

**PLANNING
COMMITTEE**

28th July 2021

Planning Application 19/01264/FUL

Erection of 2 x dwellings in lieu of 1 dwelling granted as part of the site's re-development under application 17/00451/FUL (Retrospective)

Rockhill Farm, Astwood Lane, Feckenham, Redditch, Worcestershire, B96 6HG

Applicant: Mr Gora
Ward: Astwood Bank and Feckenham Ward

(see additional papers for site plan)

The case officer of this application is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Ext 3372 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site forms part of the former Rockhill Farm complex. The former farm buildings are near completion of being converted to residential use. The application site is north of Feckenham Village, is within the Green Belt and is outside of the Village Envelope and the Conservation Area. The application site benefits from a vehicular access from Astwood Lane.

Proposal Description

Revise the scheme from 1 No. 4 bedroom dwelling to 2 No. 3 bedroom dwellings.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 5: Effective and Efficient use of Land

Policy 8: Green Belt

Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

Redditch High Quality Design SPD

Relevant Planning History

2014/159/OUT	Outline application with some matters reserved - Demolition of buildings and alteration of farmhouse with 9 no. new dwellings	Refused	14.08.2014
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REDDITCH BOROUGH COUNCIL

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2015/144/COU PRO	Change of use of Agricultural Barns into three dwellings	Refused	10.08.2015
2015/316/COU PRO	Change of use of Agricultural Barns into three dwellings	Prior Approval Refused	18.12.2015
AP2016/0003/ REF	Change of use of Agricultural Barns into three dwellings	Allowed at Appeal	12.07.2016
17/00451/FUL	Development at Rockhill Farm comprising: <ul style="list-style-type: none">. conversion and extension of existing stables building;. conversion of barn to 2 x new dwellings;. demolition of existing barn and erection of new dwelling;. associated works including demolition	Approved	01.08.2017

Consultations

Feckenham Parish Council

Initially Feckenham Parish Council had no objection to this planning application.

Additional comments submitted 15.10.20

Object to application. The creation of a dwelling in the Green Belt is contrary to both policies of the NPPF and RBC. It is acknowledged that the sub division of an existing dwelling is an acceptable exception to these policies, as set out in paragraph 79 (d). In order for this to be a sub division of an existing property, there has, by definition, to be a single dwelling to be sub divided.

Barn 1 has not been constructed as a single dwelling in accordance with the approved documents, but as two dwellings. This is, the creation of a dwelling in the green belt without the benefit of a planning consent, not a sub division of an existing single dwelling.

In addition, there is a significant increase in volume intended in the amended submission, the original being a mono pitch roof, this proposal being dual pitched. Therefore, there is an increase in the harm to the openness of the green belt.

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North Worcestershire Water Management

The site is in flood zone 1 (low risk of modelled river and tidal flooding). There are records of frequent flooding to Astwood Lane.

The onsite drainage for the development is acceptable, however the offsite discharge is not constructed as shown on the as build drawings, NWWM are currently in the process of discussions between the developer (and their agents) and WCC highways to try and resolve these issues

WRS - Contaminated Land

WRS have reviewed the above planning application for potential contaminated land issues of which none have been identified. Therefore, WRS have no adverse comments to make in relation to contaminated land.

Highways Redditch

No objections and recommend conditions.

Public Consultation Response

1 letter of objection

Object to the additional building work on the grounds that it falls outside the granted application and the fact that the complex drainage requirements imposed on the build are now no longer adequate causing flooding to our property.

Assessment of Proposal

Retrospective permission is sought to regularise the provision of an additional dwelling within the application site.

Members may be aware that planning permission was granted (Ref: 17/00451/FUL) to redevelop the site for residential development. This involved the conversion of some of the former farm buildings and demolition of the large dutch barn that was located close to the road frontage. A new dwelling would be erected in its place.

The dutch barn which was in poor condition was 6.4m high at its highest point and 5.19m at its lowest. The volume of the dutch barn was approximately 1603 cubic metres. The approved replacement building that would provide a 4 bedroom dwelling would be located in the same position as the dutch barn and be single storey (floorarea 184sqm) with an overall height of 2.8m. Work on the redevelopment scheme commenced last year and progressed even during lockdown.

The building for the dwelling has been erected but not in accordance with the approved plans but rather in accordance with the plans that now form part of this application. This application is for 2 No. 3 bedroom dwellings within the same footprint of the approved 4 bedroom dwelling. The height of the building is also different. The approved dwelling comprised a very shallow mono pitched roof whereas this scheme (erected on site),

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provides a dual pitched roof with an overall height varying from 5.3-6.2m creating a total volume of approximately 848 cubic metres or thereabouts.

Principle of development

The application site is located within the Green Belt. Policy 8 of the Borough of Redditch Local Plan No. 4 would apply and states that applications for new development will be determined in line with national planning guidance on Green Belts. The National Planning Policy Framework (NPPF) states that new buildings within the Green Belt are considered to be inappropriate development subject to a closed list of exceptions as outlined in Paragraphs 145 and 146 of the NPPF.

The application does not accord with any of the exceptions to inappropriate development in the Green Belt and as such is considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering a planning application, substantial weight should be afforded to any harm to the Green Belt.

When the redevelopment application was considered under 17/00451/FUL, the officer at the time of determining the application acknowledged that the new dwelling and the proposal overall would result in a visual improvement of the site. These factors amounted to very special circumstances to justify the harm by reason of inappropriateness.

