

Name of Applicant	Proposal	Plan Ref.
Mr & Mrs Pinfield	Demolition of existing dwelling and erection of replacement 4 bedroom dwelling, including relocation of part of access track Sunny Bank Farm , Stoney Lane, Broad Green, B48 7DG,	16/0726

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

RECOMMENDATION: That planning permission be Refused

1. Consultations

- 1.1 **Tutnall And Cobley Parish Council** Consulted 12.08.2016
No Comments Received To Date
- 1.2 **Parks & Green Space Development Officer Martin Lewis** Consulted 12.08.2016
Given the low number of bats in the dwelling the applicant can apply for a Low Impact License. Consideration should be taken into BDP24 of the Emerging Local Plan to ensure that the proposal results in a favourable conservation status on site.
- 1.3 **Drainage Engineers Internal Planning Consultation** Consulted 12.08.2016
Based on the information provided we have no reason to withhold this application on flood risk grounds.
- 1.4 **Highways Department- Worcestershire County Council** Consulted 12.08.2016
No objection subject to condition.
- 1.5 **Aisling Nash County Archaeological Officer** Consulted 19.09.2016
Given the scale of the development, and the anticipated archaeological potential, the likely impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of historic building recording. Therefore, should planning permission be granted a condition regarding a written scheme of investigation is required.

2. Public Comments

- 2.1 A Site Notice was placed on site on 16.08.2016 and expired on 06.09.2016. No comments have been received following this consultation.
- 2.2 **Councillor Whittaker**
This application has been called into the planning committee to give members the opportunity to discuss the merits of the proposal in regards to the Green Belt and design.

3. Relevant Policies

3.1 Bromsgrove District Local Plan 2004 (BDLP):

DS2 Green Belt Development Criteria
DS13 Sustainable Development

3.2 Emerging Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP19 High Quality Design
BDP24 Green Infrastructure

3.3 Others:

NPPF National Planning Policy Framework
SPG1 Residential Design Guide

4. Relevant Planning History

No relevant History

5. Assessment of Proposal

5.1 Green Belt

The main consideration in this location is whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (NPPF), the Bromsgrove District Local Plan 2004 (BDLP) and The Emerging Local Plan. It is then necessary to consider the effect on the openness of the Green Belt and if the proposal is inappropriate development whether the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations that would amount to the very special circumstances required to justify it.

5.2 Policy DS2 of the saved policies of the BDLP states that permission for development will not be given, except in very special circumstances, for the construction of new buildings subject to a number of exceptions. This is broadly in accordance with Paragraph 89 of the NPPF which provides a closed list of exceptions. These exceptions include the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building; the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and the partial or complete redevelopment of previously developed sites whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

5.3 The submitted plans show the proposed replacement dwelling with a floor space of 267sqm. The height of the building would be 7.85m and the volume of the

resultant dwelling is 849m³. The existing dwelling has an existing floor space of 158sqm, ridge height of 7.35m and volume of 607m³.

- 5.4 The Council considers the replacement would result in around a 21% increase in the floor area, in addition the proposal would have an increase in height of 0.5m and a 39% increase in volume of the existing building. It is considered that the amount, scale and mass of the replacement would result in a development materially larger than the existing building. The development is not therefore within the exceptions cited in the 4th bullet point of Para 89 and is thus considered to constitute inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.6 In respect of openness, this is taken to mean an absence of building or development. The extent to which a building or development may be seen from the public realm is not a decisive matter. The increase in the scale of development by reason of the increase in height, bulk and mass, and form would result in a net increase in the amount of built development on the site. The proposal would therefore result in harm to the openness of the Green Belt as well as harm from inappropriateness, both of which carry significant weight.
- 5.7 Very Special Circumstances
The submission includes a plan (drawing 1846/PD01) that demonstrates a permitted development fall-back position under Schedule 2, Part 1, Class A of the GPDO 2015, by virtue of a side and rear extension on each side of the property. The agent contends that the replacement dwelling is preferential to the fall-back position by virtue of footprint and design.
- 5.8 The Council are of the view that the replacement would be more harmful to green belt openness than the fall back. The fall back would only allow a single storey addition with a maximum height of 4 metres, the majority of the additional bulk to the proposal is at first floor level, with an increase in overall ridge height of 0.5 metres of which there is no PD fall-back for. In addition the form and design of the replacement creates a bulkier appearance which visually exacerbates this additional physical mass.
- 5.9 Notwithstanding the above, it is noted the applicant has submitted a structural survey stating that the existing dwelling is not viable to retain. Therefore, these extensions are neither a betterment to any harm caused to the Green Belt and in any event are an unrealistic option to the applicant. The Council therefore consider that very little weight can be afforded to a fall back.
- 5.10 The replacement dwelling is excessive in relation to the existing and the proposed development is therefore inappropriate development within the Green Belt by definition. Inappropriate development is by definition, harmful and should not be approved except in very special circumstances. Very special circumstances to outweigh this harm have not been demonstrated by the agent or indeed exist.

