting of the Planning Committee

22nd March 2021

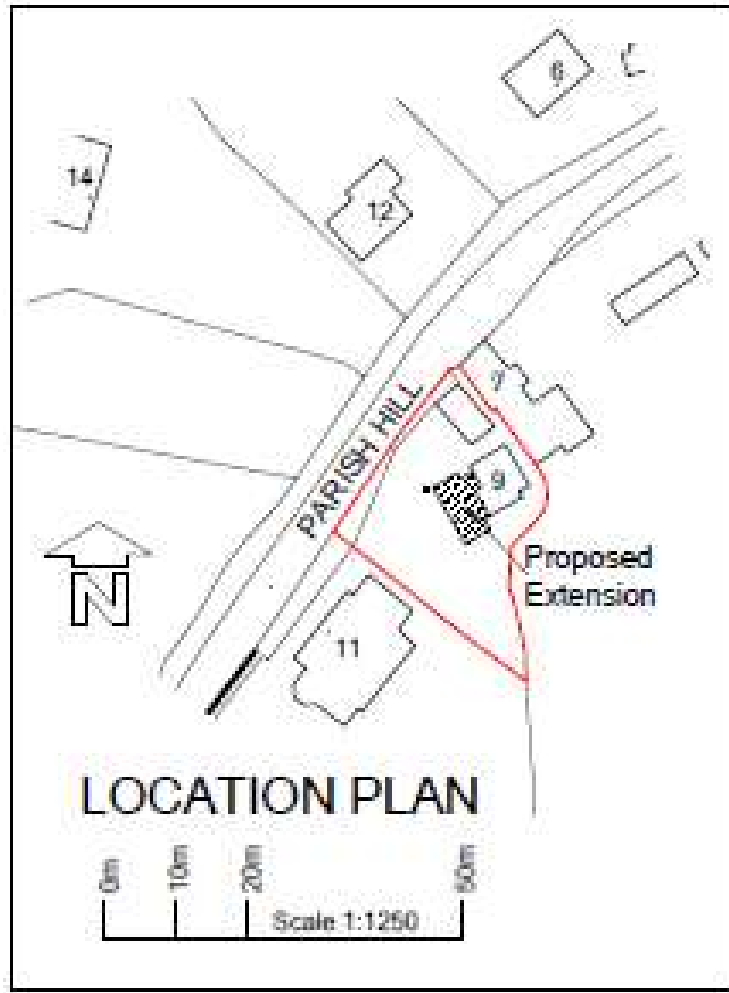
20/01129/FUL

Two storey side extension. Demolition of workshop and modern garage. Removal and excavation of existing hard surface and replace with garden area with tiered retaining walls

