
Appeal Decision

Site visit made on 13 April 2022

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5TH May 2022

Appeal Ref: APP/P1805/D/21/3287410

The Laurels, Ash Lane, Alvechurch, Birmingham B48 7TS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Alan Gregory against the decision of Bromsgrove District Council.
 - The application Ref 21/01309/FUL, dated 10 August 2021, was refused by notice dated 5 November 2021.
 - The development proposed is erection of single storey double garage with storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the area; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development and effect on openness

3. The Laurels is a detached dormer bungalow, located to the north-east of Ash Lane close to its junction with the busy A441. It is within the Green Belt. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

4. The proposal is for the construction of a single storey double garage to the front of The Laurels sited on its northern boundary adjacent to the driveway to 'Blackthorn,' a dwelling set back from Ash Lane.
5. The Framework advises that new buildings within the Green Belt would normally constitute inappropriate development, save for the exceptions set out in paragraph 149. This approach is broadly followed in Policy BDP4 of the Bromsgrove District Plan 2011-2030 (2017) (DP). Paragraph 149(c) of the Framework states that the extension or alteration of a building would not be inappropriate, provided that it does not result in disproportionate additions over and above the size of the original building.
6. A proposed outbuilding, or garage, could potentially be regarded as an extension to a building, in some circumstances. In this case, however, the proposed double garage would not be physically connected to The Laurels and would be sited a reasonable distance from it (around 10m), between the dwelling and Ash Lane. This arrangement would prevent the proposal from appearing or functioning as one physical entity with the main dwelling. It therefore follows that the proposal would be a separate, new building rather than an extension to an existing one.
7. Openness is identified in the Framework as one of the Green Belt's essential characteristics. The appeal proposal would result in the introduction of a large double garage, sited well forward of the front building line of the main dwelling, on part of the front garden and gravel driveway that is otherwise free from any built form. When viewed from the south east on Ash Lane, the garage would be seen in the context of the built form of the neighbouring bungalows of 'Windrush' and 'Sunnyside.' However, the frontage of the Laurels to Ash Lane is wide and deep with a particularly open aspect and because of the lack of other development in this location, the proposal would have a moderate impact on openness. This adds weight against the proposed garage.
8. Consequently, I find that the proposed double garage would fall outside the paragraph 149(c) exception in the Framework. It would constitute inappropriate development in the Green Belt which would result in moderate harm to openness. Paragraph 148 of the Framework indicates that any harm caused to the Green Belt carries substantial weight.

Character and appearance

9. The guidance in the Council's *High Quality Design Supplementary Planning Document (June 2019)* (SPD) is that outbuildings (including garages) set forward of the principal elevation will not usually be appropriate as it may harm the character of the street scene.
10. The proposed garage broadly aligns with the front elevation of the neighbouring bungalows that front Ash Lane to the north. The garage has, however, been set well forward of the front elevation of The Laurels, which is at odds with the prevailing pattern of development on Ash Lane, which is of detached dwellings set well back from the road with open frontages. The proposed garage would be of a large scale, with a pyramid roof similar in height to the facing gables of the main dwelling. Although orientated so that its short elevation is to the road, the garage would nonetheless appear an overly dominant and incongruous addition in the street scene.

11. Consequently, in addition to the conflict with the SPD guidance, the proposal would be contrary to Policy H4 of the Alvechurch Parish Neighbourhood Plan (2019) in so far as it requires new development to respect layout, development patterns and established building lines in keeping with a locality.

Green Belt balance

12. The Framework makes it clear that inappropriate development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.
13. In this regard, no other considerations have been advanced by the appellant in this case to clearly outweigh the harm to the Green Belt, and to the character and appearance of the area that I have identified above. Consequently, the very special circumstances necessary to justify the development do not exist. Accordingly, the proposal is contrary to the Framework and DP Policy BDP4 which seek to protect the Green Belt from inappropriate development.

Conclusions

14. For the reasons given above, I conclude that the appeal should be dismissed.

R Jones

INSPECTOR