

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs R Lydon	Demolition of existing garage and construction of new garage and agricultural store. Sunday Hill, Whinfield Road, Dodford, Bromsgrove, Worcestershire B61 9BG	12.10.2015	15/1041

Councillor May has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be Refused

Consultations

Dodford With Grafton Parish Council Consulted 10.12.2015

Dodford with Grafton Parish Council has no objection but feel that a slate roof is more in keeping with the traditional construction of Chartist cottages and their outbuildings and would match the house.

Conservation Officer Consulted 10.12.2015

I note that the width of the garage has been reduced, and an external staircase provided. I would support these changes as they reduce the overall scale of the building. I also note that the number of windows provided has been reduced. The three now proposed are however designed to have the appearance of sash windows, although they are casements. This is a historically inaccurate style for an ancillary building. I think the applicant is following the style of windows in the barn at Great Meadow, however those windows are not historic, but a modern intervention. I would prefer to see small casement windows, in timber. The height of the garage has not been reduced, even with the proposed regrading of the site, which I do not consider as an adequate way of reducing the scale of a building, it will still be a dominant structure close to the house, especially when compared to the existing garage. I would still have to object to this scheme as I do not consider that it would preserve or enhance the Dodford Conservation Area.

1 site notice was posted 11.12.2015, expires 01.01.2016: No response received.

A press notice was published in The Bromsgrove Standard 18.12.2015, expires 01.01.2016; No response received.

Councillor May – Called the application to the committee due to the level of public interest.

Relevant Policies

Bromsgrove District Local Plan 2004 (BDLP):

DS2 Green Belt Development Criteria
DS13 Sustainable Development
S35A Development in Conservation Areas
S36 Design of Development in Conservation Areas

Others:

NPPF National Planning Policy Framework

Relevant Planning History

10/0234	Single storey extension to rear.	Approved	07.05.2010
11/0814	Discharge of Condition C2 (Slate for roof, bricks for chimney and plinth) of planning permission 10/0234 - Single storey extension to rear	Details Approved	23.01.2012
14/0084	Demolition and replacement of garage	Refused	26.09.2014
15/0710	Demolition of existing garage and construction of new garage and agricultural store.	Refused at Committee	12.10.2015

Assessment of Proposal

This application relates to the demolition of an existing timber outbuilding positioned to the side of the application dwelling and its replacement with a brick-built garage with a storage room in the roof. This planning application follows a previous refusal for a detached garage and store under reference 14/0084 and 15/0710.

Since the previous application the design features of the building have been amended, including locating the staircase externally to the building and therefore reducing the width of the building from 9.2 metres to 7.3 metres. However, the height of the building remains identical to that submitted under reference 15/0710 at 5.2 metres.

Green Belt

Sunday Hill is located in Dodford which is situated within the Green Belt and within a Conservation Area, as defined in the Bromsgrove District Local Plan (BDLP).

It is "appropriate" to extend a dwelling in the Green Belt subject to limits. However, the proposed garage will be more than 5 metres away from the original dwelling house and would not, therefore be classed as an extension (as set out in SPG7). Replacement

buildings within the curtilage can be considered acceptable if they are not materially larger than the existing building and are in the same use.

In this case the existing building is a low single garage with a log store. The existing height of the building is 3.5 metres and the proposed building has a height of 5.2 metres. In addition I measure the existing floor space of the building at 38.67 and the proposed floor space including both the ground and first floor at 82sqm. Therefore the replacement garage would be considered materially larger both in terms of footprint and scale. As such the proposal is, by definition, inappropriate development in the Green Belt.

Members will be aware that inappropriate development is, by definition, harmful to the Green Belt. When considering inappropriate development in the Green Belt, very special circumstances have to exist to outweigh the harm caused. The applicant has submitted some additional information to illustrate some very special circumstances to overcome the harm to the Green Belt.

