

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr Tajinder Johal A	Infill work to create a closed walk through at 10 Tutnall Grange, Tutnall	GB	12/0979 18.01.13

***Councillor Peter Whittaker has requested that this application is considered by Planning Committee rather than being considered under delegated powers. (Telephone request)***

**RECOMMENDATION:** that permission be **GRANTED**.

### Consultations

- Tutnall and Cobley Parish Council  
Consulted: 28.11.12 Response received 17.12.12  
The Parish Council objects to this application if it interferes with anyone else, which is understood to be the case.
- Publicity  
4 letters sent 28.11.12 expired 28.06.12.  
Site Notice posted 17.2.12 expired 07.01.13:
- 1 letter of objection received raising the following concerns:
- Building work will impact on quality of life
  - The infill work will seal up the passage way, resulting in a loss of light and air flow
  - Concerns raised about the implementation of former planning application 12/0470 for a rear conservatory

### The site and its surroundings

This application relates to large terraced property, which is arranged around a central courtyard. The site formerly comprised DT Duggins Ltd. Abattoir, and has now been redeveloped to comprise dwellings with a modern appearance. The dwelling features red brickwork with brown UPVC windows, and benefits from a private driveway and a substantial rear curtilage.

The site is located within Tutnall, to the East of the Bromsgrove Highway (A448) and it lies within designated Green Belt.

### Proposal

This application is to enclose a small internal courtyard area, which is adjacent to the existing garage and the neighbouring properties garage at No. 9. Due to the location of the development the majority of the walls are in existence, however a new roof with a skylight is proposed alongside a side entrance door.

### Relevant Policies

WMSS: QE3

WCSP: CTC.1, D38, D39  
BDLP: DS13, S11  
DCS2: CP3  
Others: SPG1, SPG7, NPPF

### Relevant Planning History

B/12/0470 - Rear single storey extension. Granted 14.08.2012  
B/2004/1088 – Single storey rear extension (as augmented by plans received 15.09.04)  
B/2002/0979 - Residential development and associated site works - Resubmission of B/2002/0466 (as amended by plans received 18.9.02). Granted 19.11.2002  
B/2001/0149 - Demolition and removal of existing meat plan and erection of new residential units with associated new road access and landscaping (as augmented by plans received 08.03.01 and 15.03.01). Granted 14.01.2002

### Assessment

This application is sought as the property does not benefit from having any Permitted Development Rights. These were removed as part of the permission granted under planning reference: B/2002/0979

The main issues to be considered in this application are the following:

- (i) Green Belt Policy
- (ii) Street scene Impact
- (ii) Residential Amenity

#### i) Green Belt

With respect to the NPPF recent adoption, it is imperative to note that Planning Policy Guidance Note 7 (SPG7): Extensions to Dwellings in the Green Belt, is consistent with Section 9 of the NPPF: Protecting Green Belt land, and namely paragraph 89 which explicitly states that an extension or alteration of a building would be considered as appropriate provided that it does not result in disproportionate additions over and above the size of the original building.

Due to the courtyard already being in existence, no new floor space will be added to the property as a result of the application. Furthermore, the courtyard could be construed as internal space. Therefore, in my view, the proposal will cause no further harm to the openness of Green Belt.

#### (ii) Street Scene

The Residential Design Guide (SPG1) used to appraise the impact upon residential amenity is consistent with the design principles contained within the NPPF (section 7). Within both of these documents, achieving a good level of design is of fundamental importance

Due to the discrete position of the development it will largely be out of view from the street scene. However I do note that when viewing from No. 9 Tutnall Grange, the

existing wall which is adjacent to the bin store will be in-filled; though with an approximate set back of two metres, the impact would be minimal.

Therefore, the proposal would be of no detriment to the character of the street scene.

(iii) Residential Amenity

Members should note the detailed objections raised by the resident at No.9 Tutnall Grange. These are available on line via Public Access or the working planning file.

These will be addressed in turn. Members are advised to read these comments for the full details.

Loss of light and life quality

I note the infill work will seal up the small bin store area of No. 9, at the adjoining end. The entrance will remain open. Whilst I note comments received regarding a loss of light and air flow, there is already a wall in place along this section and it is not an area of the dwelling that is used as a habitable room or indeed an area that is frequented often.

Furthermore I note comments received regarding how the building work will impact on life quality. As the development will adjoin the garage of No. 9 and being set some distance from the main house, I am of the view that any disturbance would be minimal.

Therefore, whilst the comments received from the residents at No.9 are noted, it is not considered that there would be any significant loss of light or a reduced quality of life would exist to justify the refusal of planning permission on these issues.

Other matters

I acknowledge that the proposed development would adjoin the wall of No. 9, and taking into consideration that concerns have been raised regarding this, a part wall agreement may need to be considered. However this is to be dealt with a civil matter between the neighbour at No. 9 and the applicant.

The view of the Parish Council are noted, however they are unclear and do not provide any detailed planning considerations. I have therefore attached little weight to the points raised.

I note comments received regarding the implementation of former planning application 12/0470 for a rear conservatory. I can confirm that an application for a non material amendment to the scheme was approved on 12<sup>th</sup> December 2012 and the development has been built in accordance with the revised plans.

Conclusion

After duly considering all of the above matters, I am content that the proposal would cause no further harm to the openness of Green Belt or adversely affect the amenity of adjoining occupiers, arising from a loss of light or air flow,. Furthermore it is viewed that the proposal would result in well designed scheme, which is consistent with the NPPF

design principles and would have no impact on the character of the street scene. Therefore it is recommended that permission be granted.

**Recommendation:** that permission be GRANTED

**Conditions:**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Act 2004

2. All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004 and Policy CTC.1 of the Worcestershire County Structure Plan 2001

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan at 1:1250 Received 23.11.12

Drawing Number HSW/12/5/3/1 at 1:50 Received 23.11.12

Drawing Number HSW/12/5/3/2 at 1:50 Received 23.11.12

Reason: For the avoidance of doubt and in the interests of proper planning.

This decision has been taken having regard to the policies within the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan 2004 (BDLP) and the National Planning Policy Framework (NPPF) 2012 as summarised below:

**Policies:**

WMSS: QE3

WCSP: CTC.1, D38, D39

BDLP: DS13, S11

DCS2: CP3

Others: SPG1, SPG7, NPPF

It is the Council's view that the proposed development complies with the provisions of the development plan and National Planning Policy Framework and that, on balance; there are no justifiable reasons to refuse Planning Permission.

**CASE OFFICER DETAILS**

Name: Lisa Allison

Email: l.allison@bromsgroveandredditch.gov.uk

Telephone: 01527 881658