

20/00579/FUL

Dale Hitch

BREWOD & COVEN

NON MAJOR

**Cllr Wendy Sutton
Cllr Joyce Bolton
Cllr Diane Holmes**

Lawn Farm House Lawn Lane Coven WV9 5BA

Demolition of existing outbuilding timber structure and erection of new outbuilding timber structure, part enclosed, part open

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The site relates to a large traditional farmhouse on the west side of Lawn Lane, outside the village boundary of Coven. Directly adjacent are the farms barns, that have since been converted into residential dwellings. The dwelling sits in a large residential curtilage and be bounded by an established hedge and mature planting/trees.

1.2 Planning History

2017 New entrance gates and double garage plus extended gravel driveway, approved (certificate of lawful development 17/00988LUP)

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 Planning permission is sought for a detached timber L shaped outbuilding that is open on the western side with a 'summer room' area with floor to ceiling glazed doors. It measures 9m by 10m with a ridge height of 4.76m.

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 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').

4. CONSULTATION RESPONSES

No Councillor comments (expired 25/08/2020)

Brewood Parish Council (received 25/08/2020) *No comments*

Site Notice expired 09/09/2020

No neighbour comments (expired 29/09/2020)

5. APPRAISAL

5.1 The application is brought before the Planning Committee as the proposal is in the Green Belt, contrary to GB1

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

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 The proposal is to replace an existing domestic structure, but this replacement by far exceeds what would be considered to be 'materially larger'. Paragraph 145 part g) of the NPPF does allow for the limited infilling or the partial redevelopment of previously development land provided that the proposal does not have a greater impact on openness than the existing development. A residential garden that is not in a built-up area is considered to satisfy the definition of PDL. Lawn Farm House is a large imposing Victorian farmhouse and there is a detached wooden garage building to the rear (south west) of the site towards the rear boundary. The proposed building will be situated to the north west of the host property where the small domestic structure is, but that is otherwise free from built

development and laid to grass. The proposed replacement outbuilding is open on one side and looks from the plans that it will provide cover to a hot-tub along with a 'summerhouse' area that provides around 22sqm of floor area, with a ridge height of 4.76m.

5.3.4 I consider that there will inevitably be some impact on openness from the erection of the building. Given the size of the existing dwelling on site, and the other domestic outbuilding, the matter of whether there will be any greater impact on openness is in my opinion, finely balanced. However, as this area of the garden is relatively open, and the building is fairly large for a domestic structure; I consider the proposal has to be deemed as inappropriate development. 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 and clearly outweigh the harm (albeit it limited) to the openness of the Green Belt.

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 Here, there is an extremely plausible and likely Permitted Development fallback position that I attach significant weight to. The outbuilding proposed is able to satisfy all of the relevant parameters of Part 1 Class E of the GPDO with one exception; it is above the required 4m in height. The proposed building is in fact 4.76m in height. When read in the context of the host dwelling, an increase of slightly over half a metre in ridge height would not give rise to any greater material harm to openness above the PD allowances. When combined with the loss of the existing domestic structure, and the removal of PD rights to prevent the erection of any further outbuildings at the site; I consider 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 The site is well screened on all sides, preventing any views into the site. Lawn Lane is not a road used regularly by walkers. Any views of the development would be limited. Notwithstanding this however, the building is sensitively designed and is akin to many found within domestic curtilages such as this. I consider therefore that 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. There is no impact on access nor parking provision from the erection of the outbuilding.

6. CONCLUSION

6.1 The garden is considered to satisfy the definition of previously land, and whilst finely balanced, due to the size of the host property and existing outbuilding, there would be only a marginal impact on openness. Any impact on openness however (within the realms of paragraph 145) is considered to render the proposal as inappropriate and 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 In this instance if the building were to be lowered by 76cm, it could be erected under the Permitted Development allowances, when read within the context of the large host dwelling, I do not consider that this additional height would give rise to any material harm on openness above the building that could be erected without planning permission from the Council. When combined with the loss of the existing small structure and the removal of PD rights to restrict any further erection of outbuildings at the site, any harm to the Green Belt, by reason of inappropriateness is clearly outweighed.

6.3 There are no neighbour or highway implications and any impact on the character of the area would be limited due to acceptable design and the existing mature screening on the sites boundaries. I am therefore recommending the approval of planning permission subject to appropriate conditions.

7. RECOMMENDATION - APPROVE Subject to Conditions

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: 20_1975_003, 20_1975_004, 20_1975_005 received 13/07/2020
3. The garage shall be used only for purposes incidental to, and in connection with, the use of the site as a dwelling.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other subsequent equivalent order, no

development within the following classes of development shall be carried out within the garden area 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

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. In order to define the permission and to avoid doubt.
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. 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, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Lawn Farm House, Lawn Lane, Coven, WOLVERHAMPTON WV9 5BA