5.11 Design

Policy DS13 and paragraph 64 of the NPPF requires developments to respect the setting, character and form of development in the area. Policy BDP19 of the Emerging Local Plan goes further to ensure development enhances the character and distinctiveness of the local area. In addition, Policy BDP19 requires developments follow relevant guidance to achieve good design. In this instance the relevant guidance consist of The Councils SPG1 Residential Design Guide and Worcestershire County Council Farmsteads Character Statement with Historic England.

5.12 This application affects the undesignated heritage asset Sunny Bank farmhouse and the character of the associated historic farmstead. Farms, farmsteads, and the agricultural buildings that form them are an integral and significant part of Worcestershire's historic environment. Their architectural qualities add greatly to local distinctiveness and provide a tangible reference to the county's past agricultural heritage. Within the often complex arrangement of buildings we not only see the changes in farming practice, but the social and economic development of the individual farm. Where farms have been in existence for some time, they provide key information on changing technologies, farming methods and building techniques. Their significance as key components in the counties historic environment is recognised by the Worcestershire Historic Farmstead Characterisation project statement. Therefore, consideration must be made to the proposed design of the dwelling and its impact on the historic relationship to the farm buildings. The proposed design of the dwelling is of an urban appearance with a hipped roof, uniform window spacing and large glazed elements which is at odds with the simple utilitarian appearance usually found within a rural context. It is considered that the design of the dwelling would conflict with the character of the traditional farmstead and have a detrimental impact on the relationship with the historic farmstead.

5.13 Ecology

Given the proposal involves the demolition of the existing dwelling and is located within a rural location, surrounded by open countryside it has been considered appropriate to consider the impact of the proposal on European Protected Species (EPS). A number of surveys have been undertaken on the site and the bungalow is found to host a roost for three Brown Long-Eared Bats. When EPS have been identified Regulation 9(5) of the 2010 Habitat Regulations requires that in exercising any of its functions a "competent authority" - in this case the Council - "must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions". The Habitat directive requires Local Planning Authorities to have regard to the three licensing tests. The tests therefore, all of which must be satisfied to allow the activity to be licensed are: is there any imperative reasons of overriding public interest. The second test is: is there no satisfactory alternative. The third test is whether the favourable conservation status of the species in their natural range is maintained (under the scheme proposed pursuant to the licence).

5.14 It should be noted that Natural England applies the tests on a proportionate basis; thus the justification required increases with the severity of the impact on the species or population concerned. In this instance the property is host to three

Brown Long-Eared Bats and therefore can be considered by Natural England under a Low Impact License.

- 5.15 In the absence of advice from Natural England, the LPA are not required to undertake a detailed assessment of the three licensing tests but should however be satisfied with the likelihood that the relevant licensing body would grant a licence. In this instance, the applicant has submitted a structural survey to indicate that the dwelling is not viable to be retained, therefore the property would likely fall into disrepair resulting in an unsuitable long term bat roost. In addition the applicant has submitted a mitigation survey by Cotswold Wildlife Surveys Limited which outlines the relevant mitigation measures deemed acceptable onsite which consist of the installation of two Schwegler 1FF bat boxes on the retained buildings.
- 5.16 Given the above, the Council are of the opinion that it is likely that Natural England would grant a license on this basis.
- 5.17 Other considerations
No objections have been raised by WCC Highways subject to conditions relating to onsite parking. The proposal therefore accords with Policy TR11 of the BDLP. In addition, given the location of the proposed dwelling, there are no neighbour amenity issues.
- 5.18 Conclusions
The Council considers the scale of the replacement dwelling is excessive in relation to the existing and that the development is therefore inappropriate by definition. The PD fall-back position is a material consideration; however the Council believes that given the structural survey submitted the PD fall-back is not a realistic option even by the applicants own admission. As such very little weight is afforded to this as to override the significant harm caused by the inappropriate nature of the development. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. These very special circumstances have not been demonstrated by the agent or indeed exist.
- 5.19 Given the site is an undesignated heritage asset within the context of a historic farmstead, the proposal is considered by virtue of the design of the proposed dwelling to have a negative impact on the historic relationship with the farmstead taking into account its urban appearance.

6. RECOMMENDATION: That planning permission be Refused

6.1 Reasons for Refusal

- 6.2 The proposed dwelling would be considered inappropriate development in the Green Belt as it would not fall within any of the appropriate development exceptions of paragraph 89 of the NPPF. Inappropriate development is by definition harmful to the openness of the Green Belt. No Very Special

Circumstances have been submitted or exist which would outweigh the harm caused which would be contrary to policies DS2 and S9 of the BDLP and policy BDP4 of the Emerging Local Plan.

- 6.3 The proposed design of the dwelling is of an urban appearance with a hipped roof, uniform window spacing and large glazed elements which is at odds with the simple utilitarian appearance usually found within a rural context. It is considered that the design of the dwelling would conflict with the character of the traditional farmstead and have a detrimental impact on the dwellings relationship within the historic farmstead contrary to policy DS13 of the BDLP, Paragraph 64 of the NPPF and policy BDP19 of Emerging Local Plan.

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