

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mrs P Lydon	Erection of a free standing greenhouse  Sunday Hill, Whinfield Road, Dodford, Bromsgrove, Worcestershire B61 9BG	20.06.2019	19/00542/FUL

**Councillor Beaumont has requested that the application be considered by Planning Committee rather than being determined under delegated powers.**

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

**Consultations**

**Dodford with Grafton Parish Council** Consulted 08.05.2019  
No objections.

**Conservation Officer** Consulted 08.05.2019  
The proposal would sustain the character and appearance of the Dodford Conservation Area, thus complying with BDP20 of the Bromsgrove District Plan (2017). No objections subject to conditions.

**Public Consultation**

1 site notice was posted 10.05.2019, expired 03.06.2019; No response received.

A press notice was published in The Bromsgrove Standard 13.05.2019, and expired 03.06.2019; No response received.

**Councillor Beaumont** Requested that the application be considered by Planning Committee due to the level of public interest.

**Relevant Policies**

**Bromsgrove District Plan**

- BDP1 Sustainable Development Principles
- BDP4 Green Belt
- BDP19 High Quality Design
- BDP20 Managing the Historic Environment

**Others**

- NPPF National Planning Policy Framework (2019)
- NPPG National Planning Practice Guidance
- High Quality Design SPD
- Draft Dodford Conservation Area Appraisal

**Relevant Planning History**

BR/170/1964	Extensions.	Approved	14.04.1964
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B/2004/0407	Two storey rear extension, replacement of flat roof of previous extension with pitched roof, alterations to front elevation.	Approved	09.07.2004
B/2005/0150	Demolition of existing conservatory and construction of new conservatory.	Approved (not implemented)	06.04.2005
10/0234	Single storey extension to rear.	Approved	07.05.2010
14/0084	Demolition and replacement of garage	Refused	26.09.2014
15/0710	Demolition of existing garage and construction of new garage and agricultural store.	Refused	07.10.2015
15/1041	Demolition of existing garage and construction of new garage and agricultural store (amendment to previous application 15/0710)	Approved	14.01.2016
18/00030/FUL	Erection of a greenhouse	Refused (Dismissed at Appeal)	12.04.2018

### **Assessment of Proposal**

The application site is located within Dodford Conservation Area and within an area designated as Green Belt.

The proposal is for the erection of a new greenhouse in the rear garden of the dwelling. The site was subject to a previous planning application for a greenhouse which was to be attached to a brick wall. This application was recommended for refusal by Officers and was refused by members at Planning Committee in April 2018. Following this, the application was subject to an appeal in November 2018, where it was dismissed. This current planning application removes the wall element of this previous proposal. The appeal decision is attached as Appendix One to this item.

Given the constraints of the site, the main issues to consider are whether the proposal would constitute inappropriate development, the impact on the openness of the Green Belt, and the impact of the proposal on the character and appearance of Dodford Conservation Area.

## **Green Belt**

Development within the Green Belt is considered inappropriate unless it falls within a limited number of exceptions contained within paragraphs 145 and 146 of the National Planning Policy Framework (NPPF). This list does not include the provision of new domestic outbuildings. Policy BDP4 of the Bromsgrove District Plan (BDP) is consistent with this, and therefore the proposed greenhouse building constitutes inappropriate development within the Green Belt.

In cases where domestic outbuildings are sited within 5 metres of a dwelling, it may be appropriate to consider the building as an extension rather than a separate building. In order to be appropriate development within the Green Belt, extensions are required to be proportionate to the original, and Policy BDP4 limits a proportionate addition to be up to 40% above that of the original. In this case the new building would be approximately 5 metres from the main dwelling, however even if the proposed greenhouse were to be treated as an extension, it is noted that previous extensions amount to 71% and therefore any further extensions would automatically amount to inappropriate development.

Part 1, Class E of the General Permitted Development Order allows for new domestic outbuildings which are incidental to the main dwelling and fall within certain size parameters. However, with respect to this particular application site, there has been a previous planning permission granted (15/1041) which included a condition to remove Class E rights. As this permission has been implemented, the occupiers no longer have the benefit of constructing outbuildings without the requirement of planning permission.

