

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Paul Mannion	Extend existing roofline at first floor with dormer to create home office. Alterations to 2 no. dormers to front elevation and 1 to rear in existing roof, addition of 1 dormer to rear Kinard, Barkers Lane, Wythall, Worcestershire, B47 6BS	25.11.2020	20/01208/FUL

Councillor Denaro has requested that the application is considered by the Members of Planning Committee rather than being determined under Delegated Powers

RECOMMENDATION: That planning permission be **Refused**

Consultations

Wythall Parish Council

Wythall Parish Council raise no objection to the application subject to the proposal being within 40% extension allowance

Publicity

4 neighbour letters were sent on 2 November 2020 and expired 26th November 2020. No third-party representations have been received as a result of this publicity.

Councillor Denaro – response as follows – “I wish to call in the above application to Committee for clarification of points raised by the applicant”

Relevant Policies

Bromsgrove District Plan

BDP4 Green Belt

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2019)

Bromsgrove High Quality Design SPD

Relevant Planning History

20/00513/HHP RIO	Single storey rear extension extending 8 metres beyond the rear wall of the original dwelling; with a maximum height measured externally from natural ground level of 3.02 metres and with an eaves height measured externally from	Granted	05.06.2020
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natural ground level of 2.9 metres

20/00013/CPE	Two storey extension and balcony to rear and carport to side	Granted	27.02.2020
B/2006/0365	Extension to rear of existing house	Granted	02.08.2006
B/2001/0158	Side extension to dormer bungalow.	Granted	05.07.2001
B/1995/0955	Replacement bungalow -Resubmission of B95/0333- (As amended by plans received 4.3.96)	Granted	19.03.1996

Assessment of Proposal

The application site consists of a dormer bungalow, a detached garage and an outdoor swimming pool. Planning permission was granted under application B/2001/0158 for an extension to provide two further bedrooms at the ground floor level and an additional bedroom with a balcony on the first floor. A Larger Homes Extension application was submitted in January 2020 - 20/00513/HHPRIO and Prior Approval was granted for an 8m x 3m extension at the rear of the dwelling. This has not yet been implemented. A Certificate of Lawfulness was submitted for an existing two storey rear extension and a single storey extension at the side of the dwelling. The two-storey extension had been granted consent under application B/2006/0365 however, it had not been constructed in accordance with the then approved plans. The purpose of the certificate was to agree that the extensions had been constructed more than 4 years ago. The certificate was granted. This proposal is for the extension of the existing roofline at first floor with dormer to create home office, alterations to 2 no. dormers to front elevation, alterations to one dormer to the rear and the addition of one dormer to rear. The extension will be constructed of materials to match the existing.

Green Belt

The dwelling is detached and lies within an area designated as Green Belt therefore regard has to be given to Policy BDP4 of the Bromsgrove District Plan (January 2017) (BDLP) and the guidance in the National Planning Policy Framework (NPPF). Policy BDP4 sets out that the development of new buildings in the Green Belt is considered inappropriate, except in specific circumstances. The circumstances are broadly consistent with those set out in the Framework which in paragraphs 145 and 146 sets out the categories of development which may be regarded as not inappropriate, subject to certain conditions. This application falls under the category of an extension of a building, or specifically in relation to policy BDP4, to an existing residential dwelling. In considering whether or not it would be inappropriate development, a determination has to be made as

to whether or not it would result in disproportionate additions over and above the size of the original building.

Policy BDP4 interprets disproportionate additions as being extensions that would represent more than a maximum 40% increase of the original building or a maximum total floor space of 140 square metres. In this respect, the dwelling has already been extended by 73.83% and the proposal would add a further 10.6% taking the cumulative increase to a total of approximately 84.50%. The total floor space would equate to approximately 280 square metres. This would be considered inappropriate development in the Green Belt.

The proposal would thus be harmful to the Green Belt and should not be approved except in very special circumstances.

The applicant has raised the following matters in support of the application:

Permitted Development Fall-back:

The applicant has an approved Householder Prior Notification (planning reference 20/00513/HHPRIO - Approved 05.06.2020) which would comprise of a single storey extension at the rear of the dwelling. The supporting statement submitted with the application states that the fall-back position of the Householder Prior Approval should be a material consideration in the decision-making process.

It is not considered the presence of the Prior Approval is a fall-back position and thus no weight is attached to this argument. The fallback position differs from the proposal in that the form of the development in that case would be restricted to a single storey element. In contrast the extension and dormers proposed in this application, would add considerable mass to the first floor of the building. Furthermore, whilst I acknowledge that the proposal would be contained in one building and would be less sprawling than the fallback position, single storey extension proposed in the fallback position would represent a subordinate building which would not add to the bulk of the original property. For these reasons the proposal would have a greater impact on openness. Consequently, the proposal would cause greater harm to the Green Belt than the fallback position. As such, no matters have been found that would outweigh the harm identified in respect of the proposal and accordingly no very special circumstances exist that would justify allowing the application.

