

Development Management Report

Application Number: 10/03805/FUL

Parish: Albrighton

Grid Ref: 382395 - 304012

Proposal: Erection of a detached 4/5 bedroom dwelling with detached garage plus store above and formation of new vehicular access

Site Address: Land Adj. Red Roofs Beamish Lane Albrighton Shropshire WV7 3JJ

Applicant: Mr Peter Glynn

Case Officer: Mr Thomas Cannaby **email:** planningdmse@shropshire.gov.uk

1.0 THE PROPOSAL

- 1.1 The proposal is for the erection of a detached two storey dwelling and detached garage on land adjacent to Red Roofs, Beamish Lane, Albrighton.
- 1.2 The proposed dwelling would be a substantial detached dwelling, with hipped roof, with a rectangular footprint with the main architectural feature of the public elevation being a full height half-octagonal projection with multi-pitched roof in the centre of the front elevation. The property is also shown to have a pair of large dormer window facing out to the front, and a split eaves level with the eaves on the eastern side the front elevation being approximately 0.7m higher than the eaves on the western side.
- 1.3 The dwelling would be substantially larger than the adjacent properties, whilst it would be set roughly in line with the front elevation of the neighbouring dwellings it would project out approximately 3m further to the rear, and would also have a greater width and a correspondingly larger roof area.
- 1.4 The proposed detached garage would be located in front of the dwelling, approximately 0.7m from the side boundary and 1m from the front boundary of the plot at its closest point. The proposed garage building would be two storey with a half-hipped roof 6.5m to the ridge and 4m to the lower eaves height. The building would have an external staircase to access the first floor, which would be lit by a large dormer window facing out to the front of the building.

2.0 SITE LOCATION/DESCRIPTION

2.1 Beamish Lane is on the eastern fringes of Albrighton and is a narrow lane without footway that connects the old Wolverhampton Road with the A41 Trunk Road. With High House Lane to the south it forms a small network of lanes along which can be found sporadic residential development of longstanding.

2.2 The site is located between two large detached properties on the south side of Beamish lane, and consists of a grassed area with several small trees and a separate gated entrance off the lane and a post and rail fence along the frontage.

2.3 The site lies within the Green Belt.

3.0 RECOMMENDATIONS

3.1 Refuse permission

4.0 REASON FOR REFERRAL TO COMMITTEE FOR DETERMINATION

4.1 In accordance with the adopted 'Scheme of Delegation' this application is referred to Committee for determination as the Parish Council have expressed a view which is contrary to the Officer recommendation that the application be refused.

5.0 RELEVANT PLANNING HISTORY

5.1 09/0050 - Outline application of erection of a dwelling

Application refused - Appeal dismissed.

08/0514 - Lawful development certificate application to determine if planning permission 61/2927 is still extant.

Application refused.

08/0262 - Outline application of erection of a dwelling

Application refused - Appeal dismissed.

04/0514 - Full application of the erection of a dwelling

Application refused - Appeal dismissed.

6.0 CONSULTEE RESPONSES

6.1 Parish Council - No objection

6.2 SC Highways - Recommend refusal

The road giving access to the site is by reason of its width and alignment is unsuitable to accommodate the increase in traffic likely to be generated

The application site has insufficient frontage with the County Road to provide an access with adequate visibility for and of emerging vehicles, with the

consequent additional danger to all users of the County Road.

7.0 PUBLIC REPRESENTATIONS

7.1 2 Representations in objection to proposal:

The proposed 4/5 bedroom dwelling is significantly larger than both neighbouring properties and in particular would look out of place and too dominant compared to Red Roofs, which is virtually a bungalow.

The property extends to the rear of adjacent properties by approx 50% further than Windy Ridge and by a similar amount behind Red Roofs; this will affect views and light to each neighbouring property.

The detached garage and store would be:

A two storey building far in-front of the building line

Unsightly so close to the public road

Likely to cause blocked frontal views from Red Roofs

Although the site looks suitable for a property, it is designated Green Belt land and there is no 'Replacement dwelling'.