9 Parish Hill, Bournheath, Bromsgrove,
Worcestershire, B61 9JH

Recommendation: Refuse

Location Plan



Satellite View



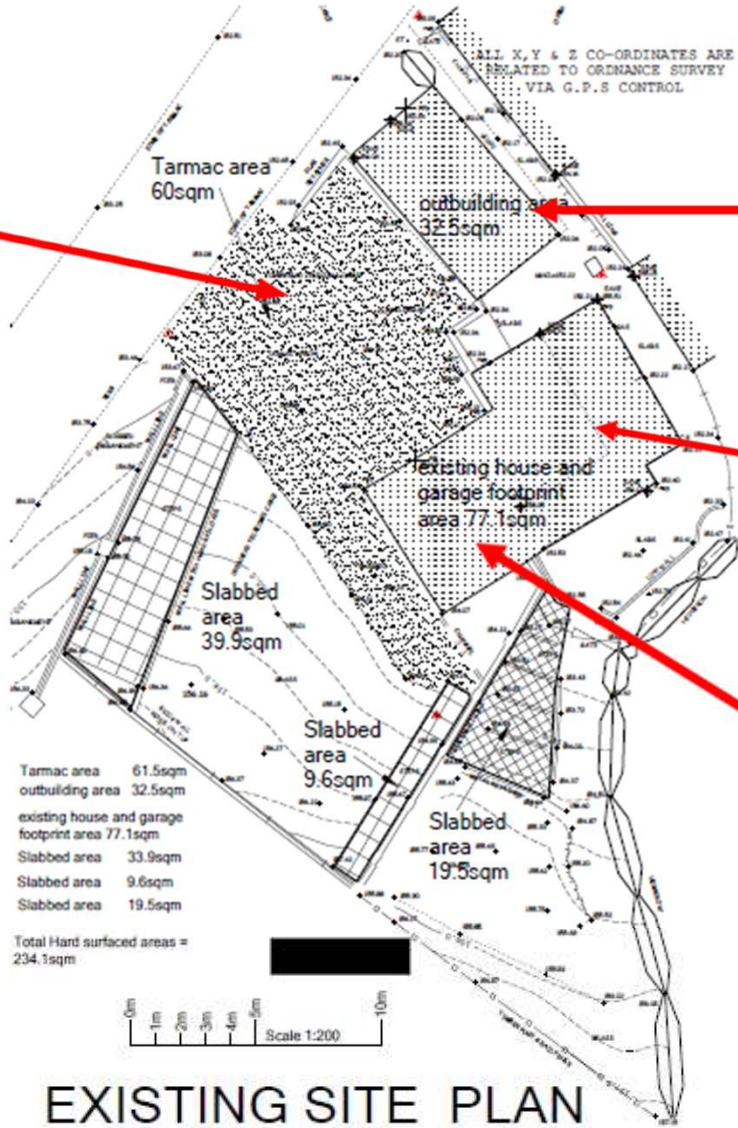
Existing Site Plan

Raised tarmac driveway

Nailer's workshop to be demolished

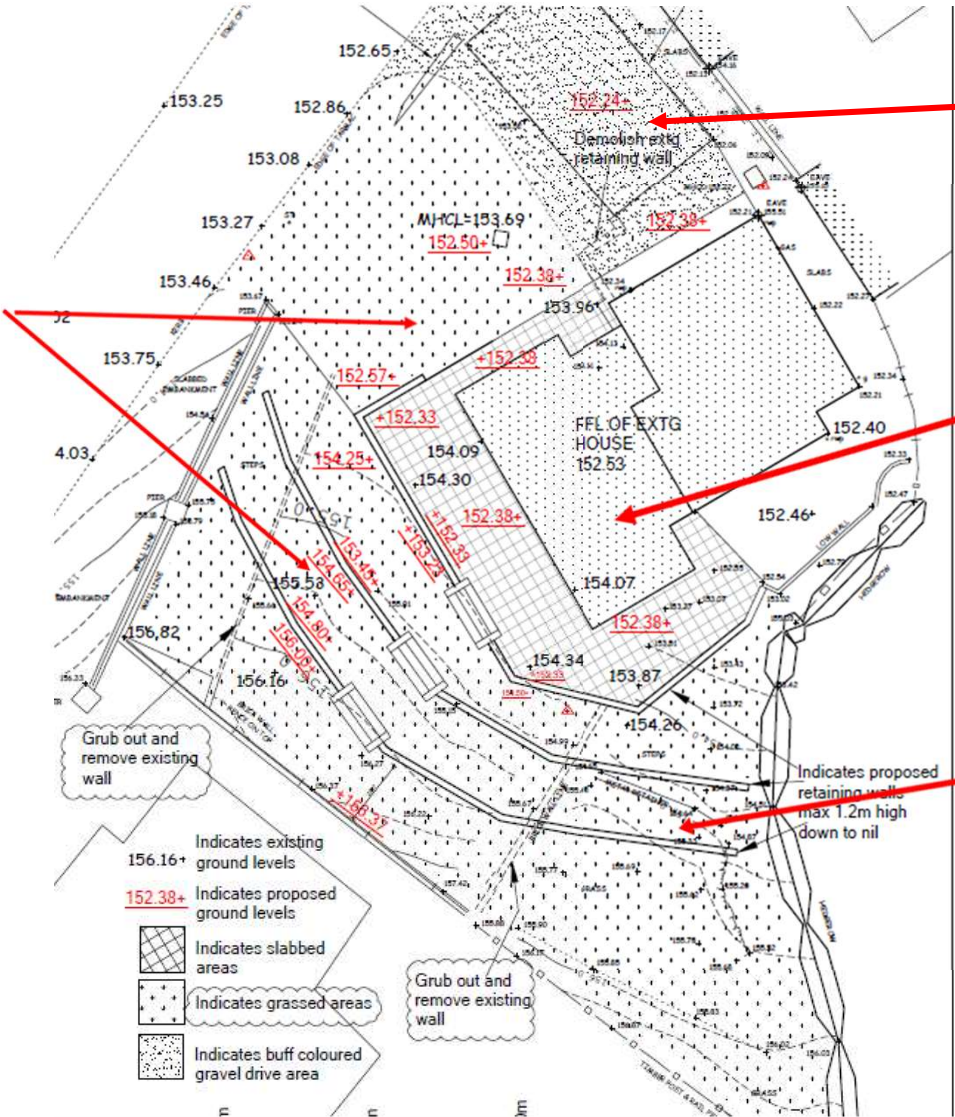
Existing extended nailer's cottage

Attached modern garage to be demolished



Proposed Site Plan

Grassed area created and excavated down to ground floor level of existing house



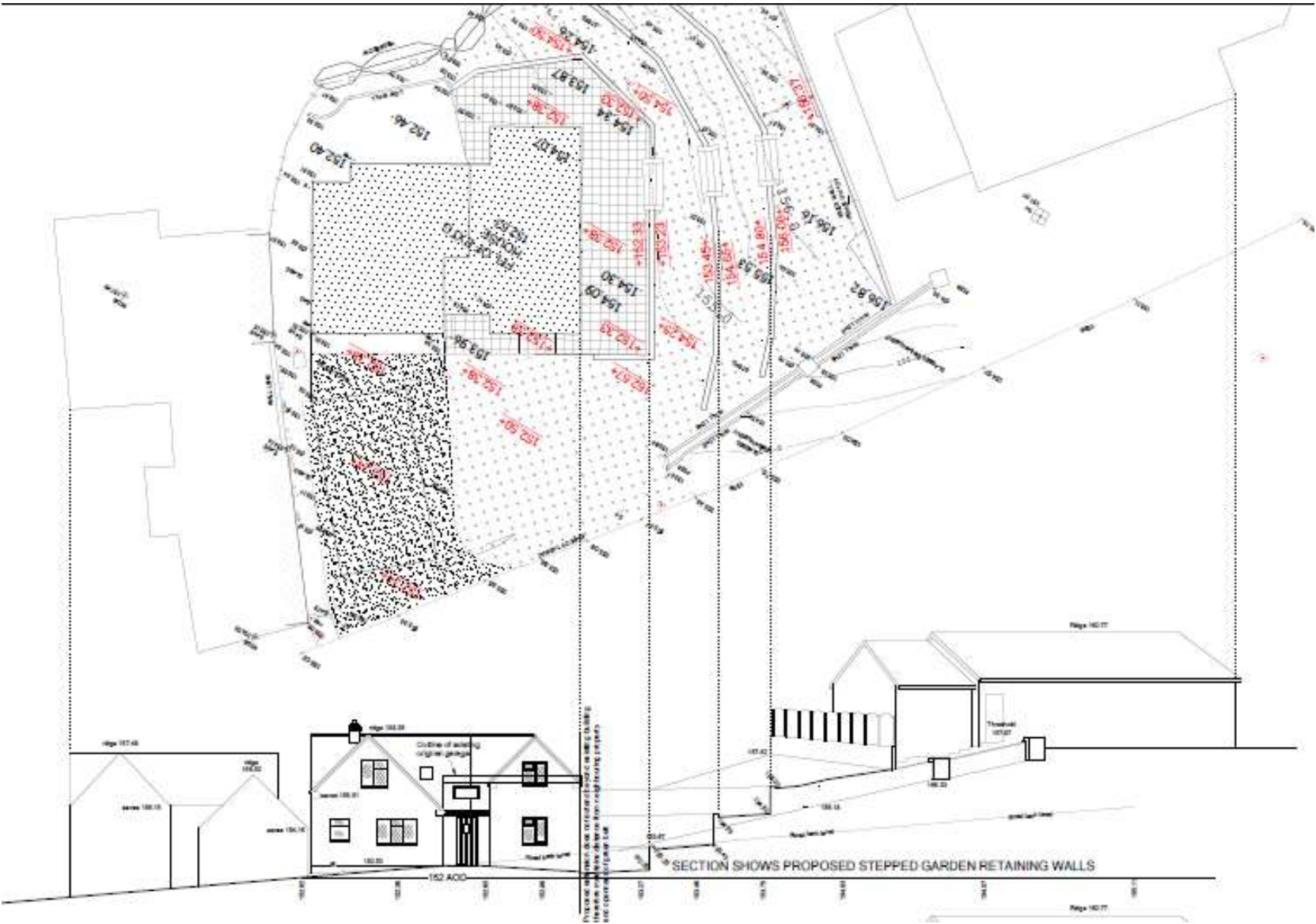
Workshop replaced with gravel drive area

