

Appeal made against the refusal of planning permission

Appeal reference	APP/P1805/D/11/2148212
Planning Application	10/1129-SG
Proposal	Erection of detached garage with pool room over
Location	2 Little Bell Hall Cottages, Drayton Road, Belbroughton, DY9 0DN
Ward	Furlongs
Decision	Refused under delegated powers 28.01.2011

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Discussion

The proposal was to demolish an existing garage and outbuilding adjacent to the existing house and build a new detached double garage with pool room above to the front of the property (5.2 metres away from the front of the house) which would be 6.9m x 6.35m x 7.0m maximum height with a ridged roof.

The Inspector considered that there were three main issues. Firstly, the effect of the proposed development on highway safety with regard to vehicles entering and leaving the site; second, whether the proposed garage would be inappropriate development in the Green Belt and its effect on the openness and visual amenity of the Green Belt; and third, if the proposed garage would be inappropriate development, whether any harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

The Inspector considered each of these matters individually. In terms of highway safety the Inspector concluded on the first main issue that the proposed turning arrangements within the site would be inadequate, resulting in a significant highway safety hazard which would be materially detrimental to the safety of users of the site access and other highway users. This would conflict with the provisions of policy TR11 of the adopted Bromsgrove District Local Plan 2004, which requires all developments to incorporate a safe means of access and egress.

When considering the inappropriateness of the development, PPG2 Green Belts explains that new buildings are inappropriate in the Green Belt unless they are for a number of specific purposes. Policy DS2 of the Local Plan accords with the general presumption against inappropriate development. The limited extension of existing dwellings may not be inappropriate. However, guidance set out in the

Council's adopted Supplementary Planning Guidance (SPG) entitled "Extensions to dwellings in the Green Belt" makes clear that new curtilage buildings located more than five metres from the dwelling will normally be treated as inappropriate development. In this case the proposed garage at just over five metres from the dwelling at the closest corners is clearly detached from it and could not reasonably be considered as an extension. The Inspector therefore concluded that the proposed garage would amount to inappropriate development which is, by definition, harmful to the Green Belt.

When considering the openness of the Green Belt, the effect on its visual amenity and any other harm, the Inspector concluded that the proposed garage, which would have a pool room at first floor level, would be in excess of 6m long by 6m wide and about 7m to the ridge. It would be located in a prominent position, to the front of the dwelling and on land noticeably above the level of the highway, from which it would be clearly visible. It would also be seen from open, rural land and from a dwelling, to the east and north-east. The size, height and location of the proposed garage would be such that it would have a significantly harmful effect on the openness of the Green Belt, which is its most important attribute. Although the proposed garage would replace an existing garage, the harm would not be mitigated by the removal of the existing garage because this, owing to its modest size and unobtrusive siting to the side of the dwelling, has a much less significant effect on openness.

The garage, owing to its size and prominent location would have an urbanising effect on Drayton Road and the surrounding rural area by noticeably increasing the amount of built development. This would be materially detrimental to the visual amenity of the area, including the Green Belt. On the second main issue that the proposed garage would represent an encroachment into the countryside that would be materially harmful to the openness and visual amenity of the Green Belt. It would conflict with PPG2, including the purposes of including land in the Green Belt, and with Local Plan policy DS2 which seeks similar safeguards to protect the character of the Green Belt. In addition, as reasoned above (first main issue), it would result in material harm to highway safety on Drayton Road.

The appellant also submitted a case to the Planning Inspectorate to justify why the appeal should be allowed. These points raised were also considered in turn by the Inspector:

Firstly, this is a revised scheme that is smaller than the original and has been re-sited to lie entirely within the curtilage of the dwelling. It would be "dug-in" to the ground in order to reduce its visual impact, which would be further reduced by landscape planting. However, regardless of its size in relation to the earlier scheme, the proposed garage remains a large outbuilding and notwithstanding any "digging-in" it would be prominently located on the frontage of the dwelling. Whilst landscape planting might in time soften its appearance it would not reduce

its effect on the openness of the Green Belt. Overall this argument therefore carries little weight.

Secondly, the appellant identifies a need for a secure garage in which to keep his vehicles. He suggests that the location of the site on the edge of the village makes this more necessary. Whilst the Inspector has sympathy with the appellant's wish for secure garaging this would not amount to a justification for the proposed scheme, which would be larger than is necessary to fulfil this function and unsympathetically sited. This argument therefore carried limited weight.

Thirdly, the appellant suggests that cars parked in the open would be more unsightly than the proposed garage. However, cars are not permanent fixtures and therefore their effect is transitory. Moreover, parked cars, being considerably smaller than the proposed building, would have a more limited effect on the openness of the Green Belt. This argument therefore carries little weight.

Finally, the appellant suggests that the application was not considered on its merits and that Green Belt policy has been applied too rigidly. He notes that neither the Parish Council nor any other third party objected to the proposal and that another similar garage has been permitted recently nearby. However, nothing suggests to me that the Council has failed to consider the matter properly and in accordance with national planning guidance, the development plan and its adopted SPG. Although there were no third party objections this does not amount to a reason to allow development which is inappropriate in the Green Belt. There are no details about the other garage that was permitted but nothing suggests that the proposed development was considered other than on its own merits. There is therefore little weight to this consideration.

In conclusion, on the third main issue, the Inspector could not find that the considerations drawn to their attention, taken either separately or together, were sufficient clearly to outweigh the substantial weight to be attributed to the harm that would be caused to the Green Belt by reason of inappropriateness, the harm to its openness and visual amenity and the harm to highway safety. The very special circumstances necessary to justify the development do not therefore exist and, in consequence, the proposed garage would conflict with national and local policy contained in PPG2 and the Local Plan respectively.

The appeal was therefore dismissed.

Costs application

No application for costs was made.

Appeal outcome

The appeal was **DISMISSED** (31.03.2011)

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.