

Appeal made against the refusal of planning permission

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| Appeal reference | APP/P1805/D/11/2156732 |
| Planning Application | 11/0193-SG |
| Proposal | Side extension to existing double garage and side storage to form recreation room, workshop and storage space |
| Location | Dolphin Barn, Weatheroak Hill, Alvechurch, B48 7EA |
| Ward | Alvechurch |
| Decision | Refused (Delegated decision) - 28th April 2011 |

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Discussion

The proposal was for a side extension to the existing double garage and side storage to form recreation room, workshop and storage space.

The application was determined under delegated powers and refused on the basis of harm to the Green Belt and impact on the character and setting of the converted rural building. The reasons for refusal are noted below:

1. The proposed extension to the outbuilding represents an inappropriate form of development in the Green Belt which would harm the openness of the Green Belt. No very special circumstances exist or have been put forward which outweigh the harm caused. As such, the development is contrary to policy DS2 of the Bromsgrove District Local Plan 2004, policies D.38 and D.39 of the Worcestershire County Structure Plan 2001 and the provisions of Planning Policy Guidance 2: Green Belts.
2. The form and design of the proposed extension to the outbuilding would have a detrimental impact on the character and setting of the converted rural building contrary to policy DS13 of the Bromsgrove District Local Plan; the Council's Supplementary Planning Guidance Note 4 'The Conversion of Rural Buildings' and PPS3: Housing.

It is noted that the appeal property lies in the Green Belt, part of a loose-knit ribbon of development on Weatheroak Hill. Planning permission was granted for the conversion of the barn (formerly used as a farm shop) to a dwelling in 1989. The converted barn stands near the eastern side of the property. It has a simple linear form and its conversion has largely preserved its character as a rural building, in accordance with policies for the reuse of rural buildings in the

countryside. There is also a double garage with a lean-to storage shed adjacent to the western edge of the property.

Firstly, the Inspector considers whether the proposal constitutes permitted development under Part 1, Class E of schedule 2 of the GPDO 1995 as amended. The Inspector agreed with the Council that the proposal could not be built under permitted development due to its siting on land forward of a wall forming the principal elevation of the original dwellinghouse, and given its height at 4.3metres.

The Inspector noted that the construction of new buildings inside a Green Belt is inappropriate unless it is for one of a number of defined purposes, including the limited extension, alteration or replacement of existing dwellings. However, the exceptions do not include the enlargement of outbuildings. The proposed enlargement and extension of the garage does not fall within any of the exceptions set out in paragraph 3.4 of PPG 2, and therefore must be considered to be inappropriate development in the Green Belt.

In addition to being inappropriate development, the Inspector agreed that the proposal would be harmful to the openness of the Green Belt and to the rural character of the area. This was because proposal would involve a substantial enlargement of the existing building, which would project significantly beyond the footprint and envelope of the present structure and result in harm to openness. While some of the design details would help to give the extended building a somewhat rustic character it would still alter its character from a simple garage and store to that of a building designed primarily for ancillary domestic use. This would be emphasised by the extent of glazing, including roof-lights, and the introduction of domestic accommodation, albeit ancillary, in a different part of the property. While the Appellant states that it would not compete with the main dwelling, it would introduce an additional focus of domestic use on the property which would be harmful to the existing rural character of the area. It would conflict with the advice set out in paragraph 3.7 of the Council's Supplementary Planning Guidance Note 4: Conversion of Rural Buildings, which provides that extensions will not normally be permitted as they would detract from the plain, simple and utilitarian appearance of most rural buildings.

The appellant put forward a number of material considerations which were argued to amount to very special circumstances. The material considerations put forward by the appellant included a requirement for additional living space, the establishment of screening along the western boundary to reduce visibility, the design and appearance of the building, and the lack of harm that would be caused to the amenities of neighbours. With regard to these matters, the Inspector made the following observations. Little weight is attached to personal requirements which rarely outweigh the more general considerations arising from policies designed to protect the countryside and the Green Belt from inappropriate forms of development. Little weight is attributed to the matter of

screening or lack of harm to the living conditions of neighbours as this could be apply to many proposals in the Green Belt, and does not overcome the harm by reason of inappropriateness, nor the harm to openness. The Inspector noted that careful consideration had been given to the design and appearance of the building but did not agree that it would be an improvement in Green Belt terms over the existing simple building.

For the reasons above, the Inspector did not consider that the material considerations put forward by the appellant amounted to very special circumstances necessary to clearly outweigh the harm by reason of inappropriateness and the harm to the openness and to the character of the countryside. In addition the Inspector did not consider that there was a realistic fall-back position in terms of permitted development rights. In conclusion the appeal was found to conflict with national and local policies which aim to resist inappropriate development in the Green Belt.

It was therefore determined that the appeal should be dismissed.

Costs application

No application for costs was made.

Appeal outcome

The appeal was **DISMISSED** (22nd August 2011).

Recommendation

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