

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Carl Oakley	Proposed detached double garage.  High Brow, Rowney Green Lane, Rowney Green, Birmingham, Worcestershire B48 7QP	23.04.2021	21/00302/FUL

**Councillor English has requested that this application is considered at Planning Committee rather than being determined under Delegated Powers.**

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

### Consultations

#### **Alvechurch Parish Council**

No Objections.

### **Public Consultation**

1 joint letter of support from 6 neighbours

Neighbours confirm that they have no objection to the proposal and fully support it.

1 letter of objection

Concern the development will dramatically affect the natural light to their property. Development will increase the original footprint of the property and be outside the building line. Existing garage has been converted, will this happen again.

### **Cllr English**

The reason for my wishing to call the application in is that although SPD states that 'Outbuildings set forward of the principal elevation will not usually be appropriate as it may harm the character of the street scene', in this instance, I do not think that the garage will harm the character of the street scene. There are garages from nearby properties in similar positions and therefore, the new garage will blend into the street scene rather than harm it.

### Relevant Policies

#### **Bromsgrove District Plan**

BDP4 Green Belt

BDP19 High Quality Design

### **Others**

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

Bromsgrove High Quality Design SPD

ALVNP Alvechurch Neighbourhood Plan

### Relevant Planning History

B/2000/0310	Construction of new bedroom and garage.	Approved	15.06.2000
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### **Site Description**

Highbrow is a detached property set well back from Rowney Green Lane by approximately 19m. The dwelling is located within the Green Belt and Rowney Green village envelope as designated in the Bromsgrove District Plan.

### **Proposal Description**

Permission is sought for a double garage measuring approximately 5.3 x 5.7 m. The garage would have a hipped roof and be finished in brick and tiles to match the existing bungalow. The garage would be positioned in the front garden of the property.

### **Assessment of Proposal**

Policy BDP4 of the District Plan would apply as well as Paragraph 143 of the National Planning Policy Framework (NPPF) and states that inappropriate development is by definition harmful and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that the construction of new buildings in the Green Belt shall be regarded as inappropriate development except where certain exceptions apply. The garage would not fall within any of the exceptions set out within either the Framework or Policy BDP4 of the District Plan and would therefore represent inappropriate development within the Green Belt.

Paragraph 133 of the Framework identifies that openness is one of the essential characteristics of Green Belts, along with permanence. The Courts have confirmed that the openness of the Green Belt has a spatial aspect as well as a visual aspect. The building would be located in the front garden of the bungalow and would be highly visible from the streetscene. Given its scale, the proposal would be experienced both visually and spatially. As such, the proposed development would compromise the openness of the Green Belt, which would be reduced both physically and visually. Whilst the loss of openness would be limited, harm to the Green Belt would occur. This matter carries substantial weight.

In view of the above, the proposal would amount to inappropriate development within the Green Belt, which would have an adverse 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**

The applicant's agent has provided very special circumstances that can be summarised as follows:

1. The inclusion of Highbrow within the Rowney Green village envelope where some infill development is acceptable does imply that there are slightly less restrictions to development than would be the case if the property was in the countryside.
2. The B/2000/0310 planning permission for this property included an attached garage to the front of the bungalow which was not implemented. However, the rear extension in that approval was implemented and as such then it could be argued

the planning permission for the garage is still current and could be constructed without having to apply for planning approval. Should this be the case the proposed location of the new detached garage and the difference in terms of impact on openness with the garage previously approved would be marginal.

3. The detached garage now proposed at the front would sit tucked in against the adjacent property - Beulah -and as such in our view it would have very limited impact on Green Belts openness in the context of the rest of the built development within the village envelope or the potential for further infill development within the village.
4. Reference has been made to other garages at the front of properties in the village, and those are certainly relevant whether they were approved a long time ago or not.
5. The Council's Supplementary Planning Document on High Quality Design refers to garages at the front of the principal wall of a dwelling. The guideline states that outbuildings set forward of the principal elevation will not usually be appropriate as it may harm the character of the street scene. In our view that is not a total prohibition and would allow such a double garage if it can be shown that it would have only limited impact on the street scene which would be the case here.