Proposed two storey extension surrounded by slabbing

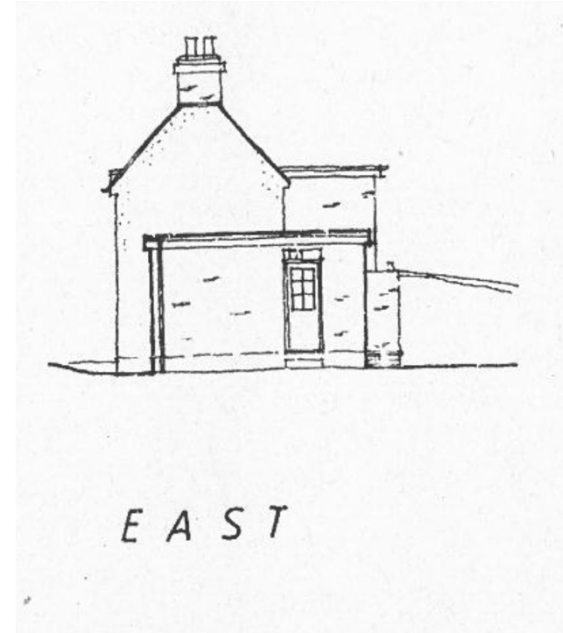
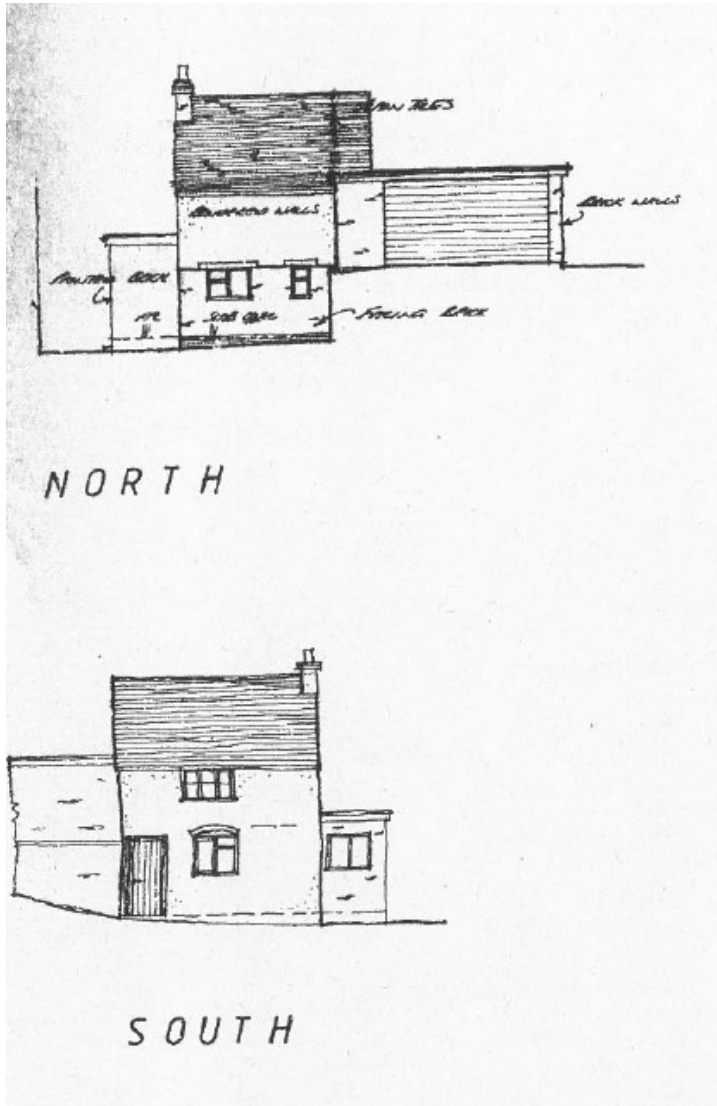


