

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr D. Myatt	Refurbishment and extensions at the Dodford Inn.  The Dodford Inn , Whinfield Road, Dodford, Worcestershire, B61 9BG	05.11.2015	15/0779

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

**RECOMMENDATION:** That planning permission be refused.

### Consultations

**Highways Department- Worcestershire County Council** Consulted 17.11.2015  
Given the capacities of the surfaced and overflow car parks I would not wish to raise an objection.

**Landscape & Tree Officer** Consulted 17.11.2015  
The proposed development requires the removal of a mature Birch tree. Although this tree is quite a visible feature of the site and the Conservation Area, it does have some defects to the crown (previous topping cuts) and the base (minor fungal bark infection) that reduce its amenity value and long term sustainability. I therefore have no objection to the loss of the Birch and the proposed scheme subject to a suitable scheme of landscaping and planting to mitigate the loss of the Birch, the wider environmental impact of the development and the visual impact on the Conservation Area.

**Drainage Engineers Internal Planning Consultation** Consulted 17.11.2015  
As far as I am aware this development is not located in an area of known flood risk and there won't be any drainage implications. Therefore, I have no observations to make.

**Conservation Officer** Consulted 17.11.2015  
The 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 cottages are of a well-designed architectural style which emerged when the area was developed by the Chartist Land Company in 1847/48. The original grid layout is still apparent, and of the historic cottages approximately 20 are still recognisable including 11 which are statutorily listed. The completeness of this group of buildings (although many individual cottages have been altered) and their significance as a tangible representation of the Chartist movement are key components of the special interest of the conservation area.

The Dodford Inn was not one of the original Chartist Cottages, but is located within the area acquired by Fergus O'Connor. Initially 41 plots were laid out and 39 cottages constructed. The rest of the estate was then largely disposed of in two auctions, the first in April 1850 comprised lots in Whinfield Road , and it is likely that the plot on which the Dodford Inn stands was disposed of then.

The Dodford Inn was initially constructed as a house, but by the time of the 1884 First Edition of the Ordnance Survey, it was referred to as the Dodford Inn and I assume that it has been used as a public house since.

Have no objection to the demolition of the outbuilding to the south, which although potentially original, and would at least appear to date back to 1884, is in poor condition and of no particular interest. Equally I would have no objection to a modest extension to enhance the business prospects of this property; I do however have serious concerns at the scale of the scheme proposed. The proposed extension is larger than the current ground floor of the existing building, and will form a very dominant feature as one approaches from the road, or the footpath which runs to the south, exacerbated by the prominent gable details on both the north and south elevations. I assume the design draws inspiration from the original Chartist Cottages, however it is totally out of scale with any of them, which as noted above are modest in size, and with equally modest window details.

**Dodford With Grafton Parish Council** Consulted 17.11.2015

No objections to this planning application but recommend that the building remains a business and that a condition be applied that the property remains one property and cannot be split into two. Query as to whether a footpath that crosses the site is a statutory footpath as the extension would have an impact on it.

**Worcester Regulatory Services- Noise, Dust, Odour & Burning** Consulted 14.12.2015  
No Comments Received To Date

**Worcestershire County Council Countryside Service** Consulted 16.12.2015  
No Comments Received To Date

**Ramblers Association** Consulted 16.12.2015  
No Comments Received To Date

**Public consultation**

3 representations

1 letter expressing concerns summarised as follows:-

- Appreciate that the pub has had a turbulent time over recent years and that new ways of working are needed to make it a success, however we believe that the proposal does not adequately consider the potential negative impact on local residents, nor does it put in place anything to moderate or prevent these impacts.
- The proposal will result in disproportionate additions over and above the size of the original building. The extension will result in a property with approximately double the original footprint. A much greater percentage of this structure will be in active use and will present a much greater source of light and audio pollution to surrounding properties.
- The Design and Access Statement declares that the 4 properties to the North of the Dodford Inn (Malvern View Cottages) will not have a view of the extension. This is not true; the entire extension will be visible from all 4 cottages.
- The proposed 60 seat restaurant will inevitably generate an increase in the volume of traffic in the local area on a regular basis, greater than that previously generated by the pub. In contrast to the examples of pubs in the local area that have expanded

recently (The Queen's Head and The Ewe and Lamb), The Dodford Inn is served by small, single track lanes. Whinfield Road has no marked speed limit or traffic controls to regulate this increase in traffic. We are concerned that the increase in traffic will have a negative impact on safety for local pedestrians and will increase noise for the Dodford Inn's neighbours, most specifically the four cottages and Whinfields.

