

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Mr. J. Dalman 'A'</b>	Demolition of existing dwelling and erection of new dwelling and detached 3-car garage (as amended by plans received on 06.08.2007) - Woodcote Green Farm, Woodcote Lane, Upton Warren, Bromsgrove	GB LPA AGLV	<b>B/2007/0663</b> 14.08.2007

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

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

#### Consultations

Dodford PC	Consulted on 22.06.2007. No response.
WCC(HP)	Consulted on 22.06.2007. Comment received on 31.07.2007; no objection subject to the inclusion of conditions H8d, H6, H9, H.Note No. 5, H.Note No. 1.
ENG	Consulted on 22.06.2007. No response.
LP	Consulted on 22.06.2007. Comment received on 09.07.2007.
Publicity	1 letter posted on 22.06.2007 (expired 13.07.2007). Site notice posted on 22.06.2007 (expired 13.07.2007).

#### The site and its surroundings

The application refers to a small agricultural holding which is located in a designated Green Belt, Landscape Protection Area and Area of Great Landscape Value. The site comprises of an existing dwelling which is currently vacant along a series of agricultural farm buildings, some of which have already been demolished.

#### Proposal

This application refers to the proposed demolition of the existing dwelling and erection of a new dwelling and detached 3-car garage.

#### Relevant Policies

WMSS	QE3
WCSP	CTC.1, CTC.4, SD.5, D.1, D.2, D.3, D.4, D.9, D.38, D.39, T.1
BDLP	C1, C4, DS2, DS13, S1, S4, S9, S12, TR11
Others	PPS1, PPS3, PPG2, PPS7, SPG1, SPG7, SPG10

#### Relevant Planning History

B/2007/0106	Demolition of existing dwelling and outbuildings and erection of new dwelling, workshop and detached 3-car garage. Withdrawn: 01.05.2007.
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## Notes

The main issue to take into consideration are whether the proposals represent 'inappropriate development' in the Green Belt and, if so, whether any 'very special circumstances' exist to outweigh the harm caused to the openness / visual amenity of the Green Belt.

In addition, the site falls within both a Landscape Protection Area and an Area of Great Landscape Value, and it will therefore be necessary to establish whether the proposals would entail any material harm to the landscape.

This application will be dealt with in two parts: the replacement dwelling and the triple garage.

### ***The proposed replacement dwelling***

Policy S9(e) of the Bromsgrove District Local Plan states that a replacement dwelling in the Green Belt will be considered where it complies with the relevant Structure Plan policies and Local Plan policies, and reference is drawn to policy S12 of the Bromsgrove District Local Plan.

Policy S12 of the Bromsgrove District Local Plan states that a replacement dwelling in the Green Belt will be considered on the site of an existing building providing the proposal is for a similar scale and character of the original building. The two relevant extracts from this policy state that a replacement dwelling would not be acceptable where:-

- (a) it significantly enlarges the original dwelling by increasing the volume and / or floor area. The proposal would be significantly larger than the original floor space area and would not therefore comply with this aspect of the proposal.
- (b) It has a demonstrable and adverse impact on the character and purpose of the Green Belt. The proposal would be significantly larger than the existing and by virtue would entail greater material harm to the openness / visual amenity of the Green Belt which would be contrary to this aspect of the policy.

SPG7 for Extensions to Dwellings in the Green Belt states that a dwelling could be extended up to a maximum of 40% of the original floor space area, or a total of 140m<sup>2</sup> including the existing and proposed. Therefore, on the basis of this information, it would not be unreasonable for a replacement to be up to a maximum of 40% greater than the original floor space area of the original dwelling and significant weight should be attached to this.

It is considered that the original floor space area of the dwelling would be approximately 114m<sup>2</sup>. In addition, it is considered that the outbuildings No. 1 (listed on the plans), which lie adjacent to Woodcote Lane, would also be original and, because they lie within five metres of the original dwelling, they could also be used as part of the original floor space area, creating an additional floor space area of approximately 48m<sup>2</sup>. These are the only buildings that the Council will consider the application against when determining the original floor space area calculations. It is therefore considered that the original floor space area was approximately 162m<sup>2</sup> and all calculations will be based on this figure.