The greenhouse would be of a modest scale and would be sited within the curtilage of the dwelling. The building would comprise a low brick wall, however would be of a glass construction above this. The appearance of the building would therefore be predominantly transparent. Notwithstanding this, the addition of this building would still have a modest impact on Green Belt openness.

In view of the above, the proposal would amount to inappropriate development within the Green Belt, which would have a modest impact to the openness of the Green Belt. Where there is harm arising to the Green Belt, paragraph 143 of the NPPF states that development should not be approved except in very special circumstances. Further to this paragraph 144 of the NPPF states that very special circumstances would need to clearly outweigh harm arising to the Green Belt by reason of inappropriateness and any other harm.

## **Very Special Circumstances**

A number of matters were raised within the supporting statement provided with the application. It was stated that as the wall element of the proposal has been removed, the openness of the Green Belt will remain. However the greenhouse in itself will have a modest impact to openness and as it would be inappropriate development it would be harmful to the Green Belt as a matter of fact.

The statement also raised that the greenhouse would not harm the character of the Green Belt, would be visually attractive and of a high quality build, would have a high degree of transparency, would not affect any trees or protected wildlife populations, and

would allow the enjoyment of the garden area in line with one of the ideals of the Chartist movement. These factors would only have neutral weight within the planning balance.

On the basis of the above there are no very special circumstances present that would clearly outweigh harm arising to the Green Belt by reason of inappropriateness and any other harm.

### **Character/Conservation Area**

The Conservation Officer has provided comments in relation to this application and notes that although Sunday Hill was constructed on one of the Chartist lots, it was developed slightly later than the Chartist cottages, and is of a grander scale and design than the simple Chartist cottages. Although the building is not statutory listed, it is described in the Draft Dodford Conservation Area Appraisal as a building of local interest.

In terms of the current proposal, the Conservation Officer considered that the greenhouse would be in keeping with the semi-rural character of the area, and that its design would complement the design and detailing of the host dwelling. Overall, subject to the control of joinery details, it was considered that the proposed greenhouse would sustain the character and appearance of the Dodford Conservation Area, and would therefore comply with policy BDP20 of the BDP.

### **Other Matters**

In view of the distance between the proposed development and any neighbouring residential properties, the proposal would have no adverse impact to neighbouring amenity, in line with policy BDP1 of the BDP.

No technical matters have been raised during the consultation period of the application.

Dodford and Grafton Parish Council have raised no objections to the proposal and have provided further comments questioning whether the condition in place to restrict further outbuildings should cover the restriction of a greenhouse. However as the proposed greenhouse would clearly constitute a new outbuilding that would fall under Part 1, Class E of the General Permitted Development Order (GPDO), this matter is not given weight. Furthermore it is stated that the dimensions of the building would fall within the limitations of Part 1, Class E development, however as these rights are not available to the applicants, this matter is again not given any weight. It was also raised that the development would not be seen from Whinfield Road and would blend in with the surroundings. However as the development is considered inappropriate by definition, this does not outweigh the Green Belt harm. Finally the Parish Council commented that whilst they do not object to this application, they would object to a shipping container. However this is not a matter to be considered as part of this current planning application.

**RECOMMENDATION:** That planning permission be **Refused**

### **Reason for Refusal**

- 1) The proposal comprises the erection of a new building in the Green Belt which is unacceptable in principle. New domestic outbuildings are not included within the closed list of exceptions to inappropriate development in the Green Belt contained within Paragraphs 145 and 146 of the NPPF. The proposal would therefore

amount to inappropriate development which is harmful by definition and should be given substantial weight. Furthermore the proposal would have a modest impact on the openness of the Green Belt. No very special circumstances exist or have been put forward that would outweigh the substantial harm identified arising to the Green Belt. The proposal would therefore be contrary to Policy BDP4 of the Bromsgrove District Plan and section 13 of the NPPF.

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