

Appeal made against the refusal of planning permission

Appeal reference	APP/P1805/A/11/2155268
Planning Application	10/1226-SC
Proposal	Proposed erection of a new dwellinghouse
Location	Land off Rose Hill, Lickey, Rednal, B45 8RT
Ward	Hillside
Decision	Refused (Delegated decision) - 4th February 2011

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Discussion

The proposal is for the construction of a two-storey, four bedroom detached dwelling with garaging for two cars. The existing vehicular access is proposed to be used.

The application was determined under delegated powers and refused due to the following reasons as detailed below:

- It is considered that the new dwelling is inappropriate development materially harmful to the openness of the Green Belt by virtue of its increased bulk. The proposal is therefore considered contrary to policies DS2 and S9 of the Bromsgrove District Local Plan, policy D.39 of the Worcestershire County Structure Plan and the provisions of PPG2: Green Belts. No very special circumstances exist that would outweigh the harm that would be caused.
- It is viewed that the development would have a detrimental impact on the privacy of the neighbouring property at No. 2 Barnt Green Road, contrary to the Council's Residential Design Guide SPG 1 and policy DS13 of the Bromsgrove District Local Plan 2004.
- The proposed detached building, by reason of its size, design and siting would be detrimental to the character and amenities of the locality and would have a negative impact on the Landscape Protection Area. The proposal is therefore found to be contrary to policies DS9, DS13 and C4 of the Bromsgrove District Local Plan 2004 and policy CTC.1 of the Worcestershire Local Plan.

The inspector considered the main issues of the appeal to be: whether the proposal would constitute inappropriate development for the purposes of Planning Policy Guidance: *Green Belts* (PPG2) and development plan policy; its

effect on the openness of the Green Belt and the purposes of including land in the Green Belt; its effect on the character and appearance of the surrounding area; its effect on the living conditions of the occupiers of 2 Barnt Green Road, with particular regard to privacy; its effect on highway safety; and, if it is inappropriate development, whether the 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 appellant indicated that the proposal site should be considered to be outside the Green Belt; however both the Inspector and the Council could not provide any evidence to support this. In addition it was suggested that the proposal would represent infill development within a village. BDLP policy S9 gives one of the criteria for considering the acceptability of new dwellings in the Green Belt as being where it would be limited infill within the present boundary of the settlements where a 'village envelope' has been defined. Again it was confirmed that the appeal site is not within such a boundary. Both the Inspector and the planning officer found the proposal would cause inappropriate development and, by definition, to be harmful to the Green Belt. In addition, it would result in an increase in built development which would reduce the openness of the Green Belt and would result in encroachment into the countryside, contrary to one of the purposes of including land in the Green Belt given in paragraph 1.5 of PPG2. 5.

With regard to the effect on character and appearance, the site is in a locally designated 'Landscape Protection Area'. It is relatively open and at the foot of a well planted hill. The appellant indicated that the proposal would retain and supplement existing woodland features, trees and hedgerows, but those on the site are generally near to the boundaries and offer limited screening from the road. The detailing of the building was found to be acceptable and the building line to tie in with the existing buildings either side. However, the planting on the site would be insufficient to prevent the building from being clearly visible in the street scene. As such, its scale and urban form would cause serious harm to the green and open character and appearance of this part of the Landscape Protection Area.

The Inspector found the proposal to have an adverse effect on the living conditions and privacy of 2 Barnt Green Road, due to the first floor bedroom window being 3m away from the boundary. The appeal site is on higher ground than this adjacent house. As such, any boundary treatment would be insufficient to prevent a significant loss of privacy in the private rear garden of that house.

With respect to highway safety, the Inspector found that the proposed access from Rose Hill would not be significantly greater than its previous use to access 2 Barnt Green Road. Therefore providing insufficient evidence to show, the proposal would cause any significant harm to highway safety, either as a result of additional parking on the highway or through the use of the access from Rose Hill.

The Inspector found no very special considerations put forward by the appellant that clearly outweigh the harm identified and able to justify the proposal.

In conclusion

The Inspector found the proposal to be inappropriate development, thus reducing the openness of the Green Belt. It and would have an adverse effect on the purposes of including land in the Green Belt and the character and appearance of the surrounding area and would harm the living conditions of the occupiers of 2 Barnt Green Road.

He did not agree with the appellant and found no other considerations to clearly outweigh the harm identified. The very special circumstances necessary to justify the development do not exist.

Therefore the Inspector dismissed the appeal.

Costs application

No application for costs was made.

Appeal outcome

The appeal was **DISMISSED** (2nd November 2011).

Recommendation

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