

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
MR. C. GRANT 'A'	Retention of Gazebo - Glenfield House Nursing Home, Middle Lane, Wythall, B38 0DG	Green Belt	12/0048-MT 20.03.2012

RECOMMENDATION:

- (a) That Members reconsider the application in light of the new information arising from the publicity period.
- (b) That in light of the new information, clarification is given as to whether the very special circumstances to outweigh the harm that would be caused to the openness of the Green Belt and the purposes of including land within the Green Belt accepted by Members at the Planning Committee meeting held on 5th March 2012 remain valid.

This application was considered by Members at the meeting of the Planning Committee on 5th March 2012. In the updates reported at the meeting, the Committee were informed that the recommendation of the Head of Planning and Regeneration Services had been revised to take into account the extant publicity period, as referred to in Minute No. 123/11 (attached at Appendix B to the report). Consequently, the Planning Committee resolved as follows:

- a) that, subject to the receipt of no further representations during the remainder of the consultation period, authority to approve the application, subject to the imposition of suitable and reasonable conditions, be delegated to the Head of Planning and Regeneration Services upon the expiry of the publicity period on 9th March 2012; or
- b) that, in the event of further representations being received before the expiry of the consultation period, authority to determine the application be delegated to the Head of Planning and Regeneration Services in consultation with the Chairman of the Planning Committee to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

In accordance with resolution (b), the application is referred back to the Planning Committee for consideration on the basis that a new representation has been received within the statutory publicity period (received 6th March 2012). It has been brought to your officer's attention that there is an existing shelter on the site. This is located between the north west elevation of the main care home building and the adjoining church. It is considered that this presents a new material consideration as it could have implications for the very special circumstances argument accepted by Members at their meeting.

For the information of Members, a copy of the original report of the Head of Planning and Regeneration Services to Planning Committee is provided at Appendix A, a copy of the relevant minute from the meeting is attached at Appendix B, and a photograph of the existing shelter on the site is attached at Appendix C.

Members will note that, in reaching their resolution on the application, significant weight was given to the benefits of the gazebo to residents of the care home and the fact that residents have no alternative way of safely enjoying the grounds of the home.

Your officer considers that the existing shelter could have implications for this argument insofar as it could provide residents of the home with an alternative means of enjoying the grounds whilst remaining protected from the elements.

It is also noted that the existing shelter is located within the main cluster of buildings in and around the site. It is considered that by virtue of this location the existing shelter would have a much lesser impact on the openness of the Green Belt than the gazebo. Members should note however that the existing shelter is unauthorised as it does not benefit from planning permission. Thus, notwithstanding any benefits associated with the siting of the existing structure, it is considered that Members should give limited weight to this matter when reaching their decision on this application.

The existing structure does however demonstrate that alternative sites are available within the main building complex. Any such sites would have a much lesser impact on the Green Belt. It is considered that the applicant should explore such opportunities before the current structure is considered.

The views of Members are sought.

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