

**19/00910/FUL
NON-MAJOR**

Mr And Mrs K Hampton

**BOBBINGTON
Councillor Victoria Wilson**

Primrose Cottage Gospel Ash Road Bobbington STOURBRIDGE DY7 5EE

Proposed detached garage

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The site relates to a rendered bungalow set back from the main Gospel Ash Road, east of the small service village Bobbington in a rural setting. The property has been extended previously.

1.2 Planning History

01/00338/FUL - Extensions to include dining area, bedroom 4 and ensuite, change of use of part garage to playroom - Refused 2.05.2001 Reasons for refusal:

1. The site is within the Green Belt and the proposed development is considered to be inappropriate development as set out in policy GB1 of the adopted Core Strategy. The development is therefore harmful to the Green Belt, contrary to policy GB1 of the adopted Core Strategy.
2. The proposed development is contrary to planning policies in policy GB1 in the adopted Local Plan, in that it would result in disproportionate additions to the original dwelling and is therefore inappropriate development in the Green Belt, contrary to policies GB1 of the adopted Core Strategy.
3. No considerations have been advanced that amount to the very special circumstances needed to clearly outweigh the harm the development would cause to the Green Belt by reason of inappropriateness, as well as any other harm resulting from the development, contrary to Policy GB1 and paragraph 143 and 144 of the NPPF.

04/00306/FUL - Extensions to include additional bedroom and en-suite - Approved Subject to Conditions 26.05.2004

17/00171/FUL - First floor extension forming bedroom and en-suite - Approved Subject to conditions 21.02.2017

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 Planning permission is sought for a two-bay detached garage to the front of the main dwelling along the boundary with the main road.

2.1.2 The garage would be open fronted and constructed out of treated cladding and tiles to match the existing property.

2.2 Amendments

2.2.1 The proposal was amended on advice from the case officer. The height of the proposal was reduced by 0.5m, and a reduction of depth and width by 1.0m.

2.2.2 The proposed garage would measure 1.9m to eaves, 3.7m to maximum roof height, 5.5m in width and 5.4m in depth.

3. POLICY CONTEXT

The site lies within the West Midlands Green Belt.

South Staffordshire Core Strategy, adopted 2012

- o Core Policy 1: The Spatial Strategy for South Staffordshire
- o Policy GB1: Development in the Green Belt
- o Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape
- o Core Policy 3: Sustainable Development and Climate Change
- o Policy EQ9: Protecting Residential Amenity
- o Core Policy 4: Promoting High Quality Design
- o Policy EQ11: Wider Design Considerations
- o Policy EQ12: Landscaping
- o Policy EV12: Parking Provision
- o Appendix 5: Car parking standards
- o Appendix 6: Space about Dwellings

Adopted Local Guidance

- o Green Belt and Open Countryside SPD 2014
- o South Staffordshire Design Guide Supplementary Planning Document 2018
- o Sustainable Development Supplementary Planning Document 2018

National Planning Policy Framework 2019 (the 'NPPF').

- o Section 12 - Achieving well-designed places
- o Section 13 - Protecting Green Belt land

National Planning Policy Guidance, updated 2019 (the 'NPPG').

4. CONSULTATION RESPONSES

Councillor Victoria Wilson:(Expired 2.01.2020)- No comments received.

Bobbington PC: (Expired 2.01.2020)- No Objections received 13.01.2020

Neighbours: Expired 2.03.2020

Site Notice: Expiration 11.01.2020

No third-party responses have been received.

5. APPRAISAL

5.1 The application is brought before the Planning Committee as the proposal is inappropriate development in the Green Belt, contrary to GB1 of the Core Strategy, 2012 and the provisions of the NPPF.

5.2 Key Issues

- Principle of development and Green Belt
- Very special circumstances
- Design and Scale & Impact on the Character of the Area
- Impact on Neighbouring Amenity
- Highways and Parking implications
- Other matters

5.3 Principle of development and Green Belt

5.3.1 The site is located within the Green Belt where the construction of new buildings is considered inappropriate and thus carry a presumption of refusal. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, there are exceptions to this position as set out within Paragraphs 145 & 146 of the NPPF.

5.3.2 This is reiterated within Policy GB1 of the Core Strategy, 2012 which outlines exceptions to inappropriate development within the Green Belt which are largely consistent with the NPPF.