- Also concerned about the promotion of the pub as a venue for events. There have been previous issues with noise negatively affecting the Dodford Inn's neighbours and this was with events only occurring on an intermittent basis. If the newly expanded pub were to regularly host events utilising the full extent of the car parking capacity cited in this proposal then this problem may be exacerbated.

## 2 representations

- Stating no objection to the plans, but would correct the claim that the extension will not be visible from the cottages to the north of the Inn. The building will be directly in front of property.
- Reference to the "panoramic view" from the proposed new extension includes a direct view of our property and despite there being a hedge in between, due to levels, and during the winter time when darkness falls earlier and interior lighting is utilised more often, there will be no leaves on the hedge and no shielding. We would request that evergreen planting be provided.
- Also it should be noted that the extension position proposed will be directly obstructing an existing public path. The footpath has been in continuous use without closure during living memory and has been shown on Ordnance Survey and Parish maps over many years. Again not an insurmountable problem, a diversion order and suitable signage should be straightforward, but necessary.

Councillor Karen May:

Due to the high level of interest in the site, has requested that the application be determined at Planning Committee rather than be determined under delegated powers.

## **Relevant Policies**

### **Bromsgrove District Local Plan 2004 (BDLP):**

DS1	Green Belt Designation
DS3	Main Locations for Growth
S35	Proposed New and Extended Conservation Areas
S35A	Development in Conservation Areas
S36	Design of Development in Conservation Areas
S37	Demolition in Conservation Areas
S38	Protection of Buildings of Merit
S45	Improvements to Conservation Areas
TR11	Access and Off-Street Parking

### **Bromsgrove District Plan Proposed Submission**

BDP4	Green Belt
BDP19	High Quality Design
BDP20	Managing the Historic Environment

### **Others:**

NPPF	National Planning Policy Framework
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NPPG National Planning Practice Guidance

**Relevant Planning History**

B/983/1975	Alteration and extension to provide improved toilet facilities.	Approved	24.03.1975
B/301/1974	Alterations and extensions. (As amended by drawings received on 20 August 1974).	Approved	28.08.1974
B/3104/1976	Extension to car park. (As amended by plans received 31.3.77).	Approved	23.05.1977
B/2007/1370	Extension to the existing licensed premises and extension of the existing dwelling at the Dodford Inn Public House.	Refused	09.06.2008
B/2006/0573	Construction of 2 x 'Chartist' style cottages - Outline Consent	Refused	18.07.2006
B/2006/0572	Change of use from commercial to residential.	Refused	18.07.2006

**Site Description**

The site comprises of a detached public house building with associated out buildings and detached structures. Off street car parking facilities exist to the north of the site as well as informal overflow car parking to the northwest.

The site is located at the rear of Malvern View Cottages and is in an elevated position. The site is within the Green Belt and Dodford Conservation Area.

**Proposal Description**

Permission is sought for a single storey side extension to provide an enhanced entrance, disabled toilet, store, and open plan restaurant that could also be used for functions etc.

The extension would protrude 15.3m overall from the side wall of the existing public house. The extension would provide a link from the pub to the new restaurant. The depth of the link would be 9.6 metres, whilst the depth of the restaurant itself would vary between 10.9 – 13.1 metres. The extension would have a central gable at the front and rear. A new gable is proposed for the improved entrance into pub. The extension would be finished in brickwork and tiles to match the existing building.

In order to build the extension, an existing lean to store would need to be demolished as well as a Silver Birch tree that is proposed to be replanted.

A modest garden store is also proposed to be built adjacent to existing outbuildings.

### **Assessment of Proposal**

#### Main considerations

The site lies within the Green Belt, the main issues are therefore:

- Whether the proposal represents inappropriate development within the Green Belt.
- And the effect of the development on the character and appearance of the area and the host building.

#### Inappropriate development in the Green Belt

Pre application discussions have taken place between officers and the applicant prior to the submission of this application. The public house is designated as a Community Asset and the applicant has expressed from the start his aspiration to maintain the building as a public house and provide a restaurant facility that would be on a par with the likes of The Queens Head and The Ewe and Lamb.