Retaining walls with steps 1.2m high down to 0m

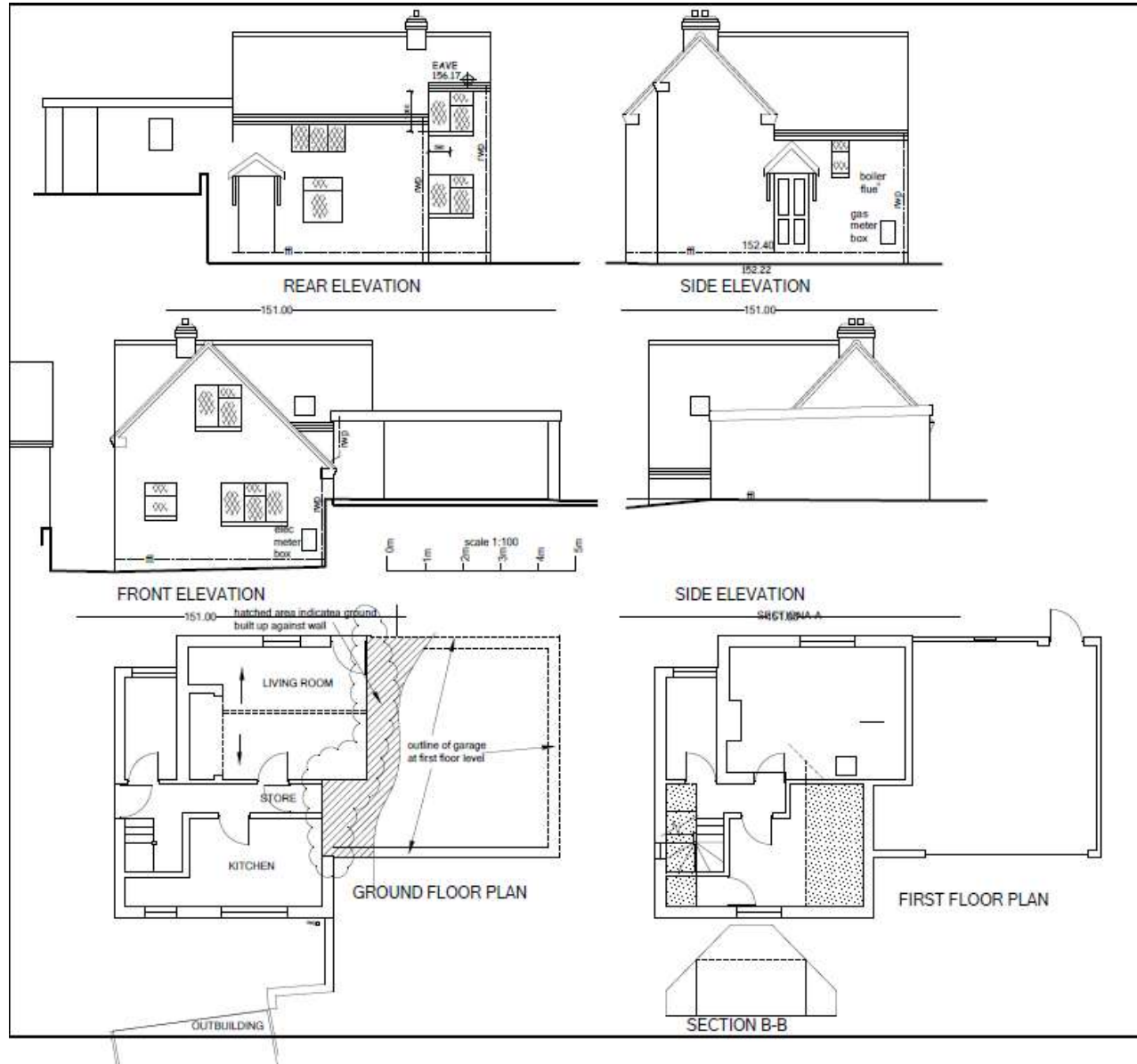
Streetscene



Original dwelling with garage attached



Existing Elevations and Floor Plans

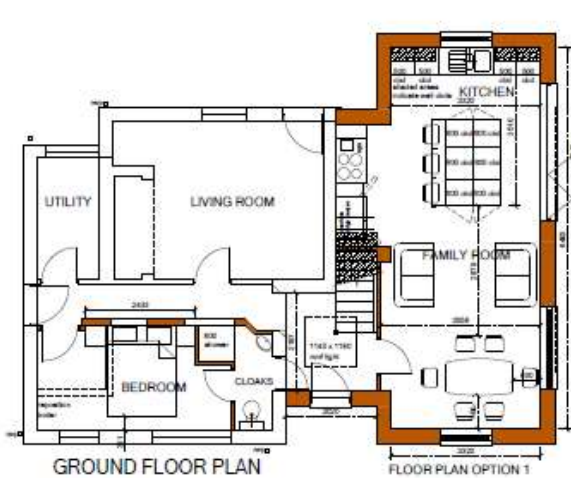
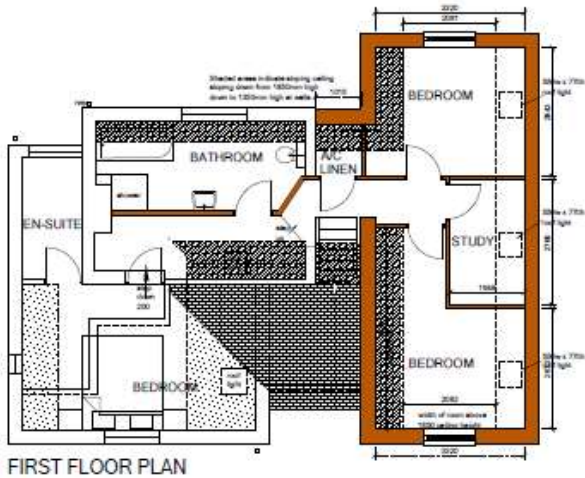
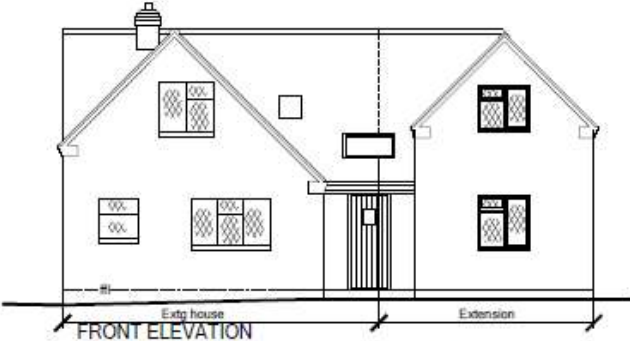