5.3.3 It is accepted that the proposal is situated within the curtilage of the dwelling, however it cannot be considered as an extension or alteration due to its detached nature. The detached garage would not replace any existing building nor would it fall into any of the other exceptions outlined within the Policy. Outbuildings do not fall into any defined exception within the Policy. As such the proposal is deemed inappropriate development within the Green Belt and the proposal is therefore contrary to Policy GB1 of the Core Strategy, the guidance contained within the Green Belt and Open Countryside SPD, 2014 together with the objectives of the NPPF. In order for inappropriate development to be acceptable, material considerations amounting to very special circumstances must be advanced to justify a grant of planning permission.

5.4 Very Special Circumstances

5.4.1 The NPPF states that inappropriate development should not be approved except in very special circumstances. These will not exist unless the harm to the Green Belt by reason of inappropriateness together with any other identified harm, is clearly outweighed by other considerations.

5.4.2 Given the view taken with regard to the proposal being inappropriate development, 'Very Special Circumstances' would need to be put forward in support of the application to justify approval. The Council's adopted Green Belt and Open Countryside allows for the introduction of new buildings that form a tight cluster. I am comfortable that in this instance, the surrounding layout of dwellings, combined with existing outbuildings would be considered as a tight cluster. I consider therefore that this amounts to the very special circumstances needed to clearly outweigh any potential harm in line with GB1 and paragraphs 145 and 146 of the NPPF.

5.5 Design and Scale & Impact on the Character of the Area

5.5.1 Policy EQ4 seeks for development to respect the intrinsic rural character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced.

5.5.2 Core Strategy Policy EQ11: Wider Design Considerations states that development proposals must seek to achieve creative and sustainable designs that take into account local character and distinctiveness, and reflect the principles around use, movement, form and space.

5.5.3 Outbuildings that are forward of the principle elevations are dealt with on a case by case basis. In some instances, they are considered to be unacceptable as they sit forward of a strong building line.

5.5.4 The immediate context is characterised by a tight cluster of dwelling houses set back from the main road and there is a detached outbuilding in the front garden of the opposite dwelling. It is not considered that there is a strong character along this stretch of Gospel End Road, as all the properties are of different styles and designs.

5.5.5 It is considered by way of the justification by the Applicant for the siting together with the proposed planting in between the boundary wall and the proposed garage, that the proposed garage would be softened in the landscape.

5.5.6 Overall it is considered that the combination of an informal palette of materials together with the landscaping features will mean that the proposal would not have a detrimental impact on the character of the area. As such, on balance, the proposal would comply with Policies EQ4 and EQ11 of the Core Strategy, 2012.

5.6 Impact on Neighbouring Amenity

5.6.1 Policy EQ9 of the Core Strategy requires that new development should take into account the amenity of any nearby residents.

5.6.2 There would be no conflict in the location of the proposed garage on neighbouring amenity and as such the proposal would accord with Policy EQ9 of the Core Strategy, 2012.

5.7 Highways and Parking implications

5.7.1 Core Strategy policy EV12 parking provision requires that adequate parking be included with schemes for new housing. Appendix 5 Parking Standards provides guidance on the recommended number of vehicle parking spaces to be provided. It is considered that there would be ample room to the front of the dwelling and within the new proposed garage to provide adequate parking for the size of the dwelling.

5.8 Other Matters

5.8.1 The recommendation below includes the use of pre-commencement conditions (this is a condition imposed on a grant of planning which must be complied with before any building or operation comprised in the development is begun or use is begun). The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 provide that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition. In this instance, the Applicant has been notified in writing and has responded in agreement.

6. CONCLUSION

6.1 The proposal is inappropriate development, harmful to the openness of the Green Belt by definition. In order to justify such inappropriate development, the applicant must advance material considerations amounting to very special circumstances.

6.2 It is considered that the location of the property, within a tight cluster of dwellings amount to justifying the vsc's required to clearly outweigh any harm to openness of the Green Belt. There are no neighbour or highway implications and any impact on the character of the area would be limited and mitigated by the planting of a hedge and as such I am recommending the approval of planning permission subject to appropriate conditions.

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 hereby approved shall be carried out in accordance with the amended plan reference H/1962/2019a.1 Issue 2 received by the Local Planning Authority dated 5th February 2020.