The applicant states that the building would be used for agricultural purposes for the storage of equipment and feed associated with the keeping of poultry and sheep for the dwellings small holding. New buildings within the Green Belt' can also be considered 'appropriate' if they are for the use of agriculture and forestry. Although I agree that the land is used as a small holding, the test for whether a new building is for the use of agriculture is very detailed and in this case it is evident that the agriculture that takes place on the land is very small in scale and not the sole form of income for the applicant, therefore I do not consider this to constitute very special circumstances. In addition, it is considered that as the building would be located within the curtilage of the dwelling and predominately used as a residential garage it would not constitute an 'agricultural building' in this context.

Whilst the dwelling retains its permitted development rights, the proposed garage would not constitute permitted development due to its height and it would be situated to the side of the dwelling house. Class E of the Town and Country Planning (General Permitted Development) Order 2015 sets out (in condition E.3) that development is not permitted in this location within the curtilage of the dwellinghouse which is article 2(3) land. It is noted that the applicant states that there would be the opportunity for the applicant to erect a number of outbuildings to the rear with no control from the Council. However, this would not be a very special circumstance on this occasion as the possible buildings that could be erected under Class E could not exceed 4 metres in height and could only be located to the rear of the property. On this basis, I do not consider there is a realistic fall-back position in this location.

The applicant's comments in the supporting statement that the building will be of a traditional design and that the building will be dug into the ground 225mm are noted. However, it is apparent that there is a significant difference in size between the existing outbuilding and the proposed. The height, bulk and scale of the proposed garage would make it a prominent structure in the Green Belt and by definition would reduce openness.

It is concluded that the development is inappropriate and by definition harmful. Its bulk and additional height above the existing structure add to this harm and reduce openness as a result undermining one of the key purposes of Green Belt designation. It is

considered that there are no very special circumstances to outweigh the harm to the Green Belt.

Conservation Area

Conservation Areas are defined as areas of special architectural or historic interest, the character of which it is necessary to preserve or enhance during the consideration of planning applications. The Dodford Conservation Area is a semi-rural area which contains a regular assortment of housing plots, in which a pattern of nearly identical historic cottages sit.

The original Chartist cottages of the area had a small brick built barn, usually covered with a pitched tiled roof in contrast to the slate roofs of the cottages. A number of these still survive, notably at Rosedene, the National Trust Cottage, Primrose Cottage Victoria Road and 1 Priory Road.

The Conservation Officer expressed no objection in principle to the garage being replaced at Sundays Hill. However, the proposed garage is significantly larger than the one it replaces and the proposed windows are of a historically inaccurate style for an ancillary building. The development is, therefore, obtrusive and prominent within the Conservation Area and fails to respect the ancillary nature that such structures had in relation to the main dwelling. Therefore the replacement garage would be harmful to the character and appearance of the Conservation Area.

Conclusion

It is concluded that the development is inappropriate development in the Green Belt which erodes openness and no very special circumstances outweigh the harm caused. These matters could not be controlled by conditions.

The Conservation Officer objects to the application in its current form, as it would be contrary to Section 35A of the Bromsgrove Local Plan which seeks to preserve and enhance the character or appearance of the Conservation Area, and requires new development, in or adjacent to such areas, to be sympathetic to the character of buildings in the detailed treatment of matters of design including the form, scale and materials.

Given all the material considerations, this scheme is considered unacceptable.

RECOMMENDATION: That planning permission be Refused

Reasons for Refusal

- 1) The replacement garage would be considered materially larger than the existing both in terms of footprint and scale. It would adversely affect the openness of the site and amount to inappropriate development in the Green Belt, which is, by definition harmful. No very special circumstances exist or have been put forward to outweigh the harm which would be caused to the openness of the Green Belt. Therefore, the proposal is contrary to policies DS2 and DS13 of the Bromsgrove District Local Plan 2004 and paragraphs 87 - 89 of the National Planning Policy Framework.

- 2) The proposal would have a detrimental impact on the character and appearance of the Conservation Area by virtue of its scale and relationship to Sunday Hill. The development would, therefore, be unduly prominent and obtrusive in the Conservation Area and out of character with its surroundings, contrary to Policy S35A of the Bromsgrove District Local Plan 2004 and the principles of the National Planning Policy Framework.

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