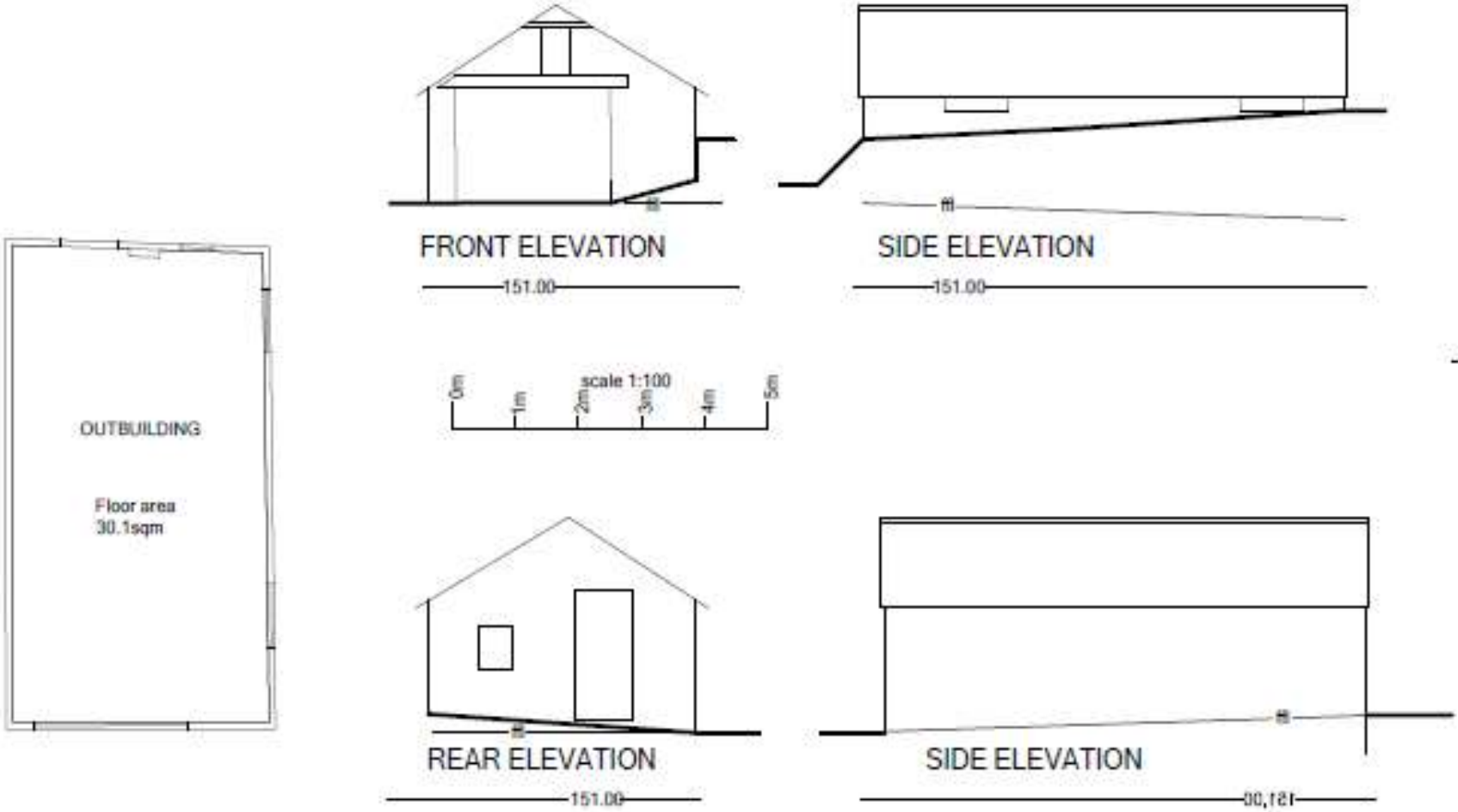
View looking down Parish Hill to the site



Proposed Elevations and Floor Plans

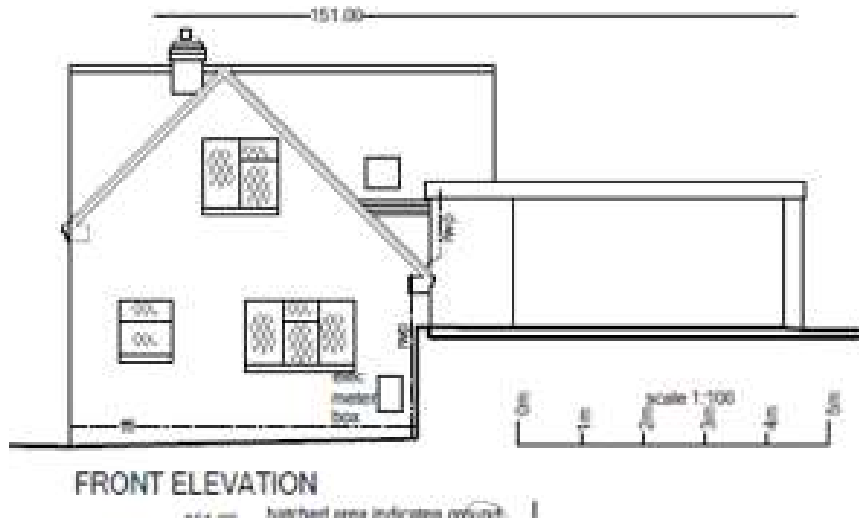


Existing workshop to be demolished



Front elevation comparison

Page 40



Existing front elevation



Proposed front elevation





Agenda Item 7

| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|----------------------|---|-------------|--------------|
| Mr Richard Fairbairn | Variation to Section 106 Agreement attached to application 13/0054 for the erection of an agricultural dwelling Hill Farm, Hockley Brook Lane, Belbroughton, Stourbridge, Worcestershire DY9 0AA | 06.02.2021 | 20/01446/FUL |

RECOMMENDATION: That the proposed Variation to the Section 106 Agreement be **Granted**.

Consultations

Kernon Countryside Consultants

No objection to the proposed variation of the Section 106 Agreement. It would not be considered to impact on the long term need for the agricultural dwelling permitted in 2015 under 13/0054.

Belbroughton And Fairfield Parish Council

The Parish Council objects to any variation to the Section 106 Agreement and feels it is inappropriate to reallocate acreage and it should be retained on the existing footprint.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt

Others

NPPF National Planning Policy Framework (2019)
SPG6 Agricultural Dwellings & Occupancy Conditions

Relevant Planning History

| | | | |
|---------|--|------------------------------------|------------|
| 13/0054 | Erection of an agricultural dwelling at Hill Farm, Belbroughton. | Approved subject to s106 Agreement | 27.03.2015 |
|---------|--|------------------------------------|------------|

Site Description

The site comprises two large parcels of agricultural land within the ownership of the applicant (edged red on the submitted plans entitled Land currently bound under s106 Agreement) One of the parcels of land surrounds Hill Farm and the other area is located to the south east of Hill Farm around New House Farm. A new agricultural dwelling has

been constructed at Hill Farm (approved under application 13/0054). Hill Farmhouse (Grade 2 Listed) is located immediately to the north of the approved dwelling and is currently in a poor state of repair.

Proposal Description

The reason for the application for a variation of the original Section 106 Agreement attached to the approval of the agricultural dwelling (Ref: 13/0054) is that the applicant wishes to sell part of the land or registered estate that is currently included in the s106 Agreement. The land proposed to be released from the S106 Agreement extends to 67.2 acres (27ha) and is edged in red on the plan entitled Figure 2 - Land at New House Farm. The variation proposes the removal of the above land from the S106 and the inclusion of the recently acquired Hill Farmhouse and the adjacent 2.2 acres into the Agreement. This land is edged in red on the plan entitled Figure 3 - Hill Farmhouse and 2.2 acres.