Officers have been very supportive at all times with the applicant but have advised that the design and size of the extension would need to be carefully thought through given the site is within the Green Belt and Dodford Conservation Area. A couple of schemes have been submitted, and whilst it has been agreed that an extension at the side of the public house would be preferable with a small link between the old and the new, due to the location of the Inn, officers have emphasised the importance of keeping the extension relatively modest. Extensions considered at pre application stage have been overly large.

Historically, the public house has changed hands and been forced to close 3 times in a 6 year period and the applicant believes that the Inn does not attract sufficient patronage in its current form. The applicant believes that in order to create a sustainable business on the site, a restaurant providing 60 covers is needed. The scheme submitted under this application provides a total new floorarea of approximately 203.01m. The applicant has designed the extension to be the minimum size considered to enable viability of this new business venture.

Whilst officers consider the principle of some form of extension to be acceptable, the proposed scheme is overly large and considered to be inappropriate in this Green Belt / Conservation Area location. Inappropriate development is defined in paragraphs 89 and 90 of the NPPF as harmful to the Green Belt and should not be approved except in very special circumstances.

The NPPF also identifies in paragraph 89 that extensions or alterations of a building that do not result in disproportionate additions over and above the size of the original building, is not inappropriate. However, there is no guidance in the NPPF as to what constitutes a proportionate addition. The overall depth and height of the extension as well as the proposed gables is of a scale that dominates the original building. In fact the depth of the extension is of a similar depth to the original Inn. The scale and mass of the extension is therefore considered to be disproportionate in relation to the modest nature of the original building and is considered to be inappropriate, and by definition harmful to the Green Belt.

Para 79 and 80 of the NPPF outlines the importance of Green Belts, their fundamental aim to keep land permanently open, Para 88 goes on to say that in considering applications in the Green Belt Local authorities should '...ensure that substantial weight is given to any harm to the Green Belt'.

The Council has considered arguments put forward by the applicant such as the need for a sizeable restaurant for 60 covers in order to make the business viable. However, officers consider that they do not represent 'very special circumstances' required to outweigh the harm caused as a result of the inappropriate nature of the development.

Effect of the development on the character and appearance of the area and host building  
Policy S35A of the Bromsgrove Local Plan states that the 'District Council will seek to preserve or enhance the character or appearance of Conservation Areas and will:

- a) undertake measures as appropriate to promote and improve the environmental quality of such areas;
- b) require 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;
- d) seek to retain and enhance open spaces, important views, trees or other features of importance to the street scene.

Para 132 of the NPPF states 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

The proposed extension will dominate the original building being wider than the original, almost as deep and two thirds of the height. Generally, an extension ought to be subservient to the original building both in terms of scale and design..

It is considered that the scale and design of the proposed extension, and its resulting dominance will neither preserve nor enhance the character and appearance of the Dodford Conservation Area, and will be contrary to Policy S35A of the Local Plan and the NPPF

#### Other matters

The existing building has undergone extensive repair and restoration internally over the last few months. Works include the removal of the previous windows, which were not original but had decayed to varying degrees due to a lack of maintenance. Unfortunately they have been replaced, without permission, with very poor quality upvc windows.

1 representation submitted has referred to a local footpath that crosses the site. The extension would appear to cross the route of this path. Having checked the County's records on Public Rights of Way, it does not appear to be a statutory footpath, however, the County Rights of Way team have been consulted to clarify this matter.

**RECOMMENDATION:** That planning permission be refused.

**Reasons for Refusal**

- 1) The scale and mass of the proposed extension is disproportionate in relation to the modest nature of the original building. The proposal is therefore inappropriate and by definition harmful in the context of the Green Belt. In particular the proposal will reduce Green Belt openness and result in a more developed and built up appearance on site. The proposal therefore fails to comply with policy DS2 of the Bromsgrove District Local Plan and para 89 of the National Planning Policy Framework.
- 2) Due to the scale and design of the proposal would detract from the simple form of the original building and have a significant impact on the character and appearance of the Conservation Area. Therefore, the proposal would be harmful to the visual amenity of the area, contrary to Policies S35A and S36 of the Bromsgrove District Council Local Plan and the National Planning Policy Framework.

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