

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
MR. N. NAVEED 'A'	Cross Roads Garage, Kidderminster Road, Woodcote Green, Bromsgrove - Replacement of flat roof with pitched, tiled roof over east wing	GB	B/2007/1182 26.12.2007

RECOMMENDATION: that powers are delegated to the Head of Planning and Environment Services to determine the application after the expiry period (minded to refuse).

Consultations

Dodford PC	Consulted on 31.10.2007. No response to date.
WCC (HP)	Consulted on 31.10.2007. No response to date.
ENG	Consulted on 31.10.2007. No objection received on 31.10.2007, subject to the inclusion of the following: <ul style="list-style-type: none"> • The alterations to the roof structure from a flat roof to a pitch roof may affect guttering etc but the present arrangement of a storm soakaway system should still accept the discharge from the roof. • Drain to ditch to the rear of the property is still contentious in relation to the ownership and this does not offer an appropriate outfall. • No Flood Risk Assessment required.
LP	Consulted on 31.10.2007. No response to date.
EDO	Consulted on 31.10.2007. No response to date.
Publicity	2 letters posted on 31.10.2007 (expires on 21.11.2007). Further letter posted on 15.11.2007 (expires on 06.12.2007). Site notice posted on 07.11.2007 (expires on 28.11.2007). No responses received to date.

The site and its surroundings

The application site lies on the north side of the Kidderminster Road at the junction with Fockbury Road, Dodford, and lies within a designated Green Belt Area.

Proposal

This application refers to an amended application for a proposed car showroom and shop and a further sub-section should be included to briefly explain the history of the site.

Previous relevant history of this site / background

Application B/2004/0890 was granted permission on 14th October 2004. A resubmitted version B/2007/0498 was refused by Members on 20th July 2007 because it was considered that the amended scheme would be of a greater size, scale and bulky appearance than the previous approval which would constitute inappropriate development in the Green Belt.

This application B/2007/1182 appears to be identical to the previous application B/2007/0498 which was refused and an appropriate means of action was authorised to secure the removal of the unauthorised structures.

Relevant Policies

Please note: since the previous application a number of policies from the Worcestershire County Structure Plan have been deleted including SD.6 and SD.7. In addition, policy DS6 of the Bromsgrove District Local Plan has also been deleted.

WMSS	QE3
WCSP	SD.2, SD.3, SD.4, DS.5, SD.8, SD.9, D.28, D.35, D.38, D.39, T.1
BDLP	DS1, DS2, DS3, DS6, DS13, TR8
Others	PPS1, PPG2, PPS6, PPS7, PPS13

Relevant Planning History

B/2007/0498	Amended application - proposed car showroom and shop; refused 20.07.2007 and Enforcement Action authorised.
B/2004/0890	Car showroom and village shop - resubmission of B/2003/0932; granted 14.10.2004.
B/2003/0932	Proposed car showroom, work shop and village shop; refused 17.11.2003.
B/2002/0812	Alternative showroom and workshop with workshop; granted 03.10.2002.
B/2002/0386	Alternative showroom and workshop with toilets; withdrawn 08.05.2002.
B/2000/0189	Projecting icons and shop sign; Advertisement Consent Granted 19.04.2002.

Notes (and Green Belt Policy)

The main issue to take into consideration is whether the impact of the amended scheme would entail any additional or significant harm to the openness / visual amenity of the Green Belt in relation to the previous approved scheme which would be a 'fall-back' position for the applicant. If it is considered that greater harm would be caused, then the proposal would, by definition, constitute inappropriate development in the Green Belt and, as such, it would be necessary to establish whether any 'very special circumstances' exist to clearly outweigh the harm caused.

Fundamental differences between the two applications

For the purpose of assessing the impact between the approved scheme (B/2004/0890) and this amended scheme (B/2007/1182), a table has been used illustrating the differences in dimensions between the two applications. It should be noted that there does not appear to be any difference between this application and the previous refusal, and therefore the figures from B/2007/0498 will be used again.

It is also noted that no reference is made to the previous mezzanine floor but, given that the dimensions are the same, it is considered that weight should be attached to the possibility of this floor area been included at a later date.

The previous application B/2007/0498 referred to a letter which stated that the building had been lowered by 450mm, although no evidence has been presented in this application, and this was to ensure that the ridge levels of the building were no higher than the original approval. The pitched roof also replaces the original flat roof which would be a more attractive feature with the rest of the building.

Existing permission <u>B/2004/0890</u>	Proposed amendments <u>B/2007/0498 and B/2007/1182</u>
Height Front elevation taken from central position to highest part of roof 7.5 metres . Rear elevation taken from central position to highest part of roof 7.5 metres .	Height Front elevation taken from central position to highest part of roof 8.3 metres . Rear elevation taken from central position to highest part of roof 8.3 metres .
Side elevation (East): small pitched roof suitable for the housing of the mezzanine floor.	Side elevation (East): this elevation would involve the continuation of the existing roof line to cater for the proposed first floor provision.
Approximate floor space area of mezzanine floor: 109m ²	Total proposed first floor: 256m ² Therefore if the floor space of the mezzanine floor is deducted, a total additional floor space area of approximately 151m ² would be created.

Is the amended scheme appropriate development in the Green Belt?

The previous building which was granted permission B/2004/0890 was predominantly a single storey building with a comparatively small, first-floor mezzanine floor. This current scheme would involve infilling the existing space at ground floor level to create a significantly larger overall building and first floor level, identical to the previous application B/2007/0498 which was refused permission.

This observation is of fundamental importance when assessing this application. Clearly, the merits of the case would remain the same as the previous application which was refused. This proposal would result in an over-all building which would be of a greater size, scale and bulky appearance. This would be exacerbated further by its highly prominent corner position in the street scene from Fockbury Road and the busy Kidderminster Road. Therefore, the proposal would materially harm the openness / visual amenity of the Green Belt to a greater extent than the original planning permission B/2004/0890, which would constitute inappropriate development in the Green Belt. No 'very special circumstances' have been put forward to the Local Planning Authority to clearly outweigh the harm caused and, on balance, there is no justifiable reason to allow such development in this locality.

What is the justification for this proposal?

There has been no supporting documentation from the applicant or agent concerned to substantiate this case. In addition, no 'very special circumstances' have been put forward to clearly illustrate that the proposal would not unduly harm the openness and visual amenity of the Green Belt.

Conclusion

The fundamental merits of this case remain the same as the previous application. Therefore, it is considered that this proposal would still be of a greater, size, scale and bulky appearance which would be exacerbated further by its highly prominent corner position in the street scene. 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 the Local Planning Authority to outweigh the harm caused and, for the following reasons, it is recommended that permission be refused.

RECOMMENDATION: that permission be **REFUSED**.

- (1) The retrospective scheme would result in a building which would be of a greater size, scale and bulky appearance which would be exacerbated further by its highly prominent corner position in the street scene. 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 submitted to the Local Planning Authority to clearly outweigh the harm caused and the proposal would be contrary to policy QE3 of the West Midlands Spatial Strategy, policies D.38 and D.39 of the Worcestershire County Structure Plan, policies DS1, DS2, DS3, DS6 and DS13 of the Bromsgrove District Local Plan and the general provisions of PPG2: Green Belts.