Assessment of Proposal

Planning permission was granted for the construction of an agricultural dwelling at Hill Farm, Belbroughton under application 13/0054 on 27th March 2015 subject to a Agreement under Section 106 of the Town and Country Planning Act 1990 which effectively tied the occupation of the agricultural dwelling and the land in the ownership of the applicant within a single planning unit. The Third Schedule of the S106 Agreement states that the owner covenants that:

1. The occupation of the proposed dwelling shall be limited to persons solely or mainly working in the locality in agriculture as defined in Section 336 of the Act or in forestry or to any resident dependents of any such persons.
2. The whole of the land and proposed dwelling shall remain in common ownership and as a single unit for planning purposes

The extent of the land bound by the Agreement is defined on the plans as stated above. (comprising a total of 47ha or 117 acres). Members should note that the only matter being considered in this application is whether the proposed variation of the S106 Agreement linked to the approval of the agricultural dwelling would be appropriate. There are no other planning matters which form part of the determination process.

The sale of 54.16 acres (21.92ha) of the Land at New House Farm (Fig. 2) has been agreed subject to the variation of the S106 Agreement and the granting of the purchaser a 10 year Farm Business Tenancy (FBT) which will be registered with the Land Registry against the title. The applicant has provided the Memorandum of Sale to confirm the terms and obligations of the sale and a copy of the draft Farm Business Tenancy Agreement. The FBT will continue on an annually reviewed basis following the expiry of the 10 year period. Therefore, the applicant will effectively continue to farm the land following the completion of the sale.

The proposed variation of the S106 needs to be considered in the context of the policy purposes of the requirement in the approval of the original application (13/0054) for the construction of an agricultural dwelling. It was considered that there was an essential need for the applicant to live on site; the enterprise was financially sustainable; and the existing farmhouse (Hill Farm) was not available for occupation by the applicant and even if it were to become available would be unsuitable. The S106 Agreement was attached to ensure that portions of the land holding were not sold to ensure the holding remained of a

size for a long term viable agricultural business so that the requirement for a dwelling was justified.

The Grade 2 listed Hill Farmhouse was in separate ownership at the time of the 13/0054 application and when it was sold in 2019, it was acquired by the applicant due the potential impact separate ownership would have on the operation of the farm business. The applicant has put forward three arguments in terms of justification for the request to vary the existing S106 Agreement. These are:

- To reduce the significant borrowing costs that the business is subject to which is stifling the growth and development of the agricultural business and diversification ventures
- The sale of the land offers the applicant the opportunity to rent largely the same area of land back under a secure Farm Business Tenancy (which forms part of the Memorandum of sale) for a minimum term of 10 years and hence the farmed area will largely remain the same improving the adaptability of the business.
- The sale of the land will also provide capital for the applicant to renovate the listed Hill Farmhouse and generate income through diversification into the holiday let market

The application relates to the variation of a Legal Agreement and policies of relevance include BDP4 of the Bromsgrove District Plan (BDP) and the advice of Supplementary Planning Guidance Note 6 (Agricultural Dwellings and Occupancy Conditions) and the NPPF are relevant.

Members should note the advice received from the Councils Agricultural Consultant. The matters to consider are: (i) size of remaining holding; (ii) current financial position of the farm; (iii) financial implications of proposals.

The advice makes the following observations in relation to these points:

(i) Size of remaining holding

27 ha of land at New House Farm is proposed to be excluded from the s106 agreement. However, the applicant will continue to farm 22ha of this land under the auspices of a 10 year Farm Business Tenancy (which is included in the Memorandum of Sale). Therefore, the reduction in the area farmed would be approx 4ha, given that the Applicant is adding 2.1 acres (1ha) of newly-acquired agricultural land into the agreement. It is concluded that the reduction in the farmed area would not significantly reduce farming capacity.

(ii) Financial position

The applicant has provided detailed accounts for 2017 -2019 which show that the enterprise was not trading profitably by 2019. The main impact on the profitability of the holding are interest costs. There have also been substantial annual increases in the cost of feed, seed and fertiliser.

The application is accompanied by a Functional and Financial Tests statement. It is evident the profit and loss accounts submitted demonstrate that the current interest/mortgage charges are overbearing and hindering the ability of the business to

grow successfully. The sale of the land would release capital to reduce debts and mortgage interest and renovate the farmhouse which is currently in a poor state of repair. The applicant is intending to renovate the farmhouse and convert it to a holiday let to supplement the income position of the farm. It should be noted that such a proposal would require planning permission and listed building consent which are not being considered in this proposal.

The agricultural consultant confirms that the proposal to remove 27ha from the s106 Agreement, sell the land, invest the capital reducing debt, restoring the farmhouse recently acquired, and with a 10 year Farm Business Tenancy on most of the land sold, will be beneficial to the overall profitability of the enterprise. The remaining farm, even without the proposed FBT, would be large enough to enable an occupant to comply with the agricultural occupancy condition attached to application 13/0054.

In the circumstances proposed, with the newly acquired farmhouse to be included within the s106 such that rental income from the dwelling will feed into the farm accounts, the farm's overall financial performance should improve. There are no agricultural concerns that the proposed amendment to the s106 would threaten the long term need for the agricultural dwelling permitted in 2015 under 13/0054.

In conclusion, the proposed variation to the S106 Agreement attached to 13/0054 to enable land to be sold would not conflict with the requirement for the agricultural dwelling permitted on the holding and would accord with policies BDP4 of the Bromsgrove District Plan and with the advice of Supplementary Planning Guidance Note 6 (Agricultural Dwellings and Occupancy Conditions) and the NPPF.

There have been no objections received from Third Parties in relation to the proposal. The comments received from Belbroughton and Fairfield Parish Council have been considered. However, the proposed variation to the S106 Agreement is considered to be acceptable for the reasons set out above. No other planning issues arise.

RECOMMENDATION: That the proposed Variation to the Section 106 Agreement be **Granted**.

