

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Mr J Horton 'A'</b>	Removal of Conditions 5 and 6 of planning application B/2009/0690 (to allow for use of dwellings) at Land at Rear of Pepperwood Bungalow, Wood Lane, Fairfield, B61 9NE	Green Belt	10/1106-HR

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

**Councillor B. Lewis F.CMI has requested that this application be considered by the Committee, rather than being determined under delegated powers.**

### Consultations

Worcestershire Highways	16.12.2010 - No objection
Belbroughton PC	16.12.2010 - Objection - considered to be inappropriate development in the Green Belt
PROW	16.12.2010 - No objection
Ramblers Association	16.12.2010 - No objection
Environmental Health	04.02.2011 – Objection - the very close proximity of the proposed residences and the stables is inappropriate, and would anticipate a strong possibility of nuisance from odour and flies from the stable affecting the residential units.
Publicity	Site Notice Posted 05.01.2011 expires 26.01.2011 Press Notice Posted 13.12.2010 expires 03.01.2011 Neighbour Notification Letter posted 20.12.2010 expires 10.01.2011

### The site and its surroundings

The application site relates to three converted holiday lets situated on land to the rear of Pepperwood Bungalow, Wood Lane, Fairfield. A stable is situated to the west of the application site and residential dwellings are situated along Wood Lane to the north east and north west of the application site. The site is located within the Green Belt as defined in the Bromsgrove District Local Plan 2004.

### Proposal

This application relates to the removal of Conditions 5 and 6 (to allow for use of dwellings) of planning application B/2009/0690 which gained planning approval for a change of use to 3 holiday lets on 07/12/09.

Condition 5 to application B/2009/0690 stated:

'The use of the development hereby approved shall be restricted to short term holiday purposes only and shall not be occupied at any time as permanent residential accommodation'.

Reason: So to ensure the proper planning of the development in accordance with PPS1: Delivering Sustainable Development.

Condition 6 to application B/2006/0423 stated:

'A register of bookings and durations of stay at the holiday let shall be maintained at all times and shall be made available for inspection by the Local Planning Authority upon reasonable notification'.

Reason: In order to ensure that the proposal is retained as a holiday let to secure the proper planning of the development in accordance with PPS1: Delivering Sustainable Development.

The proposal would have a pitched roof and the roof height would be increased by approximately 0.2m (H). The materials would consist of interlocking roof tiles to match existing, white painted render walls as existing, stained timber windows and doors and stained timber boarding to walls under windows.

#### Relevant Policies

WMSS	QE3
WCSP	CTC.1, D.16, D.38, D.39
BDLP	DS2, DS13, C27, RAT27, TR1, ES1, TR11
DCS2	CP3, CP14, CP22
Others	PPS1, PPG2, SPG4, SPG1, PPS23, PPS24, PPG13

#### Relevant Planning History

09/0690	Land at Rear of Pepperwood Bungalow, Wood Lane, Fairfield - Change of Use to 3 holiday lets - granted 07.12.2009
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#### Notes

Policy C27 of the Bromsgrove District Local Plan 2004 and advice contained in paragraph 3.8 of PPG2 provide that the re-use of existing rural buildings in the Green Belt is not inappropriate development subject to certain criteria. In essence these policies require that the new use has no greater impact on the Green Belt and that the work required to reuse the building can be undertaken without the need for major or complete reconstruction or significant extension. The proposal would not have a materially greater impact on the openness of the Green Belt than the current use of three holiday lets which gained consent under application 09/0690 and comprised of a new pitched roof and the infilling of three open entrances.

Policy C27 also requires traffic generated by the development can be accommodated and parking facilities should exist or could be provided, without detriment to highway safety or the visual amenities of the Green Belt.

Policy TR11 of the Bromsgrove District Local Plan 2004 states that all development incorporates safe means of access and egress appropriate to the nature of the local highway network and includes sufficient off street parking.

I therefore consider the main issues to address are whether the stables situated to the west of the application site would have an adverse effect on the residential amenity of the proposal, if the proposal would generate highways safety concerns and whether sufficient rear garden amenity space exists for the proposed residential dwellings.

### Residential Amenity

The close proximity of the stables situated to the west of the application site have potential to create noise and odour nuisance from odour and flies which would be detrimental to the amenities of the proposed residential units. The Environmental Health Officer has confirmed this. The proposal would therefore be contrary to SPG1, PPS23 Planning and Pollution Control and PPS24 Planning and Noise.

### Parking

Though there is adequate space for parking within the site and the Highways Officer has no objection, the proposed parking arrangement would not incorporate a safe means of access and egress and would therefore be contrary to policy T.1 of the Worcestershire County Structure Plan 2001, Policy TR11 of the Bromsgrove District Local Plan 2004 and PPG13 transport.

### Garden amenity space

Paragraph 9 of SPG1: Residential Design Guide states that residential dwellings must have a minimum of 70 square metres. The submitted plans illustrate a shared courtyard area which would not be suitable for the proposed residential units and would therefore be contrary to SPG1 and Policy C27, DS2 and DS13 of the Bromsgrove District Local Plan 2004.

I therefore conclude that the proposal would be unacceptable. The proposal would be contrary to Policies CTC1 of Worcestershire County Structure Plan 2001, Policies DS2, DS13, C27 and TR11 of the Bromsgrove District Local Plan and the guidance of SPG1, PPG2, PPG13, PPS23 and PPS24.

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

1. The very close proximity of the proposed residences and the stables is inappropriate, and would result in a strong possibility of nuisance from odour and flies from the stable affecting the residential units. The proposal would therefore be contrary to Policy DS13 of the Bromsgrove District Local Plan 2004 and SPG1, PPS1 PPS23 and PPS24.

2. The proposed parking arrangement and means of access to the proposed residential units would not incorporate a safe means of access and egress to the site. The proposal is therefore contrary to Policy T.1 of the Worcestershire County Structure Plan 2001, Policy TR11, C27, DS2 and DS13 of the Bromsgrove District Local Plan 2004 and PPG13.

3. The submitted plans illustrate a shared courtyard area which would not be suitable for the proposed residential units and would therefore be contrary to Policy C27, DS2 and DS13 of the Bromsgrove District Local Plan 2004 and SPG1.