

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs Cox	Alterations and extensions to existing dwelling Headley Rise, Packhorse Lane, Hollywood, Birmingham, B38 0DN	06.06.2019	19/00396/FUL

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

RECOMMENDATION: That planning permission be **REFUSED**

Consultations

Wythall Parish Council Consulted 15.04.2019

Objection due to green belt, large extension appears to be over the 40% allowed.

Publicity

3 neighbours notified 15.04.2019 (expire 09.05.2019): No response received.

1 site notice was posted 30.04.2019 (expires 20.05.2019): No response received.

Councillor Denaro

Would like members to consider the very special circumstances put forward by the applicant.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP19 High Quality Design

Others

SPG1 Residential Design Guide

NPPF National Planning Policy Framework (2019)

Relevant Planning History

18/01269/FUL	Alterations and extensions to existing dwelling	Withdrawn	12.12.2018
B3174	Erection of single storey lounge and kitchen	Granted	02.02.1977
BR/1107/73	Garage	Granted	05.04.1973

Assessment of Proposal

The main issues are:

- (a) Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework;
- (b) The effect on the openness of the Green Belt;
- (c) If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
- (d) impact on neighbouring amenity

Inappropriate development

Paragraphs 143-145 of the National Planning Policy Framework (the Framework) makes it clear that the Government attaches great importance to the Green Belt and the protection of its essential characteristics, those being openness and permanence. Paragraph 143 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New buildings are to be regarded as inappropriate development, subject to the express exceptions outlined in paragraphs 145.

One such exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Policy BDP4 of the Bromsgrove District Plan (BDP) (2017) is more specific and states that inappropriate development will not be allowed in the Green Belt unless justified by very special circumstances.

Criterion (c) allows extensions to existing residential dwellings up to a maximum of 40% increase of the original dwelling or increases up to a maximum total floor space of 140m² (original dwelling plus extensions) provided that the scale of development has no adverse impact on the openness of the Green Belt.

The planning history of extensions at the property since its original construction has been considered. This confirms that there have been previous extensions to the property in the form of a rear extension and detached garage linked by a front wall and that these, amount to an increase in the original footprint of 43.5%. The existing dwelling is 136.36 square metres. The proposed additions of 121.74 square metres result in a total of 258.1 square metres taking account of removal of the existing detached garage of 27 square metres. This amounts to a cumulative increase in the total floor area to the original dwelling of 89.2%. This cannot be considered to be proportionate to the original building.

The proposal cannot be considered to fall within the exceptions listed in the Framework and is, therefore, inappropriate development and consequent harm arising in accordance with paragraph 143-5 of the Framework. The development is also in conflict with Policy BDP4 of the BDP.

Openness

As set out above, the essential characteristics of the Green Belt are its openness and permanence. Openness is in effect the absence of buildings and so the introduction of the proposed extension, with its substantial scale and mass would be at odds with this, consolidating the built form to a previously open area above the garage. As such, the development would harm the openness of the Green Belt. The harm to openness adds to the Green Belt harm that has been identified above.

The increased bulk of the building's roof reduces the gap which existed above the garage. The closing of the gap is evident from the road and has the effect of consolidating the built forms of development within the curtilage of the dwelling. For these reasons it is concluded that the scheme visually and physically reduces the openness of the green belt. In terms of openness it would create a loss of openness and larger scale and mass of the dwelling overall.

There is no concern about the design of the extension in character and appearance terms. This is, however, a distinct from the matter of openness.

Very Special Circumstances

The Framework and BDP4 makes it clear that substantial weight is to be given to any harm to the Green Belt. It advises that that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The agent appears to accept that existing extensions exceed the guidelines and that any further extensions would be contrary to policy. In respect of very special circumstances the agent is of the view that the extent of work that is possible under permitted development rights would have a far more detrimental effect on the openness on the Green Belt than the proposals. The applicant is also content to accept a condition that removes permitted development rights in relation to further extensions.

The permitted development options show a detached outbuilding as well as extensions, although it is clear that the applicants require first floor space rather than ancillary buildings. The applicants have resided at the property for several years and have not implemented any permitted development options. It is not considered therefore that the permitted development fall back put forward by the applicant is realistic as it bears no relationship to the scheme as submitted. It is unlikely that the applicants would want bulky box dormers that detract from the character of the property. In addition the creation of a rear permitted development extension as shown would require the removal of the existing rear extension. Again this would be unlikely to be desirable or cost effective. Given these circumstances, it is not considered that any very special circumstances exist or have been forward to outweigh the harm caused to the principle of inappropriate development in the Green Belt.

Impact on Residential Amenity

The extensions would not impact adversely on the adjacent dwelling at Oakdene, being over 10 metres away and divided by a fence and driveway, nor to the dwellings to the rear, The Bungalow and Wood House Farm, due to the distance of over 35 metres away.

It is not considered that an unduly detrimental impact will occur and this is therefore in accordance with policy BDP19 of the Bromsgrove District Plan and SPG1; Residential Design Guide.

Conclusion

It is considered that the proposal amounts to inappropriate development in the Green Belt. Inappropriate development is, by definition harmful to the Green Belt. Although the scheme is of an acceptable design with no adverse impact on neighbours, there are no considerations sufficient to clearly outweigh the harm to the Green Belt and so there are no very special circumstances to justify the proposal. The application is therefore considered to be unacceptable.

RECOMMENDATION: That planning permission be **REFUSED**

- 1) The proposal amounts to inappropriate development in the Green Belt. Inappropriate development is, by definition harmful to the Green Belt. No very special circumstances exist or have been put forward to outweigh the harm that would be caused to the Green Belt. The proposal is therefore considered contrary to the provisions of Policy BDP4 of the Bromsgrove District Plan 2017 and the provisions of the NPPF.

Case Officer: Sally Price Tel: 01527 548425
Email: sally.price@bromsgroveandredditch.gov.uk