

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Michael Buckley	Outline permission for the demolition of existing workshops, offices and other related buildings. Erection of new single dwelling house and garage.  9 Bromsgrove Road, Romsley, Halesowen, Worcestershire, B62 0ET	12.12.2017	17/00482/OUT

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

**RECOMMENDATION:** That outline planning permission be **REFUSED**

### **Consultations**

**Romsley Parish Council** Consulted 01.11.2017  
No Comments Received To Date

**Highways - Bromsgrove** Consulted 01.11.2017  
The Highways Officer raises no objections subject to a number of conditions outline below:

Turning area and parking are consolidated, surfaced and drained.

- 3 car parking spaces are provided and retained
- 6 cycle spaces are provides and retained
- An electric vehicle charging point is provided

**Arboricultural Officer** Consulted 01.11.2017  
No objection to the scheme as the existing vegetation is not of significant amenity value. However it should be noted that the height of the existing laurel hedge could not be controlled by condition.

**Parks & Green Space Development Officer Martin Lewis** Consulted 01.11.2017  
No objections

### **Public notifications**

One site notice was posted 06.11.2017 and expired 27.11.2017  
One neighbour letter sent 01.11.2017 and expired 22.11.2017

Two representations have been received raising the following objections:

- Development is unnecessary within the Green Belt and the site could be cleared irrespective of the proposed development
- One of the outbuildings shown on the site plan falls outside the application site and belongs to 11 Bromsgrove Road
- The current condition of the site does not create noise or nuisance, and is therefore preferable to the proposal

- The proposal would detract from the appearance of the area and the local environment
- Additional executive housing is not required in the area
- The proposal may set a precedent for other such proposals in the area
- Additional vehicles exiting onto Bromsgrove Road will increase the risk of traffic accidents

One representation has been received in support of the proposal.

**Cllr Allen-Jones** - requested this application is considered by Planning Committee rather than determined under delegated powers on the basis that the grounds of the application are worthy of consideration by Members.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP21 Natural Environment

#### **Others**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SPG1 Residential Design Guide

### **Relevant Planning History**

B/14197/1986	Erection of detached dwelling. APPEAL DISMISSED 07.07.1986	Refused	28.07.1986
B/16900/1988	Change of use from dwelling to residential home for the elderly. (as augmented by letter dated 23.8.88).	Approved	10.10.1988
B/1996/0704	Widen entrance.	Approved	09.10.1996

### **Assessment of Proposal**

The application site is a parcel of land adjacent to the property 9 Bromsgrove Road. The site lies within a rural location within the Green Belt. There is a small ribbon of development on the opposite side of the road to the north of the site, and Romsley village lies approximately 1.2 kilometres to the north of the site.

The proposal is for the demolition of an existing workshop building and a number of other smaller structures on the site, in replacement for a new dwelling and detached garage.

The application is seeking outline permission for the approval of access, layout and scale. The matters of landscaping and appearance are reserved for future consideration.

The main issues to consider with this application are whether the proposal would constitute inappropriate development within the Green Belt, whether it would have any adverse impacts on the openness of the Green Belt, whether the proposal would constitute a sustainable form of development and the impact of the development on highways, residential amenity, trees and protected species.

### **Green Belt**

There is a presumption against inappropriate development within the Green Belt, however paragraph 89 and 90 of the National Planning Policy Framework (NPPF) lists a number of exceptions that may not be inappropriate, which include the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it. The NPPF defines that previously developed land is land which is occupied by a permanent structure and case law has clarified that previously developed land includes residential garden land provided it is not within a "built-up" area.

The application site is occupied by a number of structures, and the site is covered by hardstanding, although this is somewhat softened by vegetation growing through. The permanent buildings on the site comprise a large single storey workshop building and a number of smaller structures. The Site Plan submitted with the application illustrate a number of motor homes on the site, however it is noted that these do not constitute permanent structures.

It is well established in case law that openness has both a visual and spatial dimension (Turner 2016). The site is well screened by a number of substantial trees surrounding the site and therefore any public view of the new house and garage would be limited. The proposed dwelling would be set below the existing ground level which would help reduce the appearance of the height of the building within the landscape. However although the visual impact of the proposal is somewhat reduced by the characteristics of the site, there is also the spatial element of openness to consider.

Openness in this regard includes the consideration of footprint, floor area, height and volume. Figures have been provided in terms of the combined footprint of the existing buildings on site compared to the proposed, and the height of the existing workshop building compared to the proposed house and garage. In view of the proposed height of the main dwelling, it is considered likely that this would be a two storey building, and based on this, an estimation of floor space for the proposed dwelling and garage has also been calculated. These figures are provided in the table below:-

	Existing workshop and other permanent buildings	Proposed house and garage
Footprint	230 sqm	327 sqm
Height (maximum)	3.9 m	7.1 m
Floor space	230 sqm	591 sqm (estimation)

It can be seen that the proposal would result in a significant increase in terms of footprint (42%), maximum height of the development (82%), and floor space (157%) when

compared to the existing permanent buildings on site. In view of this the proposal would clearly have a much greater impact on the openness of the Green Belt, and the proposal would therefore constitute inappropriate development.