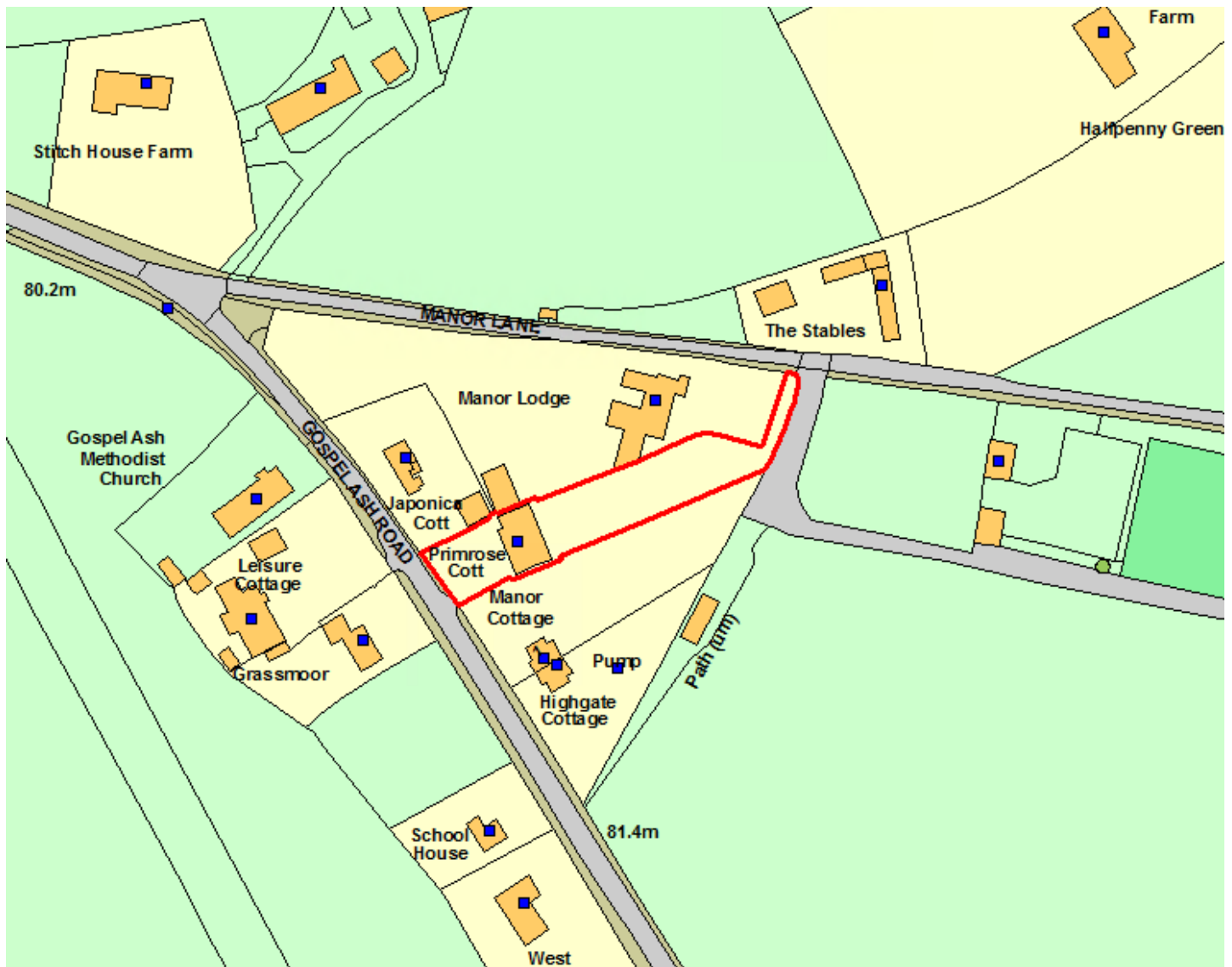
3. The development shall be constructed out of timber on a brick plinth as specified within the application form submitted and feature matching roof tiles to the main dwellinghouse unless otherwise agreed in writing by the Local Planning Authority
4. A scheme for the proposed the landscaping along the boundary wall with the proposed development, including the retention of any existing shrubs, hedgerow and planting of additional shrubs and hedgerow planting, shall be submitted to approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 6 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a shrub of equivalent number and species shall be planted as a replacement and thereafter properly maintained.
5. The landscaping details required by Condition 4 above shall include planting plans; written specifications including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. The proposed species shall include pollinators and native species.
6. The detached garage hereby approved shall be retained for use as such and shall not be adapted or converted for any other purposes.

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. To safeguard the character and landscape of the area in accordance with Policies GB1 and EQ11 of the Core Strategy, 2012
5. To safeguard the character and landscape of the area in accordance with Policies GB1 and EQ11 of the Core Strategy, 2012
6. In order to define the permission and to ensure the proposal is acceptable on the merits as for what has been submitted for accordance with Policy GB1 of the Core Strategy, 2012

7. Proactive statement

In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible and amending the proposal in order to overcome objections in accordance with paragraph 38 of the National Planning Policy Framework, 2019



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