

**PLANNING
COMMITTEE**

31st October 2012

APPEAL OUTCOME REPORT FOR INFORMATION

APPEAL MADE AGAINST REFUSAL OF PLANNING PERMISSION

PLANNING APPLICATION DETAILS: 2011/323/FUL

PROPOSAL	REPLACEMENT DWELLING
LOCATION	12 CRUMPFIELDS LANE, WEBHEATH
WARD	WEST
DECISION	DELEGATED PLANNING DECISION MADE ON 23 JANUARY 2012

The author of this report is Sharron Williams, Planning Officer (DC), who can be contacted on extension 3372 (e-mail: sharron.williams@bromsgroveandredditch.gov.uk) for more information.

Discussion

Permission was sought to demolish a 1950's style detached dwelling with a single detached garage and erect a new dwelling with integral garage. The dwelling would comprise of a living room, dining room, kitchen, family room, utility, two toilets and conservatory at ground floor level and 4 bedrooms, family bathroom, two en-suites and dressing rooms. A detached outbuilding with a floorarea of 39.65 sq m is also proposed within the garden area.

The floor area of the existing dwelling is approximately 86.8 sq m. The potential floor area of the new dwelling and integral garage is approximately 361.71 sq m excluding the floor area of the proposed outbuilding in the rear garden

The site is within an area designated as an Area of Development Restraint in the Borough of Redditch Local Plan No.3. As it is unclear as to what the future zoning would be for this Area of Development Restraint, when considering proposals in the interim, the Open Countryside policy B(RA).2 would apply.

This policy provides exceptions when housing could be permitted in the open countryside. One of the exceptions is:-

- i) A replacement of, and comparable in size with, an existing building with established residential use rights.

The written justification for the policy refers to criterion iv and defines 'size' in relation to volume, scale, and height of a building.

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Considering the above policy and taking into account that there is a dwelling on the site already which is intended to be replaced, the floorspace of the existing unit would be taken into consideration as well as the floorarea of potential extensions that could be built on the existing property under permitted development rights. This would equate to a potential floorarea of 179.8 sq m.

Given the proposed floorarea of the proposed dwelling and integral garage is approximately 361.71 sq m. (excluding the floorarea of the outbuilding in the rear garden), the floor area of the proposed dwelling exceeded what would be considered acceptable in this location and as such would have a detrimental impact on the openness of this area and be contrary to Policy B(RA).2.

In addition, the design of the dwelling is a very large mass that takes up most of the width of the application site, resulting in a front elevation that would be very dominant on the streetscene. The proposal would be built close to the side boundaries and have a very wide elevation detracting from the visual amenities of the streetscene. Some amendments were made but did not adequately address the above issues. The application was refused planning permission under delegated powers on 23 January 2012 for the following reason:-

1. The proposed dwelling is substantially larger than that which it would replace in terms of its height, size, bulk and massing, and is not considered to be comparable in size. This would result in an overbearing and overly dominant, obtrusive form of development out of character with its surroundings and the streetscene. As such, the proposal is considered to be contrary to Policies B(RA).2, B(RA).3, and B(BE).13 of the Borough of Redditch Local Plan No.3, and the Borough of Redditch Supplementary Planning Guidance on Encouraging Good Design.

The Inspector considered the main issues were:-

- a) The implications of the proposed development with respect to policies concerning development in open countryside.
- b) The effect the development would have on the character and appearance of the area.

The inspector noted the intention of Policy B(RA).2 and its purpose in relation to replacement dwellings, but considered that there were a number of mitigating factors to be taken into account. The Inspector felt that there should be some allowance for the fact that the existing dwelling is unusually small in comparison to others in this part of the lane. Also, reference to 'size' is defined as the volume, scale and height of a building, inferring that

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floorspace should not be the only measurement. In this case the dwelling would not exceed the height of the existing, although it would be larger in other aspects. Also, the Inspector had a view that the Council had allowed other replacement dwellings and additional infill, demonstrating a pragmatic approach to this aspect of the policy. In addition, the development would not result in isolated development and considered that the countryside would not be harmed by this development.

The Inspector considered the existing house as undistinguished in appearance and not making a positive contribution to the area. The front elevation of the proposed dwelling would stand slightly forward of that of the existing dwelling but, in terms of its overall position, would fit in with neighbouring properties. Although glimpses of trees to the rear of the house can be seen at present, no important vistas or skylines would be lost as a result of the proposed development. The projecting front gable would provide articulation and break up its apparent width. Overall, the Inspector considered that the proposed development would not be overbearing, over-dominant or unduly obtrusive within its context, and would not conflict with Policy B(BE).13 of the Local Plan No.3 and objectives in the NPPF (National Planning Policy Framework).

Appeal outcome

The planning appeal was ALLOWED. Costs were neither sought nor awarded.

Further issues

The appeal was allowed subject to the following conditions:-

- 1 Development to commence within 3 years.
- 2 Plans approved defined.
- 3 Samples of materials for external surfaces to be submitted and approved.
- 4 Details for vehicular access, turning and parking areas to be submitted and approved.
- 5 Parking for site operatives during development.
- 6 Working hours during construction restricted.
- 7 Drainage details to be submitted and approved.

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.