The floor space of the proposed dwelling would be approximately 246m<sup>2</sup> and this would create an approximate percentage increase of 52% in relation to the original floor space area. Therefore by virtue of additional size, the proposal would constitute a disproportionate addition in relation to the original dwelling and would cause greater material harm to the openness / visual amenity of the Green Belt. The proposed replacement dwelling would therefore constitute inappropriate development in the Green Belt and no very special circumstances have been put forward which clearly outweigh the harm caused which would justify the refusal of the application.

### ***Proposed triple garage***

The proposed triple garage would be located on a piece of land which would be more than five metres from the main dwelling and, as such, would not constitute part of the forty percent calculation for the proposed replacement dwelling, and would be treated as a separate entity.

By virtue of size and scale, the proposed triple garage would project as a dominant, obtrusive and uncharacteristic feature on a site which is an agricultural small holding. This would unduly harm the openness / visual amenity of the Green Belt and would lead to further erosion of both the Green Belt and Countryside. Therefore, by definition, the proposal would constitute inappropriate development in the Green Belt, and it will be necessary to see if any 'very special circumstances' exist to outweigh the harm caused.

### ***Very Special Circumstances***

Circumstances have been put forward by the Applicant's Agent stating that the proposed replacement dwelling and garage would have a positive impact on the Green Belt. Clearly, a replacement dwelling would be acceptable in principle subject to the limitations indicated in Council Policy and Guidance, and the demolition of the agricultural buildings would lead to greater openness of the Green Belt. However, whilst the demolition of dilapidated agricultural buildings would have a positive impact on the Green Belt, the construction of a domestic building such as a triple garage would not be acceptable in principle and it is not permissible to trade floor space of existing agricultural buildings to be replaced by domestic buildings.

Therefore, whilst it is considered that circumstances have been presented, the Council does not consider these to be 'very special circumstances' which clearly outweigh the harm caused to the openness / visual amenity of the Green Belt and, for the following reasons, permission should be refused.

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

- (i) The proposed replacement dwelling would not be of a size, scale or character in relation to the original dwelling and would project as a large, dominant and obtrusive feature within its existing setting, leading to further erosion of the Green Belt and countryside. Therefore, by definition, the proposal would constitute inappropriate development in the Green Belt and no very special circumstances have been submitted to the Local Planning Authority to clearly outweigh the harm caused to the openness / visual amenity of the Green Belt which would be contrary to policy QE3 of the West Midlands Spatial Strategy, policy CTC.1 of the

Worcestershire County Structure Plan, policies DS13, S9 and S12 of the Bromsgrove District Local Plan, and the general provisions of PPG2 - Green Belts.

- (ii) The proposed domestic triple garage would project as a dominant, obtrusive and uncharacteristic feature on a site which is an agricultural smallholding. This would unduly harm the openness / visual amenity of the Green Belt and would lead to further erosion of both the Green Belt and Countryside. Therefore, by definition, the proposal would constitute inappropriate development in the Green Belt and no very special circumstances have been submitted to the Local Planning Authority to outweigh the harm caused which would be contrary to policy QE3 of the West Midlands Spatial Strategy, policy CTC.1 of the Worcestershire County Structure Plan, policies DS13, S9 and S12 of the Bromsgrove District Local Plan, and the general provisions of PPG2 - Green Belts.
- (iii) By virtue of size, scale and appearance, the proposed domestic dwelling and triple garage would lead to further erosion of the countryside and would materially harm and undermine the purposes and provision of including the land within the Landscape Protection Area and Area of Great Outstanding Value which would be contrary to policies CTC.1 and CTC.4 of the Worcestershire County Structure Plan, policies DS13 and C1 of the Bromsgrove District Local Plan, and the general provisions of PPS7 - Sustainable Development in Rural Areas.