

# Planning Application Assessment – Delegated Report



**Planning Application Reference** : PL/2021/03311/PPFL

**Address** : Pear Tree Farm Meer End Road Meer End Solihull

**Proposal** : Replacement of an existing residential annex to Pear Tree farm.

**Case Officer** : Alan Lynch

## Constraints

Acquifer Protection Zone 4

Multiple

Birmingham Airport Consultation Zone

Coventry Airport Air Safeguarding Zone

Coventry Airport Consultation Zone

Green Belt

Honiley Technical Site Air Safeguarding

## Site Observations

**No SV due to Covid restrictions**

## Representations

Number of Properties consulted: 5

Comments Received:

<i>Support</i>	<i>Object</i>	<i>Representation</i>
0	0	0

Summary of Representations:

Parish Council

No objection provided it is only used for workspace and a gym. To enforce consider a condition to restrict change of use to residential for a defined period

SMBC Drainage (LLFA) ask for additional information on drainage.

Status of the building which is the subject of this application.

The building appears to be a small low roofed post war agricultural building with wooden walls. In the supporting documents it is described as being used for pigs.

The building has no recorded planning history. Pear Tree Farm was granted consent for a detached garage in 1990 (PL/1990/01391/FULL) No plans are available from this application. The garage appears to have been constructed in a location between the building which is subject to the application and the road. The garage is on the same side of the dwelling as the building to be replaced.

The building appears to be within the residential curtilage of the house. It is close to the house within 10m across a yard. From satellite photographs the land round the building appears to be used for domestic purposes. From the photographs of the building in the supporting document it appears that the existing building is used only for storage / workshop and not for ancillary accommodation.

### **Visual Amenity Assessment - Policy P15 of the Solihull Local Plan (2013) and the HEG SPD (2010)**

Local Plan policy P15 seeks to ensure that development proposals achieve good quality inclusive and sustainable design and streetscape quality. Further it requires that development conserve and enhance local distinctiveness.

The site is located in a position which is surrounded by other properties which are part of Pear tree farm on 3 sides on the other it faces out into open countryside. The existing building as an agricultural character and the replacement building will have the same general character. It is located in a position where it can not be easily seen from public vantage points. The existing building is not seen as being an attractive building while the proposed replacement building is seen as more attractive and its creation will cause some visual improvement.

For the reasons set out above, the proposal is deemed acceptable. The construction of the replacement building will cause some visual enhancement and it does comply substantially with Policy P15 of the Local Plan. The proposal carries a limited positive weight in the planning balance.

**Neighbour Amenity Assessment - Policy P14 of the Solihull Local Plan (2013) and the HEG SPD (2010)**

Local Plan Policies seek to protect and enhance the amenity of existing occupiers neighbouring an application site.

The building to be replaced is used for storage / workshop space and is detached from the main house. It is a substantial distance to any neighbouring houses.

The proposed development does not enhance amenity. For the reasons set out above, the proposal is deemed acceptable and it does substantially comply with Policy P14 of the Local Plan this carries a neutral weight in the planning balance.

**Green Belt The effect of the proposal on the openness of the Green Belt;**

The NPPF is explicit that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

The proposed works involve the replacement of an existing ancillary dwelling which was a conversion of an agricultural building. The proposed expansion of the building upwards would be detrimental to the existing openness of this Green Belt. As the building would be significantly taller.

The NPPF and policy P17 state clearly that inappropriate development is by definition harmful to the openness of the Green Belt. As such, it therefore follows that the proposal creates harm. The NPPF and P17 state that the Green Belt has 5 main purposes, which are: - to check the unrestricted sprawl of large built-up areas; - to prevent neighbouring towns merging into one another; - to assist in safeguarding the countryside from encroachment; - to preserve the setting and special character of historic towns; and - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Having regard to the 5 purposes of including land within the Green Belt as set out above, it is considered that the proposal would conflict with the third purpose. The third purpose seeks to safeguard the countryside from encroachment. The building which is the subject of this application is situated on the edge of the buildings which form Pear Tree Farm adjacent to open fields, well away from the main urban form of neighbouring villages and towns. As such the replacement building is

increased in size by the increase in height of the roof would result in urbanising development that will clearly be at odds with these purposes. Further the building needs to be in the same use the proposed building will ancillary habitable accommodation (the floor plan shows two toilets). Substantial weight against the proposal is therefore afforded by virtue of it constituting inappropriate development in the Green Belt and being harmful to one of the stated purposes of including land within the Green Belt.

The applicants have not provided any very special circumstances to justify the development in the application document.

The NPPF provides a list of types of new building which are exceptions and are thus not inappropriate in the Green belt and types of development which are not inappropriate. The only possible category of development which this proposal could fall within is replacement buildings used for the same purpose. This is required that the providing that any replacement is not materially larger than the original and should be for the same use.

The existing building appears not to have been extended and the proposal will increase the eaves height from approximately 1.8m to 3.9m and the ridge height from approximately 3.9m to 5.5m tall. The volume of the existing building is approximately 481 cubic m and of the proposed replacement building will be approximately 777 cubic meters. The replacement building is clearly materially larger both in terms of its total volume and maximum height of ridge.

Further the existing building is used for storage and a workshop. It has a footprint of approximately twice the size of the house and the house has other outbuildings. The use of the building for low quality domestic storage to ancillary accommodation with office /gym and two toilets indicates that it is not considered to be in the same use.

With regard to this planning application the council must give substantial weight to any harm to the Green Belt. Very special circumstances do not exist which would outweigh the green belt considerations.

While the replacement building is of improved design property All other material considerations carry neutral weight in this balance. There are no positive elements of the proposal against which the identified harmful elements can be balanced and as such it therefore follows that this application should be refused

### **Decision Summary (Planning Balance)**

The NPPF is clear that such harm should be afforded substantial weight. While the replacement building is of improved design but this is not seen as being of substantive weight in the planning balance. All other material considerations carry neutral weight in this balance therefore it follows that this application should be refused.