

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Graham Bewsher	Erection of a detached double garage  Becks Corner , Banks Green, Upper Bentley, Worcestershire, B97 5SX	30.03.2016	16/0095

**RECOMMENDATION:** That planning permission be Refused

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

### Consultations

**Bentley Pauncefoot Parish Council** Consulted 05.02.2016

Bentley Pauncefoot Parish Councillors, other than Cllr Bewsher who has a pecuniary interest in the application, have considered application 16/0095 and would reiterate our comments made in relation to previous application 15/0838.

We note that the application is to grant planning permission for a garage to be constructed to the front of the property.

The application appears to recognise that this would not normally be granted permission due to restrictions on development in the green belt but suggests that very special circumstances apply in that the garage could be built without requiring planning permission to the side of the property utilising permitted development rights.

The concern of the Parish Council is that whilst what might be able to be constructed under permitted development rights will most likely have the more detrimental impact on the green belt, the planning permission sought would involve the garage being built forward of a wall forming the principal elevation of the existing house and this would then potentially leave open applications for garages within plot frontages elsewhere in the Parish.

The Parish Council would therefore suggest that the issue for planners to consider in this case is whether the application has adequately demonstrated very special circumstances pertain or not.

1 site notice was posted 05.02.2016, expires 26.02.2016: No response received

**Councillor Whittaker** believes that the application should be decided at Planning Committee.

### Relevant Policies

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

DS2 Green Belt Development Criteria  
DS13 Sustainable Development

**Others:**

SPG7 Extensions to dwellings in the Green Belt  
NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

**Relevant Planning History**

15/0838	Detached double garage	Refused	21.01.2016
14/0555	Construction of a single storey extension to the rear of the property.	Approved	16.09.2014
13/0817	Construction of Single Storey Extension to Rear of Property. Appeal Dismissed.	Refused	29.04.2014
11/0018	Propose replacement sunroom. As amended by Non Material amendment received on 25/09/13	Approved	03.03.2011
B/18629/1989	Erection of side extension to form lounge, kitchen and dining room, (as amended by plan received 19.10.89).	Approved	07.12.1989

**Assessment of Proposal**

This application site refers to a detached bungalow which has been significantly extended and modified in recent years. The dwelling is located within the designated Green Belt surrounded by open countryside. The dwelling is clearly visible from the public footpath to the east of the site and Banks Green Road to the west.

The proposal consists of a detached double garage forward of the dwelling with the dimensions 6.6 metres by 8.3 metres and a height of 5.3 metres. The garage has two vehicle access openings to the front elevation and two windows and a pedestrian door to the side and rear elevations.

Paragraph 89 of the National Planning Policy Framework (NPPF) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Policies DS2 and DS13 of the Bromsgrove District Council Local Plan reflect this national policy. Paragraph 87 of the NPPF indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm within the Green Belt.

The applicant states that an outbuilding could be erected on site using the dwellings permitted development rights. Although, I do not dispute that the property does benefit

from its permitted development rights, the proposed building exceeds 4 metres in height and is located forward of the principle elevation. Therefore it is considered in this case the potential Permitted Development works would not be a sufficient trade-off to allow for an inappropriate building in the Green Belt and in any event would not be considered an equivalent fall back due to its height and location. As such, no weight is given in this respect to outweigh the definitional harm caused by an inappropriate building in the Green Belt. In addition, it is noted that there would remain a possibility of further outbuildings to be constructed on site under Permitted Development due to the minimal legal control the Council could retain on site with a planning condition.

Paragraph 79 of the NPPF identifies openness as one of the two essential characteristics of the Green Belt. The applicant states that the proposed garage by reason of its location and size would have a lesser impact on the openness of the Green Belt. However, it is considered by the Council the amount of harm to the openness of the Green Belt between the two proposed locations is *de minimis*. It is noted that any building on site would have some impact upon the openness of the Green Belt and therefore this would not outweigh the substantial harm, by definition, of an inappropriate building.

Members should be aware that this scheme is a resubmission of application 15/0838, which was refused under delegated powers. The current scheme submitted is identical to the previous refusal.

In conclusion, the considerations put forward by the applicant do not clearly outweigh the harm to the Green Belt, and there are, no very special circumstances to justify this inappropriate development. The proposal would therefore conflict with policy guidance in the NPPF and with Policies DS2 and DS13 of the Local Plan.

**RECOMMENDATION:** That planning permission be Refused

### **Reasons for Refusal**

The proposal amounts to the erection of a new building in the Green Belt which is unacceptable in principle. The proposed garage is set forward of the principal elevation and exceeds 4 metres in height, therefore it does not have a Class E permitted development fall back. 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 by the applicant 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, the advice of Supplementary Planning Guidance Note 7 (Extensions to dwellings in the Green Belt) and paragraphs 87 - 89 of the National Planning Policy Framework.

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