In respect to the current application, it is acknowledged that the additional dwelling would also represent inappropriate development. However, the scale of the revised scheme compared to the dutch barn that originally stood on site would have limited harm on the openness of the Green Belt, taking into account that the overall height of the scheme with a dual pitched roof would still be lower than the original building. It is noted that a shallow mono pitched roof was recommended by the officer at the time who dealt with the previous application, in order to minimise the impact of the new dwelling in this Green Belt setting. Whilst the revised height of the building with a dual pitched roof would be higher than that approved under the previous scheme, the revised roof is more in keeping with the former farm buildings especially when viewed from the road. It is considered that these factors amount to very special circumstances to justify the harm by reason of inappropriateness.

In respect to garden provision, the revised scheme is of a similar arrangement to that previously approved. Therefore, there would be no further harm to the openness of the Green Belt with respect to possible encroachment. Three car parking spaces were approved for the original dwelling. A total of 4 car spaces are required for the revised scheme and can be provided within the site without causing detriment to the openness of the Green Belt.

Policy 2 of the Local Plan No.4 provides a settlement hierarchy for development within Redditch in order to make it clear how settlements should be developed sustainably. The proposal site sits outside of the three areas listed within the hierarchy. Therefore,

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paragraphs 2.3 of the policy applies, which states development in this location should only provide for locally identified development needs.

However, it must be acknowledged that the Council cannot currently demonstrate a 5 year housing land supply. In view of this and having regard to the presumption in favour outlined in paragraph 11 of the NPPF, the lack of 5 year housing land supply would mean that paragraph 11(d)(ii) is engaged and planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The NPPF states that there are three overarching, interdependent objectives to achieving sustainable development which are economic, social and environmental objective. The planning merits of the application have been considered having regard to these objectives.

Sustainable location

The NPPF sets out that housing should be located where it will enhance or maintain the vitality of rural communities. Whilst the site is located outside the identified settlement, it is adjacent to established residential dwellings with footpath links to the village. The site is located within walking distance of amenities, bus route and bus stops which are located within approx. 500m.

Amenity and impact of neighbouring occupiers

Adequate garden provision would be provided for each dwelling, although the shapes of the gardens are linear, the useable garden area is 160sqm and 325 sqm. Members will be aware that a minimum of 70 sqm of garden provision is required for new dwellings as stated in the Councils SPD on High Quality Design.

In respect to the impact on the neighbouring occupiers, the provision of the additional dwelling would not hinder the amenities of the neighbouring occupiers given the building is single storey. As such the proposal is in accordance with the SPD and policies 39 and 40 of the Local Plan No.4.

Highways

The Highways Authority have considered the site and raised no objections to the proposal. The application site benefits from an existing vehicular access and is in close proximity to amenities, a bus route and bus stops.

Drainage

There is an existing flood risk issue located at the junction of Swansbrook Lane and Astwood Lane. This matter has been raised as part of the public consultation of this application. Officers have been in dialogue with the applicant and North Worcestershire

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Water Management (NWWM) regarding the drainage arrangements that have been carried out for the redevelopment of the site in order to ensure that the revised development does not have an impact on the local flood risk issue. NWWM have clarified that the onsite drainage is acceptable, however the offsite discharge has not been constructed as shown on the as build drawings. However, NWWM are currently in the process of discussions between the developer and WCC Highways to try and resolve these issues.

This site was draining to the road before it was developed, and following development, the site has been attenuated to a level to ensure that any flooding from the site is likely to be minimal.

Whilst not a planning matter, NWWM have advised that they are currently working with landowners downstream of the flooding issue adjacent to this site to undertake works and maintenance to reduce the flooding issues affecting Astwood/ Swansbrook Lane road junction and adjacent properties. It's never possible to guarantee that flooding at this location will not re occur but it is understood that the proposed works will have a significant reduction in the frequency of flooding occurring in this area.

Other matters

At the time of drafting this report timber /plastic infill panels existed below the windows on the front elevation of the building. It is intended that the panels will be replaced with brickwork. This work will improve the appearance of the building as a whole. This work is intended to be carried out very soon. However, it is considered appropriate to impose a condition to ensure this work takes place prior to occupation.

Conclusion

The proposal would be inappropriate development in the Green Belt and would conflict with policy 8 of the Local Plan No.4. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As mentioned in the body of this report, it is considered that very special circumstances apply on this occasion to justify the harm by reason of inappropriateness.

Notwithstanding this, paragraph 11 (d)(ii) of the NPPF state that for applications providing housing, where the Local Planning Authority cannot demonstrate 5 year housing land supply, permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

In this case, the scale of the building would be no higher than the original dutch barn, the scale of the development in terms of garden provision and hardstanding would be similar to those approved under Ref: 17/00451/FUL with no additional harm to the openness of the Green Belt. The revised roofline would be more in keeping with the surrounding former farm buildings and as such enhances the streetscene as a result.

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It is also noted that the proposal would create one additional dwelling and therefore, add to the housing stock in the Borough, which would also generate some employment opportunities in the area and any future occupiers would support local services within Feckenham.

Overall, it is considered in this case that the benefits of the development outweigh the environmental harm that the proposal would have in terms of its location. As such the development is considered to be acceptable.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:

Conditions:

- 1 The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings to be defined.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2 The Development hereby approved shall not be occupied until the proposed access gates have been set back 5 metres from the adjoining carriageway edge, and made to open inwards only.

REASON: In the interests of highway safety.

- 3 The proposed brickwork below the windows on the front elevation shall be implemented before the building is first brought into use.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4 The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

REASON: In the interests of highway safety.

- 5 The Development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be

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of the same specification or a higher specification in terms of charging performance.

REASON: To encourage sustainable travel and healthy communities.

- 6 The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

REASON: To comply with the Council's parking standards.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the visual amenity of the area and the openness of the Green Belt.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.