

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ahluwalia	Two storey side extension to form new bedroom suite, ground floor cloakroom and new reception room  Chadwich Heights, Sandy Lane, Wildmoor, Bromsgrove, Worcestershire B61 0QW	17.08.2018	18/00423/FUL

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

**RECOMMENDATION:**

(1) Minded to **APPROVE FULL PLANNING PERMISSION**

(2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:

(i) The applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

**Consultations**

**Belbroughton and Fairfield Parish Council**

No Comments Received To Date

**Highways - Bromsgrove**

I have no highway objections, the highway is not affected and the applicant has relocated the existing parking which is acceptable.

**Public Notifications**

One neighbour letter sent 27.06.2018 and expired on 21.07.2018.

**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**

B/1998/1030	Extensions to form conservatory and utility room	Approved	09.02.1999
BR477/65	Alterations and Extensions	Approved	27.07.1965
44/62	Construction of new vehicular access conversion of basement to garage	Approved	13.03.1962

**Assessment of Proposal****The Site and its Surroundings**

The property is a detached rendered/brick built dwelling, with a basement garage. The dwelling is located in an elevated position accessed via Sandy Lane (A491) along a private drive. The significant levels of hedgerow and tree screening, particularly on the southern boundary of the site mean that long distance views are limited. The application proposes a two storey side extension to form a new reception room and bedroom at first floor level. The application plan also indicate a new parking area adjacent to the house, however this work can be undertaken as permitted development under Class F of the GDPO.

**Green Belt and Very Special Circumstances**

The existing dwelling has already benefitted from significant additions since 1948 such that the original dwelling has been disproportionately extended having regard to paragraph 145 of the NPPF. 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 has no adverse impact on the openness of the Green Belt. In this case the property has already been extended above the 40% threshold by way of the previous extensions outlined in the history section. Any further extensions to the property would therefore amount to inappropriate development within the Green Belt. In accordance with the NPPF, inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances.

In this case the dwelling has the benefit of permitted development rights to extend the original dwelling. Given the layout of the site and the way in which the dwelling has previously been extended this could allow for two substantial single storeys extension without the need for full planning permission. The application proposes additional accommodation at first floor level over an area that could be extended as permitted development in order to provide further bedroom and bathroom accommodation. In order to consider whether very special circumstances exist to allow the proposed inappropriate development a comparison between the permitted development extensions and the proposed development needs to take place.

In favour of the proposal, the permitted development extensions possible at the site could provide a greater floorspace than that proposed under this current application (82.8 sq m vs 66.75 sq m). Whilst this would be at ground floor level, an extension up to a maximum

height of 4 metres is possible. It is considered that the potential for carrying out extensions under permitted development as an alternative to the development proposed is a reasonable prospect and should therefore be given weight in the determination of this application. In addition, the rear permitted development extensions has the potential to extend significantly from the existing dwelling thus having a significant impact to the openness of the Green Belt, the absence of any built form in this area.

The proposed extension will provide first floor accommodation. It would not increase the overall height of the roof and would be set back and located in the area between the lounge and dining room. It is considered that in this location it has far less impact on the openness of the green belt as it is screened by the existing lounge and garage. Taking all these matters in to account, it is considered that the ability for the dwelling to be extended substantially under permitted development represents a very special circumstance which is sufficient to outweigh the harm to the green belt through inappropriateness.

To ensure that the permitted development fall back cannot also be implemented the applicants are prepared to enter into a unilateral undertaking to relinquish their permitted development rights for further extensions to the dwelling.

### **Amenity and Design**

The dwelling is some 126m from the nearest property and it is not considered that there would be any detrimental impact on the amenity of this property.

The development is considered to be of good quality design, that will not dominate the property and that will enhance the character and distinctiveness of the local area. In view of this the proposal would meet the requirements of Policy BDP19 and the provisions of Supplementary Planning Guidance note 1 - Residential Design Guide (SPG1).

**RECOMMENDATION:** That planning permission be

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
  - (i) The applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

### **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 carried out in accordance with the Materials specified in question 11 of the application form and the Approved Plans/Drawings listed in this notice:

Existing & Proposed Site & Location Plans - Drawing No P-02 C1718-51  
Existing & Proposed Plans & Elevations -Drawing No P-01 C1718-51 Rev C

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

**Case Officer:** Mr Paul Lester Tel: 01527 881323  
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