Garage would be very dominant due to size and position.

7.2 1 Representation in support of proposal in principle but also expresses concerns over specifics of proposal:

Fully support land as potential area for development.

Land in its current state is an eyesore and nuisance to neighbouring properties.

Proposed dwelling taller than adjacent properties and may have an overbearing appearance can block views.

Ground surface area of dwelling would be larger than neighbouring properties and project out to the rear creating imposing side walls.

Detached garage with store would be an eyesore, overbearing and block views and light. No objection to single storey garage.

No mains sewer drainage available.

Trees and vegetation on site would have to be removed.

Agent Comments:

- 7.3 The Local Plan makes reference to providing Housing Requirement over the plan period on green field sites where necessary.

Albrighton is identified as a key settlement in the Local Plan (Policy H3), where housing requirements are an issue.

Recent indication from Central Government that building on the Green Belt may be considered where the local community supports the proposal.

New dwelling could provide benefit to traffic flow by providing a passing point.

Lane could be signed to be access only for residents to cut traffic flow.

No discernable objections raised to previous applications by neighbours.

Land opposite the site is designated as safeguarded land, where a current application for 300 houses and a Doctor's surgery has been resolved to be granted by the Committee (Officer comment: the site capacity in that application is about 80 units).

Land to rear of Beamish Lane and to other side of High House Lane, whilst designated as Green Belt is in fact divorced from said site.

Site, although designated Green Belt, is in fact a stand alone site along a predominantly developed lane.

Site should not be considered Green Belt.

8.0 PLANNING POLICY

8.1 Central Government Guidance:

PPS1, PPG2, PPG13

8.2 Local Plan:

S3, H3, H5, D1, D3, D6, RD4

8.3 Supplementary Planning Guidance:

PGN6

9.0 THE MAIN PLANNING ISSUES

Principle of Development

Design, Scale and Character

Access/Highway Safety

10.0 OFFICER APPRAISAL

10.1 Principle of Development

10.1.1 Government policy in Planning Policy Guidance Note 2 (PPG2) *Green Belts* provides that the construction of new buildings inside a Green belt is inappropriate unless it is for one of a number of listed purposes. Similar restrictions are applied locally by saved policy S3 of the Bridgnorth District Local Plan, which states that permission will not be given within the Green belt for new buildings other than those which are listed in the policy, except in very special circumstances.

10.1.2 The dwelling proposed in this application would be in the designated Green Belt, and the proposal is not for any of the purposes listed in paragraph 3.4 of PPG2 and does not fall into the categories listed in Local Plan policy S3. Therefore the proposal is inappropriate development in the Green Belt and, having regard to paragraph 3.2 of PPG2, inappropriate development is by definition harmful to the Green Belt.

10.1.3 In the supporting statement accompanying the application the applicant states that 'the site is unique with regards to being physically divorced from any surrounding Green Belt land and fits naturally into an area where such a development could complete the natural flow of land uses without compromising the Green Belt policy'. The applicant also makes the argument that the land opposite, to the west of Beamish Lane, is designated as safeguarded land and that the Council has resolved to grant planning permission on this land for a housing development and doctor's surgery.

10.1.4 However, the site is within an area which through the preparation of the development plan has been regarded as justifying designation as Green Belt having regard to the purposes of including land in the Green Belt. Furthermore, PPG2 makes clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and states that the most important attribute of Green Belts is their openness. Whilst the site is located within a row of dwellings, PPG2 states that the extent to which the use of land fulfils the objectives of land in Green Belt is however not itself a material factor in the inclusion of land within a Green Belt, or in its continued protection. The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over the land use objectives

10.1.5 The erection of a new dwelling on this site would serve to consolidate a ribbon of development on this side of Beamish Lane, and would thereby, as a matter of fact reduce the openness of the Green Belt as the site would cease to have the character of open land if it were to be developed as proposed. The fact that the site is set within a row of dwellings is not considered to constitute very special circumstances which would justify development contrary to the

objectives of Green Belt policy.

