

Appeal made against the refusal of planning permission

Appeal reference	APP/P1805/A/11/2159083
Planning Application	11/0372-DK
Proposal	Three detached 3-bed dwellings, parking layout and garages
Location	420 Bromsgrove Road, Romsley, B62 0JL
Ward	Uffdown
Decision	Refused (Delegated decision) - 7th July 2011

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The Proposal

The proposal is for 3 detached three bed dwellings, parking layout and garages.

The existing site comprises a former garage and car sales forecourt at Hunnington which mostly comprises a substantially built ribbon of development. There are two main buildings on the site with a former 'Hand car wash' at No. 420 and a dormer bungalow at No. 422. Nos 418 and 424 sit either side of the application site. The land designation is Green Belt. There are garages to the rear of the site.

Discussion

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

1. The development, as proposed, would result in the creation of residential units with a greater size, scale and height than the existing buildings on the site. Therefore, by definition, the proposal would constitute an inappropriate form of development which would unduly harm the openness and visual amenity of the Green Belt. No 'very special circumstances' have been put forward to outweigh the harm caused and for these reasons the proposal would contravene policy QE3 of the West Midlands Spatial Strategy, policies D38 and D39 of the Worcestershire County Structure Plan, policies DS1, DS2, DS3 and DS13 of the Bromsgrove District Local Plan and the general provisions of PPG2 - Green Belts.
2. The proposal would amount to a cramped form of development to the detriment of the character and amenity of the surrounding area. Therefore, the proposal is contrary to policy DS13 of the Bromsgrove District Local Plan 2004 and the advice of SPG1, the Council's Residential Design Guide.

The Inspector found the main issue to be its Green Belt location and:

- whether the proposed development is inappropriate development in the Green Belt;

- the effect of the proposed development on the character and appearance of the surrounding area; and
- if the development is inappropriate in the Green Belt, 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.

Main Issues

Issue (1) : Whether inappropriate in the Green Belt

The Inspector refers to National Planning Policy Guidance note 2: Green Belts and policy DS2 of the Bromsgrove District Local Plan which indicate that there is a presumption against inappropriate development in the Green Belt and that the construction of new buildings there will be inappropriate unless it is for specified purposes. The proposed buildings clearly do not fall within most of the purposes specified.

Reference is made to PPG2 and policy S12 which indicate that replacement of existing dwellings need not be inappropriate providing the new dwelling is not materially larger than the dwelling it replaces. Calculations showed that the proposed development would represent an increase of almost 50% against the combined footprints of the existing buildings. However, for the purposes of the policies the appropriate comparison is with the existing dwelling alone. The proposed 3 dwellings would be significantly larger and the 3 double garages would add to this.

The Inspector notes that the proposal could not be considered as 'limited infill' as the site is not located in a designated Village Envelope and comprises more than two dwellings.

Issue (2) : Character and appearance

It is acknowledged that the Council has granted planning permission in 2010 for redevelopment of the site through the conversion of the dormer bungalow into 2 flats and a new dwelling alongside it replacing the workshop building. It was considered that this proposal would retain the individuality in the street scene of the different styles of detached dwellings and would provide sufficient gaps between, maintaining a clear visual separation.

The new proposal would retain individuality in terms of design and respect the existing styles nearby, however, the Inspector is in agreement with the Council that the narrowness of the gaps between the three houses would give them a cramped appearance. In addition, the 3 dwellings would conform to a 'building line' resulting in a terrace appearance in the street scene.

It is noted that the removal of the existing, unattractive, non-conforming commercial use, would bring visual and amenity benefits, but this could be achieved irrespective of the outcome of the appeal through the extant permission previously referred to.

Issue (3) : Very special circumstances

The Inspector gives regard to the possibility that if the previous use of the site were to resume there would be parked vehicles on the site, which would also affect the openness. However, it is considered that these would be of lesser height and bulk than the proposed buildings and the presence of individual vehicles would be transitory whereas the buildings would be permanent.

The site, with the exception of any part that formed the residential curtilage, falls within the definition of previously-developed land. Re-use of such land is encouraged by national and local policy, but that cannot be taken in isolation from other policies. In this instance, having regard to the fact that there is extant permission for a scheme that would re-use this site in any event, it does not outweigh the protection afforded to the Green Belt.

The Inspector attaches little weight to the argument put forward by the appellant that the proposed use would result in a reduction in highway movements, as the site is currently derelict.

In conclusion

The Inspector finds that the proposed development would represent inappropriate development in the Green Belt. The development would also be harmful to the character and appearance of the surrounding area. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other considerations put forward by the appellant, so as to amount to the very special circumstances necessary to justify the development.

Therefore the Inspector dismissed the appeal

Costs application

No application for costs was made.

Appeal outcome

The appeal was **DISMISSED** (24th January 2012).

Recommendation

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