Case Officer: David Kelly Tel: 01527 881666
Email: david.kelly@bromsgroveandredditch.gov.uk

20/01446/FUL

Variation to Section 106 Agreement attached to application 13/0054 for the erection of an agricultural dwelling

Recommendation: Approve

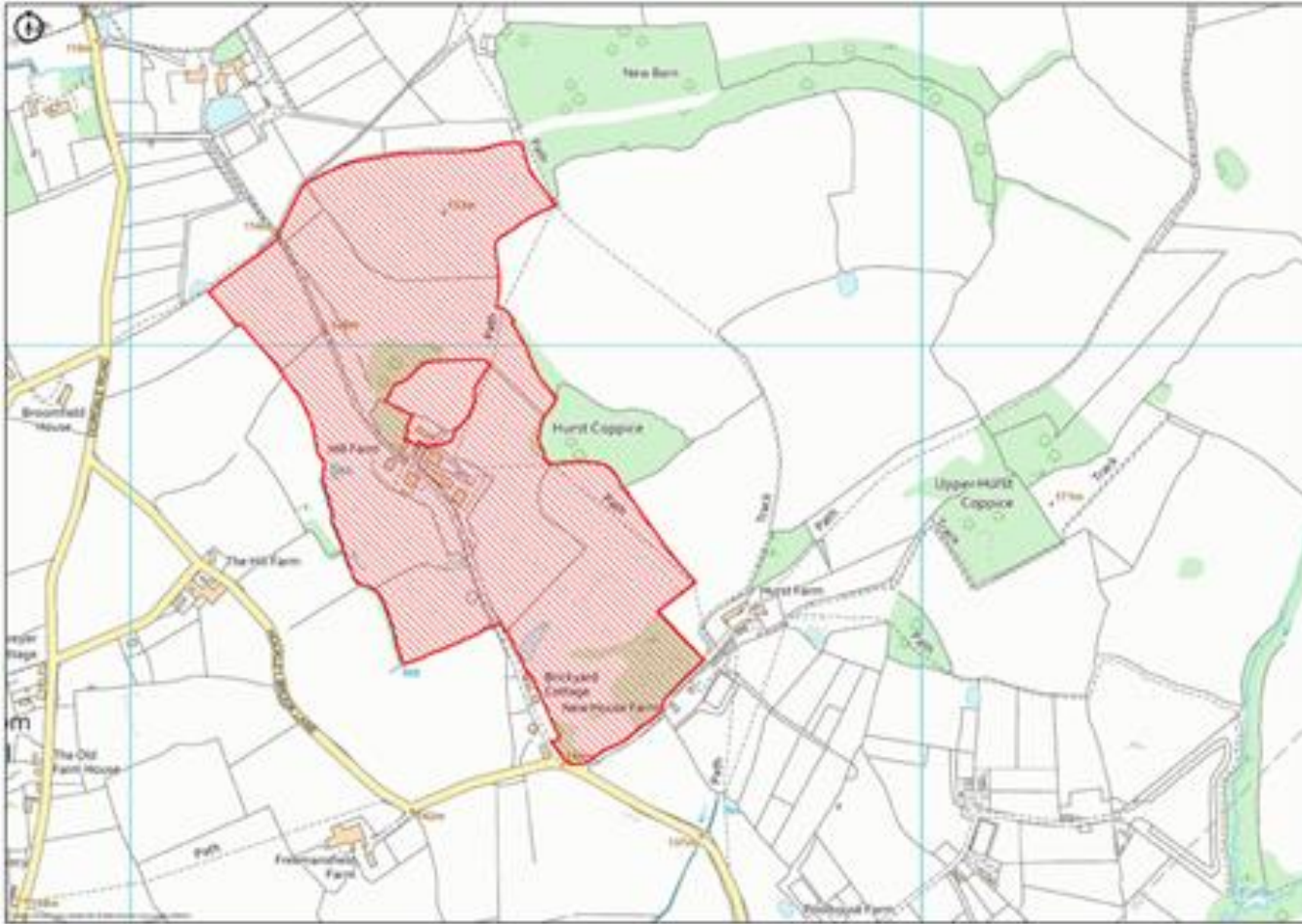
Site Location Plan



Land Currently bound by S106 Agreement



Land Proposed to be bound by S106 Agreement



Agenda Item 8

| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|-------------------|--|-------------|--------------|
| Mr Mike Powell | Installation of boiler and long log drying store within the existing barn onsite. Stoney Lane Farm, Stoney Lane, Alvechurch, Worcestershire, B60 1LZ | 30.03.2021 | 20/01603/FUL |

This application is to be heard at Planning Committee given the land is within the ownership of a Bromsgrove District Council Member.

RECOMMENDATION: That planning permission be **Granted**

Consultations

Tutnall And Cobley Parish Council

Tutnall and Cobley Parish Council fully support this application.

Highways - Bromsgrove

No objection

WRS - Contaminated Land

No significant concerns have been identified relevant to the proposal and therefore WRS have no adverse comments to make in this respect.

WRS - Noise

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

WRS - Air Quality

No significant concerns have been identified relevant to the proposal and therefore WRS have no adverse comments to make in this respect.

Conservation Officer

No objection

Publicity

A site notice was placed onsite on 5th February 2021 and expired 1st March 2021. Two Neighbour letters were sent to the adjoining occupiers on 10th February 2021 and expired 6th March 2021.

No third-party comments have been received as a result of this consultation.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP13 New Employment Development
BDP15 Rural Renaissance
BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2019)

Relevant Planning History

| | | | |
|-------------|--|---------|------------|
| B/1999/0982 | Erection of a new general-purpose storage building for machinery and fodder. | Granted | 20.12.1999 |
|-------------|--|---------|------------|

Assessment of Proposal

This application is for the re-use of an existing agricultural storage building at Stoney Lane Farm for a log drying business. The proposal will include the installation of boiler and log dryer. The only external changes to the building has been the installation of a flue in the roof. The application site is located in an area of open countryside designated as Green Belt and is an agricultural poultry farm.

Green Belt

Policy BDP4 of the District Plan is broadly compliant with Section 13 of the NPPF. These state that the development of new buildings in the Green Belt is considered to be inappropriate. One of the exceptions to this, however, is the re-use of buildings provided the openness of the Green Belt is preserved and the development does not conflict with the purposes of including land within it.

The proposed Biomass boiler is installed within the existing building and has not resulted in the increase of its overall footprint. However the biomass boiler has required the installation of a flue within the existing roof slope of the building. This flue is shown to project beyond the ridge of the roof of the building by approximately 1.7 metres.

Given the limited height of the flue above the existing ridge of the building, its diameter and the lack of public views, it is not considered this would have an impact on openness. Overall it is therefore considered that the proposal would preserve the openness of the Green Belt.