In accordance with the NPPF inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances. It has been put forward that the site has a lawful use for vehicle storage (motor homes), and that the parking of vehicles on the site would also have an impact on openness. A timeline of the use of the site has been provided within the Planning statement; however the only evidence to substantiate this is a signed letter by the applicant's accountant which refers to various business enterprises operating from the site over the last 25 years. It is considered that the evidence contained within the letter does not provide the level of detail required to demonstrate that on balance of probabilities the storage of motorhomes has taken place on the land continuously for 10 years. It is also noted that within a representation received from neighbouring property number 11 Bromsgrove Road, the site is described to have been "little used for many years" and has "never created noise or nuisance".

It has also been put forward that the traffic generation of a single dwelling would be less when compared to a potentially intensified commercial use on the site. However given that a lawful status of the site has not been demonstrated, this matter is given little weight.

Finally it has been suggested that the proposed new building would not be visible outside the confines of the site. However as established earlier in the report, openness has both a visual and spatial dimension, and although the characteristics of the site may go some way to reducing the visual impact of the development, it would not completely diminish the harm arising through the increased scale of the development. Furthermore as the current height of the laurel hedge surrounding the site cannot be retained by condition, the visual screening currently provided may not always be present.

### **Sustainability**

Paragraph 55 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities, and isolated homes should be avoided. Although the application site lies within 1km of a first school and pub, and there are several shops located slightly further in Romsley, there is limited public transport available nearby, and there is only a narrow, unlit pavement on the east side of Bromsgrove Road for pedestrians to use. It is therefore likely that the future occupiers of this dwelling would be reliant on travelling by car. It is also noted that a number of other services such as health facilities and high schools are not within close proximity.

Overall access to a full provision of services would not be readily available for the future occupiers and the proposed new dwelling would constitute an isolated dwelling which would fail to maintain or enhance the vitality of a rural community.

### **Neighbouring Amenity**

Given the relationship and distance between the proposed development and the neighbouring dwelling, it is considered that the new dwelling could secure a development that would not have a detrimental impact to neighbouring amenity.

## **Highways**

The new dwelling would utilise the existing access serving 9 Bromsgrove Road. The Highways Officer raises no objections with regards to the use of the access, considering the existing arrangements suitable.

## **Ecology**

Ecology were consulted with regards to the potential impacts of the proposed development on protected species. In view of both the characteristics of the site and the design and materials of the existing workshop building, they raised no concerns.

## **Trees**

There are a large number of substantial trees outlining the site and providing screening between the application site and 11 Bromsgrove Road, which mainly consist of Laurel trees. The Tree Officer considered that the existing vegetation is not of significant amenity value and therefore raised no objection to the proposed scheme.

## **Conclusion**

The proposal is considered to be inappropriate development as the proposed redevelopment of the site would have a greater impact to the openness of the Green Belt when compared to the existing development. The proposal would also result in an isolated dwelling which would rely on car use in order to access essential services. Inappropriate development is harmful by definition and substantial weight is attributed to any harm arising to the Green Belt by inappropriateness and through any other harm. It is considered that the lack of harm arising through the impact of the development on highways, trees, ecology would only weigh neutrally in the balance of determining whether Very Special Circumstances exist. Therefore in this case it is considered that there are no Very Special Circumstances present that would outweigh the harm arising by reason of inappropriateness and other harm, and thus outline planning permission should be refused.

**RECOMMENDATION:** That outline planning permission be **REFUSED**

## **Reasons for Refusal**

1. The proposal would fail to comply with Policies BDP4 of the Bromsgrove District Plan (2011-2030) and the provisions of the National Planning Policy Framework. The proposed development would comprise the redevelopment of a brownfield site which would have a greater impact to the openness of the Green Belt by reason of the increase in footprint, floor space, height and volume of the proposed buildings compared to the existing permanent buildings on site. The proposal would therefore constitute inappropriate development, which is by harmful by definition, and should not be approved unless Very Special Circumstances exist which would outweigh the harm arising to the Green Belt by reason of inappropriateness. In this case it is considered that there are no Very Special Circumstances that would outweigh the identified harm.
2. Contrary to Policies BDP1 and BDP2 of the Bromsgrove District Plan (2011-2030) and paragraph 55 of the National Planning Policy Framework, the proposal would result in an isolated new dwelling which, by reason of its location would fail to

Plan reference

enhance or maintain the vitality of a rural community and would result in an unsustainable form of development.

**Case Officer:** Charlotte Wood Tel: 01527 64252 Ext 3412  
Email: [Charlotte.Wood@bromsgroveandredditch.gov.uk](mailto:Charlotte.Wood@bromsgroveandredditch.gov.uk)