I have noted the arguments put forward by the applicant and would clarify as follows:-

1. The proposal is not an infill development as interpreted under policy BDP4.
2. The applicant could still implement the garage that formed part of the approval under ref B/2000/0310, however, the garages are not like for like. The approved garage was more of a single garage, and whilst it was set forward from the front wall of the bungalow, the garage was still attached to the house and set back from the road, restricting its impact on the openness of the Green Belt as well as the streetscene in general.
3. The proposed garage would be adjacent to the side hedge but would still be highly prominent and positioned further forward than the adjacent property.
4. It is noted that there are other garages that have been built close to the road, however, it is understood that most of these are older planning decisions prior to the adoption of the Council's High Quality Design SPD.
5. Para. 3.6 of the High Quality Design SPD refers to outbuildings such as sheds and detached garages, stating that they should be of an appropriate scale, orientation and design to ensure they do not compete with or detract from the dwelling they serve. The SPD also makes it clear that outbuildings set forward of the principal elevation will not usually be appropriate as it may harm the character of the streetscene. In this situation, the proposed garage would be built further forward than the front wall of the bungalow as well as the neighbouring property Beulah. Given that a low beech hedge exists along the front boundary, the proposed garage would be highly prominent and visible in its intended position, having an adverse impact on the openness of the Green Belt and the general streetscene.

The proposal would amount to inappropriate development in the Green Belt, and further harm to the Green Belt would be caused as a result of loss of openness. These matters carry substantial weight. The very special circumstances submitted do not outweigh the harm identified to the Green Belt. The proposal conflicts with Policy BDP4 of the BDP which, amongst other things, limits development within the Green Belt. The proposal would also conflict with the Green Belt aims of Section 13 of the Framework.

The design of the proposal has been considered against Policy BDP19 and guidance set out in the High Quality Design SPD. Whilst the general design of the proposal may be acceptable, due to the pattern of development locally, the positioning of the garage would consequently appear unduly prominent within the street scene thereby materially harming the character of the area having an unacceptably adverse impact upon the character of the street scene. The acceptable design of the garage does not outweigh the significant harm caused by the inappropriate nature of development on the streetscene and would conflict with Policy BDP19 of the District Plan, and the High Quality Design SPD.

Policy H4 of the made Alvechurch Neighbourhood Plan refers to proposals reflecting the identity of the local setting, by way of height, scale, spacing and layout, following established building lines and street scene arrangements for front gardens. Particular reference is made in respect to garages under Policy H4.8j which encourages garages to be set back from the street frontage and designed to reflect the architectural style of the house they serve. The proposal would conflict with this policy of the Alvechurch Neighbourhood Plan.

#### Consultation

Alvechurch Parish Council do not object to the proposal, and whilst there is a joint letter of support from 6 households, there is a letter of objection in respect to the impact of the development on the streetscene and harm to the openness of the Green Belt.

#### Conclusion

The proposal is considered to represent inappropriate development, which is by definition harmful to the Green Belt. The arguments advanced by the applicant do not amount to very special circumstances that would justify the development. The positioning of the garage would have a detrimental impact on the streetscene and would not be in accordance with policies in the District Plan, the Council's High Quality Design SPD, the Alvechurch Neighbourhood Plan, and the NPPF.

**RECOMMENDATION:** That planning permission be Refused

#### **Reasons for Refusal**

- 1 The proposal comprises the construction 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 National Planning Policy Framework. The proposal would therefore amount to inappropriate development which is harmful by definition and should be given substantial weight. Furthermore the proposal would have an adverse impact on the openness of the Green Belt. There have been no very special circumstances put forward or exist 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 National Planning Policy Framework.

- 2 The garage by reason of its siting is considered to be contrary to the pattern of development locally and consequently appears unduly prominent within the street scene thereby materially harming the character of the area contrary to Policy BDP19 of the Bromsgrove District Plan, Bromsgrove District Council High Quality Design SPD, the Alvechurch Neighbourhood Plan, and the NPPF.

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