

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr D Sanderson	Two-storey extension to original front of dwelling (retrospective). Allandale Cottage, Redhill Road, Kings Norton, Birmingham, Worcestershire B38 9EW	05.12.2017	17/01160/FUL

This application is for consideration by Planning Committee due to the requirement for a legal agreement.

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions and a unilateral agreement.

Consultations

Alvechurch Parish Council Consulted 23.10.2017

Objections; this application may set a precedent with extensions being more than 40% in Green Belt. There are no exceptional circumstances to warrant an extension of more than 40%.

Public notifications

One site notice was posted 27.10.2017 and expired 17.11.2017: No response received. Two neighbour letters sent 23.10.2017 and expired 13.11.2017; No response received. Press notice published in The Bromsgrove Standard 03.11.2017 and expired 17.11.2017; No response received.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP19 High Quality Design

Others

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
SPG1 Residential Design Guide

Relevant Planning History

16/0923	2 storey side extension with porch and dormer windows	Granted	18.08.2017
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Assessment of Proposal

The application site is a semi-detached property which lies within an isolated, rural location within an area designated as Green Belt.

There are no records showing that the dwelling has previously been extended however the property benefits from an extant planning permission (16/0923) for a two storey side extension, which is yet to be implemented. A condition was attached to this permission to remove Permitted Development Rights for further extensions; however as the permission has not been implemented, the condition is yet to be triggered.

Allandale Cottage is an unusual property in so much as the original principal elevation does not front the highway, but instead faces towards the garden. This assessment has been made on the basis of the layout of the dwelling, where the porch leading through to the hallway are located on this side of the property.

This application seeks retrospective permission for a two storey extension which extends beyond the original front asymmetric gable.

The main considerations for this application are whether the proposal would constitute inappropriate development within the Green Belt, whether there would be an adverse impact to the openness of the Green Belt, the impact of the proposal on the character of the dwelling and the local area, neighbouring amenity, and whether Very Special Circumstances exist that would outweigh the harm arising by reason of inappropriateness and any other harm.

Green Belt

There is a presumption against development within the Green Belt; however paragraph 89 of the National Planning Policy Framework (NPPF) lists a number of exceptions that may not be inappropriate within the Green Belt, which includes a proportionate addition to an original building. Policy BDP4.4c of the Bromsgrove District Plan states that an extension of up to a 40% increase of the original dwelling may be appropriate provided it had no adverse impact on the openness of the Green Belt. In this case the property benefits from planning permission for a two storey side extension, which in view of its expiry date, 18th August 2020, is reasonably likely to be constructed. This extension would amount to a 36.7% increase in floor space above the original, and the current proposal would amount to a further 17.2%. Taken together, extensions would total 53.9%, which would constitute disproportionate additions and thus inappropriate development.

In accordance with the NPPF inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances. A case has been put forward for a Permitted Development "fall back" at the original rear of the property, which would provide the same amount of accommodation as the proposal.

In view of this, both the proposal scheme and fall back scheme have been measured to provide an increase in floor space of 27 sqm. However consideration is also given to the relative impact to the height and volume of buildings. In this case the ridgeline of the two storey extension is set lower than the potential fall back scheme, and would be no greater in volume.

With regards to the reduced height of the proposal scheme compared to the fall back scheme, there would also be slightly less impact to the visual openness of the Green Belt.

Given the permitted development fall back scheme would be more harmful than the proposal scheme for the reasons above, it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. It is therefore considered that the proposal is acceptable subject to the removal of Class A Permitted Development Rights, which would ensure that the fall back scheme could not also be implemented.

Impact on the Character of the Dwelling and Local Area

Policy BDP19 of the Bromsgrove District Plan requires development to be of a high quality design that will enhance the character and distinctiveness of the local area. The proposal scheme is not considered to dominate the original dwelling in terms of its scale and manages to retain the cat slide detail of the gable, which forms an important part of the character of the dwelling. The fall back scheme would include both a two storey element and single storey element, which again, given their scale would remain subordinate to the original dwelling. However the two storey element of the fall back scheme would partly conceal the original chimney feature on this elevation which would detract from the character of the dwelling. It is also noted that the fall back scheme would be far more prominent from views of the street scene.

Overall it is considered that the proposal scheme would have a greater detrimental impact to the character of the original dwelling and the local area.

Neighbouring amenity

Given the siting of the proposal in relation to the adjoining neighbour, no harm arises to the amenities of the neighbouring occupiers, and thus the proposal complies with policy BDP1 of the Bromsgrove District Plan.

Conclusion

The proposed development would constitute disproportionate additions, which would be inappropriate development within the Green Belt. Inappropriate development is harmful by definition and should only be approved if Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. In this case a permitted development fall back scheme has been put forward which would provide the same amount of floor space. Furthermore the fall back scheme would be taller in height and therefore would have a greater impact to the visual openness of the Green Belt. The fall back scheme would also have a greater detrimental impact to the character of the dwelling and the street scene.

Given the permitted development fall back scheme would be more harmful than the proposal scheme for the reasons above, it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. It is therefore considered that the proposal is acceptable subject to the removal of Class A Permitted Development Rights, which would ensure that the fall back scheme could not also be implemented.

A Legal Officer was consulted as part of the process and considered that a Unilateral Agreement was the most suitable mechanism to remove permitted development rights in this particular case.

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions and a unilateral agreement to remove Part 1, Class A permitted development rights.

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be in accordance with the Approved Plans/ Drawings listed in this notice:

Location Plan - Drawing no. Allandale Cottage - 01K

Proposed Floor Plans and Elevations - Drawing no. Allandale Cottage - 05K

Reason: For the avoidance of doubt and in the interests of proper planning.

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