60 Barkers Lane:

Application Number: 13/0949. When this application was decided in 2014, the now superseded Bromsgrove District Local Plan was in force. The Green Belt Policy S11 - Extensions in the Green Belt, which was part of the superseded plan, was supported by a supplementary document - SPG7. The guidance in the SPG7 considered that any dwellings located within a run of properties would be afforded extensions which exceeded the 40% guideline on the proviso that the proposal met the requirements of any other relevant policies. The current local plan - Bromsgrove District Local Plan, which was adopted in 2017, no longer supports this policy approach and Members are directed to the content of Policy BDP4. Furthermore, Members will be clear that each application is decided upon its own merits.

70 Barkers Lane:

17/00576/FUL - Two and one storey rear house extension. This proposal presented a 49% increase above the original floor area. However, application was approved, under delegated powers, on grounds of a realistic permitted development fall-back position. Since this application was decided a number of appeal decisions have been issued where the Inspector for these cases has not applied weight to the PD fall-back position.

In a recent appeal decision for extensions to a dwelling in the Green Belt in Bromsgrove, the Inspector concluded:

“The approved plans for a prior notification, Certificate of Lawful Proposed Development and planning permission for extensions to the dwelling have been put forward by the appellant as a fallback position. From the information available to me it appears likely that the appellant would be able to implement only one of these schemes. While the schemes would be sizeable in their own right, I find that the combination of the additional height and mass of the appeal proposal would result in a much greater reduction in the openness of the Green Belt compared with each of the fallback schemes. In particular, none of the three schemes would result in an additional floor and the prior notification and Lawful Proposed Development schemes would be set below the ridge line of the existing bungalow. Whilst the appellant would be willing to accept a condition restricting further permitted development, this would not overcome the harm to openness identified above. In light of this I consider that the appeal scheme would have a greater impact on openness over and above the fallback position. Furthermore, any fallback position does not remove the harm by reason of inappropriate development in the Green Belt and the harm to the openness of the Green Belt that would arise from the proposal. As such the fallback position carries limited weight in my overall consideration.”

This appeal was subsequently dismissed. Furthermore, the Bromsgrove High Quality Design SPD was adopted in June 2019 and this document further strengthens the position on Green Belt matters set out in Policy BDP4 of the BDLP.

The dwelling lies within the Green Belt and careful consideration has been given to the relevant policies. Paragraph 145 of the NPPF makes it clear that when considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist, unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. No matters have been found that would outweigh the harm identified in respect of the proposal and accordingly no very special circumstances exist that would justify allowing the application.

Openness:

The addition of the first-floor extension, enlarged dormers and new dormer, given their scale and siting, would have a limited visual and spatial impact upon openness. However, in that openness would be reduced, even this limited harm to the openness of the Green Belt is given substantial weight, as set out by Paragraph 144 of the Framework.

Design and Residential Amenity:

In terms of design, the extension has been designed sympathetically and sits comfortably with the existing building. The existing building hosts a pitched roof with a number of dormers. The proposal has been designed to continue with this type of roof. Due to the

siting of the proposals, there would no impact on the residential amenity of the occupiers of the adjacent dwelling therefore this the overall design of the proposed extension is acceptable.

Other Matters:

Wythall Parish Council have stated: "No objections subject to the proposal being within 40% due to being in Green Belt". Given the proposal exceeds the 40% tolerance, Members will thereby assume that Wythall Parish Council object to the scheme.

No comments arising from the consultation procedure have been received.

Conclusion:

In conclusion, the proposal would amount to inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt. No very special circumstances exist or have been put forward to outweigh the harm to the Green Belt. The scheme would therefore be contrary to Policy BDP4 (BDP4.4 c) - Green Belt of the Bromsgrove District Plan 2017, Paragraphs 143-145 of the National Planning Policy Framework 2019 and the High-Quality Design SPD.

RECOMMENDATION: That planning permission be **Refused**

Reasons for Refusal

The proposed development would represent a disproportionate addition over and above the size of the original dwelling and therefore constitutes an inappropriate form of development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. No very special circumstances exist or have been put forward to outweigh the harm to the Green Belt. The scheme would therefore be contrary to Policy BDP4 (BDP4.4 c) - Green Belt of the Bromsgrove District Plan 2017, Paragraphs 143-145 of the National Planning Policy Framework 2019 and the High-Quality Design SPD.

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