

**20/00339/FUL
NON-MAJOR**

Mr K Potts

**BREWOOD & COVEN
Councillor Wendy Sutton
Councillor Joyce Bolton
Councillor Diane Holmes**

The Cottage Paradise Lane Slade Heath WOLVERHAMPTON WV10 7NZ

New detached studio

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application relates to a white rendered two storey detached property on the western side of Paradise Lane, Slade Heath in the rural area to the east of the local service village of Coven. The dwelling sits within a cluster of residential development of varying styles and types. It has a large area of amenity space to the front and side and borders the West Coast Mainline railway.

1.2 Planning History

1991 - Replacement Dwelling - Refused (91/00071)

1991 - Alterations and extensions - Approved (91/00376)

1996 - Renewal of 91/00376 for extensions to dwelling - Approved (96/00263)

2006 - Two storey rear extension - Approved (06/01132/FUL)

2019 - Demolition of existing conservatory and replacement with 2 storey rear extension - Approved (19/00955/FUL)

2. APPLICATION DETAILS

2.1 Proposal

2.1.1 The applicant seeks to add an L shaped detached building within the garden of the property to provide a home studio, shower and games room (3.7/4.3. x 9.9 metres). It would have a mono pitched roof with a maximum height of 3.6 metres and at its nearest point it would be 9.9 metres to the south west of the main dwelling.

3. POLICY CONTEXT

Within the Green Belt

Core Strategy

Strategic Objective 1 Green Belt - To protect and maintain the Green Belt and Open Countryside in order to sustain the distinctive character of South Staffordshire

Core Policy 1 - The Spatial Strategy

Core Policy 2 - Protecting and Enhancing the Natural and Historic Environment

Core Policy 3 - Sustainable Development and Climate Change

Core Policy 4 - Promoting High Quality Design
GB1 - Development in the Green Belt
EQ9 - Protecting Residential Amenity
EQ11 - Wider Design Considerations

National Planning Policy Framework
12 - Achieving well-designed places
13 - Protecting Green Belt Land

4. CONSULTATION RESPONSES

No **Councillor** comments (expired 01/06/2020)
No **Brewood and Coven Parish Council** comments (expired 26/05/2020)
No **Neighbour** comments (expired 26/05/2020)
Site Notice (expired 28/05/2020)

5. APPRAISAL

5.1 The application is being presented to Planning Committee because it is contrary to Policy GB1.

5.2 Key Issues

- Principle of Development
- Very Special Circumstances
- Impact on the Openness
- Impact on Neighbouring Properties
- Space about Dwellings
- Highways/parking

5.3 Principle of development

5.3.1 The site is located within the Green Belt where there is a presumption against inappropriate development. The proposal involves the construction of a new building in the Green Belt which does not fall under any of the permitted categories in Policy GB1 of the Core Strategy. The proposed studio is not therefore appropriate development in the Green Belt and very special circumstances must be advanced to justify a grant of planning permission.

5.4 Very Special Circumstances/Impact on the Openness

5.4.1 Paragraph 144 of the NPPF states that:

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

5.4.2 This property still retains Permitted Development [PD] Rights, granting consent for the proposal on this occasion would allow PD rights to be removed by condition for any additional outbuildings. It is currently possible to add a large detached outbuilding within the north west corner of the site without planning permission. This has been demonstrated in the Planning Statement accompanying the application.

5.4.3 If the applicants were to use their permitted development rights, this would have the potential to have a far greater impact upon the openness of the Green Belt than the proposed outbuilding. A building with a floor area of 86 square metres or 215 cubic metres in volume could currently be constructed as permitted development, whereas the proposal has a floor area of 39 square metres or 111 cubic metres in volume. It is considered, therefore, that this fallback position amounts to very special circumstances to clearly outweigh the automatic policy objection with GB1 in this instance and the principle of the proposal would therefore be considered acceptable.

5.5 Impact on neighbouring properties

5.5.1 Policy EQ9 states that new development:

"should take into account the amenity of any nearby residents, particularly with regard to privacy [...] and daylight."

5.5.2 The proposal would be well screened from all of the neighbouring properties. I note that there have been no neighbour objections to the application and do not consider that the proposed outbuilding would cause any undue impact through the loss of privacy, loss of light or overlooking to the neighbouring properties either side. It would therefore comply with Policy EQ9 of the Core Strategy.

5.6 Space about Dwellings

5.6.1 The proposal does not infringe the Council's normal Space about dwellings standards.

5.7 Highways/parking

5.7.1 There are no parking or highways issues in respect of this application.

6. CONCLUSION

6.1 The proposal is inappropriate development in the Green Belt and there are very special circumstances that exist to clearly outweigh this harm. I consider that the proposal would cause much less harm to and greatly reduce the impact on the openness of the green belt than if the applicants were to build to their potential permitted development limits. In addition, there will be no impact on neighbour amenity. Therefore, for the above reasons I consider the proposal to be acceptable and recommend approval.

7. RECOMMENDATION - APPROVE

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: 0323 WS3 005, 0323 WS3 069 received 28/04/2020
3. The materials to be used on the walls of the outbuilding shall be white render to match the existing dwelling and cedar board cladding and the roof covering shall be GRP (glass reinforced plastic) unless otherwise agreed in writing by the Local Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any other subsequent equivalent order, no development within the following classes of development shall be carried out to the dwelling(s) hereby approved without the prior approval of the Local Planning Authority:
 - a. Schedule 2, Part 1, Class E - garden buildings, enclosures, pool, oil or gas storage container
5. The outbuilding approved shall be used only for purposes incidental to, and in connection with, the use of the dwelling on the site

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
5. In order to define the permission and to avoid doubt.
6. Proactive Statement

In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve

Matthew Hurley – Planning Assistant: Planning Committee 21/07/2020

sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



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