10.1.6 In the design and access statement the Agent refers to the Local Plan making allowances for meeting housing provision on green field sites. It is important to make the distinction between green field, which is previously undeveloped land, and Green Belt, which is a separate designation.

10.1.7 The agent also makes reference that the site should not be considered to be Green Belt. However the site is designated as such, and all applications must be determined in accordance with regard to this designation. The issue is therefore not whether the land is or is not Green Belt, it as a matter of fact is designated as such, but whether the proposal does or does not comply with Green Belt policy, and if not whether there are very special circumstances which would merit a departure from Green Belt policy.

10.1.8 A planning application is not the correct process to question the merits of including land within the Green Belt, the boundaries for which are subject to periodic reviews through the Development Plan process, which is the correct forum where proposed changes to boundaries should be considered. PPG2 states that an overriding feature of Green Belts is their permanence and once designated boundaries should not be altered for significant periods of time.

10.2 Design, Scale and Character

10.2.1 Setting aside the Green Belt issue, the site would, in principle, be large enough to accommodate a detached dwelling without appearing cramped or overdeveloped, and is of a similar scale to the other residential plots along Beamish Lane.

10.2.2 However, the scale of the dwelling which is proposed would be significantly larger than the adjoining properties, in terms of footprint, massing, dimensions and height, particularly in comparison to Red Roofs which is a much lower property with limited first floor accommodation.

10.2.3 Local Plan policy RD4 requires that domestic outbuildings be single storey in appearance, small scale in relation to the dwelling, and in keeping with their site and surroundings. The proposed building is clearly two storey, with a height of 6.5m and lower eaves height of 4m, a larger and prominent front dormer window and an external staircase, as such the proposed building would be contrary to Local Plan policy RD4.

10.2.4 In terms of scale compared to the proposed dwelling the garage building would not be particularly large, however this is only due to the large scale of the dwelling which is somewhat out of keeping with the surrounding dwellings. The proposed outbuilding would be located close to the front of the plot and less than 1m from the side boundary with the adjoining property, where its size and in particular its height, would make it a prominent and incongruous addition to the street scene, set as it is to the front of the line of properties.

10.2.5

Third party comments have raised concerns over the impact of the proposed development on the amenities of the neighbouring properties. Whilst the dwelling is substantially larger than the adjoining properties, and projects out further to the rear of the site, the plans show that the proposed dwelling would be located centrally on the site with a separation distance between the proposed building and the adjacent dwellings. Given that the buildings are situated in a row which runs east-west, with the rear gardens located to the south, it is unlikely that the proposed dwelling would have an adverse impact on the amenities of the adjacent properties by reason of overbearing impact or loss of light or privacy.

10.2.6

The proposed detached garage would be a substantial structure, located close to the boundary with the adjacent property, well within the sight lines of the front windows of the neighbouring dwelling. Whilst it would be unlikely to result in any loss of direct light to these north facing windows, it would result in a loss of outlook and be a prominent feature in the views from these windows,

10.3 Access/Highway Safety

10.3.1

The Council's highways department have lodged an objection to the application on the grounds that the road giving access to the site, by reason of its width and alignment is unsuitable to accommodate the increase in traffic likely to be generated, and also that the application site has insufficient frontage with the County Road to provide an access with adequate visibility for and of emerging vehicles, with the consequent additional danger to all users of the County Road.

10.3.2

Beamish Lane is an unclassified highway which grants access to the site and is a narrow country lane with no footways and is bound on both sides by high hedges. The width of the lane by the proposed development site measures 2.5 metres. This width should be compared to the guidance issued in Design Bulletin 32, paragraph 3.21 in respect of emergency access, which suggests that the minimum width required for emergency access by fire appliances is 2.75 metres.

