

Appeal made against the refusal of planning permission

Appeal reference	APP/P1805/D/12/2168550
Planning Application	11/0889-HR
Proposal	Proposed conservatory
Location	Skye West, Gorse Green Lane, Belbroughton, DY9 9UH
Ward	Furlongs
Decision	Refused (Delegated decision) - 9th December 2011

The author of this report is Harjap Rajwanshi who can be contacted on 01527 881399 (e-mail: harjap.rajwanshi@bromsgrove.gov.uk) for more information.

The Proposal

The proposal is for a rear conservatory at Skye West, Gorse Green Lane, Belbroughton, DY9 9UH.

Discussion

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

- R1 The proposed extension would detrimentally erode the utilitarian character and appearance of the building contrary to policies DS2 and C27C of the Bromsgrove District Local Plan, policy D.39 of the Worcestershire County Structure Plan and the guidance of SPG4, PPS1 and PPG2.
- R2 The proposal would be harmful to the openness and visual amenities of the Green Belt and no very special circumstances have been put forward to justify it. Therefore, the proposal would conflict with policies CTC.1, D.38 and D.39 of the Worcestershire County Structure Plan, and policies DS2 and DS13 of the Bromsgrove District Local Plan and the guidance of SPG4, PPS1 and PPG2.

The Inspector found the main issues to be the effect of the proposal on:

- (i) whether the proposed conservatory constitutes inappropriate development within the Green Belt; and
- (ii) Whether the proposed extension would detrimentally erode the utilitarian character and appearance of the building.

Inappropriate development within the Green Belt

Skye West is one of a number of converted agricultural buildings situated around a courtyard and parking area.

The proposed development takes the form of a rectangular conservatory constructed of powder coated aluminium with five bi-fold doors enabling the outer elevation to be fully opened. The conservatory would be set against an enlarged opening in the wall of the dwelling where there is currently a small window.

The Inspector stated that the proposed conservatory represents a limited extension which is not inappropriate development as defined in PPG2 or saved LP policy DS2. It is not, therefore, necessary to demonstrate that there are other considerations which outweigh harm by virtue of inappropriateness so as to justify the development on the basis of very special circumstances. Though the proposed conservatory would introduce additional development and would therefore be harmful to the openness of the Green Belt, that harm would be limited and insufficient to justify refusal of planning permission.

The utilitarian character and appearance of the building

Notwithstanding the above conclusions in relation to the Green Belt, the Inspector stated that the proposed conservatory and the enlarged opening in the wall would be so fundamentally at odds with the utilitarian character and appearance of the original agricultural building that that character would be severely eroded. The proposal would, therefore, introduce significant harm to the character of the building, contrary to saved LP policy C27C and the guidance in SPG4.

In conclusion

For the reasons set out above, the Inspector dismissed the appeal.

Costs application

No application for costs was made.

Appeal outcome

The appeal was **DISMISSED** (15th March 2012).

Recommendation

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