The flue would be considered to be an addition to be building. Paragraph 145 of the NPPF sets out that one of the exceptions to inappropriate development in the Green Belt

can be extensions and alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. The flue would project through the roof of the building by 1.7 metres, but would not result in the overall volume or floor area of the building being increased. Due to this, it is not considered that the proposed flue would be a disproportionate addition over and above the size of the original building.

Overall therefore the development is considered to be an appropriate form of development in the Green Belt.

Highways

Worcestershire County Council Highway Authority have raised no objections to the proposal as they do not consider that there would be any highway implications.

Historic Environment

The application site is in proximity to the Stoney Lane Farmhouse and historic barns listed Grade II. The barn subject to this application is a modern building approved in 1999. The council's Conservation Officer does not consider that the addition of the flue or the change of use of the agricultural building will harm the significance of the listed building. They have therefore raised no conservation objections to the proposal.

Noise and Air quality

Worcestershire Regulatory Services have screened the application for both noise and air quality impacts and have not raised objection to the proposal.

Rural diversification

Policy BDP15 outlines that the Council will support applications that satisfy the social and economic needs of rural communities by encouraging development that contributes to diverse and sustainable rural enterprises, rural diversification schemes and the conversion of suitably located buildings. This proposal will bring a new use to the existing farm and will be a form of diversification providing more economic benefits onsite in line with BDP15.

Conclusions

Overall it is considered that the proposal would be appropriate development in the Green Belt, and a suitable rural diversification scheme. As such it is considered that the proposal complies with the national and local policies and is acceptable.

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 approved shall be carried out in accordance with the following plans and drawings:

02B Block Plan
47279-001 Elevations
Bio-GF210 007 Boiler Details

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

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.

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

20/01603/FUL

Stoney Lane Farm, Stoney Lane, Alvechurch,
Worcestershire, B60 1LZ

Installation of boiler and long log drying store
within the existing barn onsite.

Recommendation: Grant

Location Plan

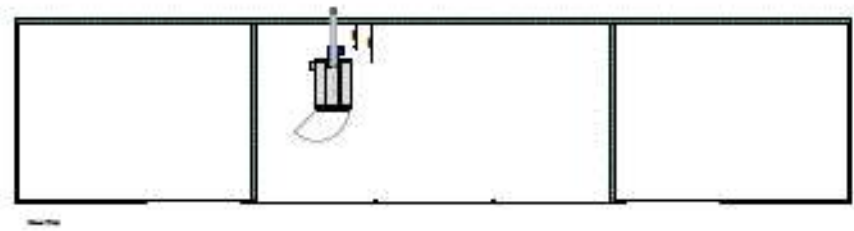
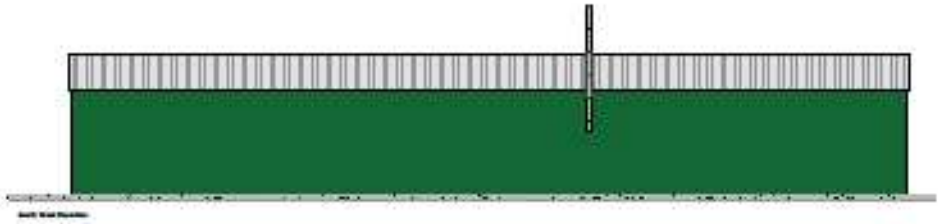
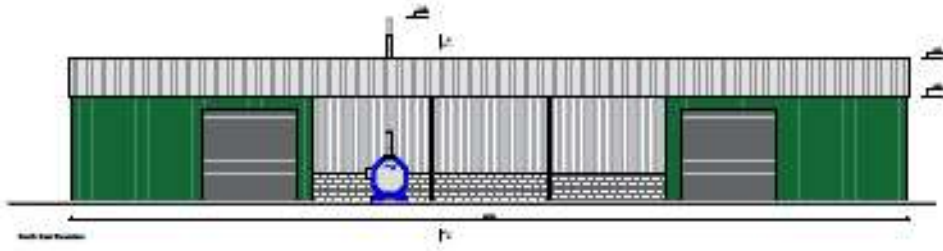


Aerial View



Proposed Plan

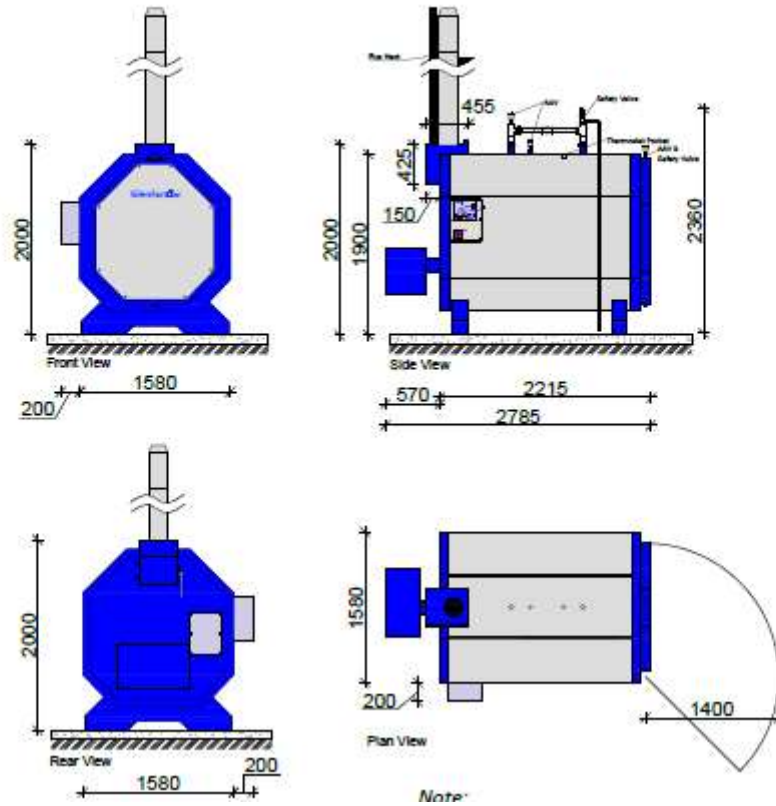
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Agenda Item 8

Biomass Boiler Details

GF210 DIMENSIONS



Log Drying Store



Site Photos



Site Photos