10.3.3

There are no formal passing places on Beamish Lane, although a few of the dwellings have driveways which could be used for this purpose, but this is very much at the owner's discretion and no right to use them as such exists.

10.3.4

The lane is subject to a national speed limit of 60mph, however the Council's highways department considers that it is most likely that the 85th percentile speeds of vehicles in the wet would be no more than 20mph due to the width of the road. Having regard to the guidance in 'Places Streets and Movement' the recommended visibility splay should therefore be 2.4 metres by 33 metres in both directions. In order to provide this visibility splay it would require land outside of the applicant's control on both sides of the site. At most the site would appear to be capable of providing a 2.4 metres by 12 metres visibility splay in both direction if the access were to be located centrally. No evidence has been provided which indicates that the applicant would have any control

over the land outside the site which would be necessary to provide the required visibility splays.

10.3.5 Although the dwellings along Beamish Lane have what are considered substandard accesses, this is not considered to be a justification for permitted additional development contrary to Local Plan policy D6, which states that new development will only be permitted where the local road network and access to the site is capable of safely accommodating the type and scale of the traffic likely to be generated.

10.3.6 In dismissing the appeal against refusal of outline permission for a dwelling on the site in 2009 the inspector noted that the fact that the site is outside the nearest settlement, and located on a lane which lacks specific provision for pedestrians or cyclists, would be likely to encourage the use of the private car rather than other modes of travel. The inspector noted that PPG2 makes clear the importance of Green Belt policy in preventing urban sprawl and keeping land permanently open. The Inspector also expressed the opinion that the erection of a dwelling on this site would serve to consolidate a ribbon of development on this side of Beamish Lane, and would thereby contribute towards changing the area from one of sporadic development in the countryside to something of a more suburban character.

11.0 CONCLUSION

11.1 The proposal is contrary to Green Belt policy contained in PPG2 and Local Plan policy S3 and would represent inappropriate development, which would have an adverse impact on the openness of the Green Belt. No very special circumstances of sufficient weight have been identified which would justify a departure from Green Belt policy.

11.2 The access to the property would be substandard and would result in a detrimental impact on highway safety, which would be contrary to Local Plan policy D6 and PPG13.

11.3 The proposed dwelling is considered to be disproportionately large for its site and surroundings and would appear as an incongruous and out of scale addition to the street scene, contrary to Local Plan policies D1 and D3, and the detached garage would be neither single storey in appearance nor in keeping with its site and surroundings due to its excessive height and prominent position to the front of the dwelling, and as such would be contrary to the criteria set out in Local Plan policy RD4.

11.4 It is therefore recommended that the Committee refuse the application.

HUMAN RIGHTS

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact of development upon nationally important features and the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

Environment Appraisal

In report

Risk Management Appraisal

None

Community / Consultations Appraisal

In report

Member Champion

Cllr Malcolm Price

Local Member

Cllr Malcolm Pate

Appendices

None

Reason for refusal

1. The proposal constitutes inappropriate development in the Green Belt, contrary to Local Plan policy S3 and national policy set out in PPG2, there are no very special circumstances and so the proposal is contrary to national and local planning policies on housing development in the Green Belt.
2. The road giving access to the site is by reason of its width and alignment is unsuitable to accommodate the increase in traffic likely to be generated and the application site has insufficient frontage with the County Road to provide an access with adequate visibility for and of emerging vehicles, with the consequent additional danger to all users of the County Road. The proposal is therefore contrary to Local Plan policies D6 and D1, and national policy set out in PPG13.
3. The proposed dwelling would be significantly larger than the surrounding dwellings and would be disproportionately large for its site and surroundings; it would appear as an incongruous and out of scale addition to the street scene, contrary to Local Plan policies D1 and D3. The proposed detached garage would be neither single storey in appearance nor in keeping with its site and surroundings due to its excessive height and prominent position to the front of the dwelling, and as such would be contrary to the criteria set out in Local Plan policy RD4.



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