

Draft Minutes of the meeting of Dodford with Grafton Planning Committee held on 25 February 2013 at 7.30pm

Present: Councillors Vicky Churchill, Vic Dawson (Planning Committee Chairman), Terence Lee, Alwyn Rea, Richard Scott and Clerk Kay Stone

1. Apologies for absence

Cllr Rachel Jennings gave her apologies which were accepted

2. Declarations of interest

- i. None
- ii. None

3. Minutes of the Parish Council Planning Committee meeting on 8 January 2013

The Minutes were approved and signed by the Chairman as being a true record.

4. Planning appeals

- i. **APP/P1805/A/13/2190823 – The Stable, Woodland Road** – Change of use of stable to holiday let

This Appeal, like the previous Appeal (reference APP/P1805/A/12/2170635/NWF) to change the use to a dwelling and which was dismissed on appeal, has attracted much concern and opposition from residents in the village. The Parish Council restates its view that the 'stable' building appears to have been built to residential standards, well in excess of those normally associated with or required for a stable. This is borne out by the absence of any significant construction changes proposed in the current application. The doors are of normal domestic dimensions and well below those required for horses to access. In addition, they are of insufficiently substantial construction to contain horses. Any horse wishing to access the loose boxes would need to step over the existing threshold rather than have the normal level access. These facts make it difficult to avoid the impression that the 'stable' was erected solely as a possible means of overcoming planning restrictions for new residential development in the Green Belt and in relation to the Dodford Conservation Area. This view is reinforced by the fact that the 'stable' has never been completed to a state where horses could be kept there and has never been brought into use for its intended purpose of keeping horses on the site. The building is described in the applicant's Statement of Significance as a 'former stable', when, in fact, it has never been used as a stable at all. Having failed to get a change of use for a dwelling, when the previous appeal was dismissed, the submission of this planning application for its change of use to a holiday let must be seen as a cynical attempt to subvert the planning process, yet again. The Planning Inspectorate is no doubt aware that, if this application is approved, a change of use from holiday accommodation to permanent residential accommodation is not likely to be a material change of use. The only redress would be for the LPA to prosecute for failure to comply with any conditions imposed. The LPA does not have a distinguished record of taking timely enforcement action in Dodford Parish. Failure to act would bypass normal planning policies, which would resist the construction of

a new dwelling in the countryside, in this green belt location, within and adjacent to the Dodford Conservation Area, as has already been established on appeal. The Parish Council objects to the Appeal for the following reasons: Although saved Policy RAT 27 – Self Catering Accommodation - of the adopted Bromsgrove District Local Plan would encourage the development of self-catering accommodation **outside** the Green Belt, **in** the Green Belt, as here, this proposal must be in compliance with Policies DS2 and C27. Saved Policy DS2 – Green Belt Development Criteria – would allow the re-use of rural buildings in accordance with Saved Policy C27 – Re-use of Existing Rural Buildings. The Parish Council would ask the Planning Inspectorate to consider whether Policy C27 should apply to a building that has neither been completed nor brought into use for its approved purpose. If not, the Appeal should be refused as inappropriate development in the Green Belt. If the Planning Inspectorate does regard Policy C27 as a relevant factor, the Parish Council would point out that compliance with the criteria in Policy C27, with regard to residential use, has already been tested by an Inspector on appeal (Appeal Ref: APP/P1805/A/12/2170635 change of use to dwelling, at The Stables, Woodland Road, Dodford B61 9BT) and been found wanting. It is the Parish Council's view that the proposed holiday accommodation use is no different, in planning terms, from the proposed residential use that was dismissed on appeal, by the decision letter dated 28 June 2012. Although the Inspector concluded that the appeal proposal would preserve the openness of the Green Belt, he went on to say: "The proposal would however introduce residential development into this area, where the appeal site adjoins the Dodford Conservation Area. This would represent encroachment into the countryside with residential development outside of an established residential area, in conflict with one of the purposes of including land in the Green Belt. This encroachment would also conflict with the protection of the natural environment, which is one of the three dimensions to sustainable development, as set out in the Framework." (NPPF). "I therefore conclude that the proposal would constitute inappropriate development which, by definition, is harmful to the Green Belt. I further conclude that it would thus conflict with Local Plan Saved Policies DS2,S9, C27 and DS2, Structure Plan Saved Policy D.39 and the National Planning Policy Framework. Moreover, substantial weight should be attached to this matter." He further concluded that: "The proposal would have a harmful effect on the character and appearance of the surrounding area. I further conclude that it would thus conflict with Local Plan Saved Policies DS13 and RAT12 and Structure Plan Saved Policies CTC.1 and RST.3." He also concluded that: "The proposal would not preserve or enhance the character and appearance of the Dodford Conservation Area. I further conclude that it would thus conflict with Local Plan Saved Policies S35A and S36 together with Structure Plan Saved Policy CTC.20." The Conservation Officer from Bromsgrove District Council visited Dodford with Grafton Parish Council at their meeting on 28 June 2012 and reported that they were minded to change the Conservation Area boundary to include Field No. 7068 (the field where The Stable is situated) as this field is adjacent to the Conservation Area and one of the original lots currently under consideration for inclusion in the Conservation Area. The Parish Council believes the proposed change of use and intensification of domestic activity at the site would result in a materially detrimental impact on the openness and visual amenity of the Green Belt and that as the same considerations apply to this Appeal, the present Appeal for holiday accommodation should be refused for the same reasons.

- ii. **APP/P1805/A/13/2190717 – Cherry Tree Cottage, Worms Ash – Change of use of garage to dwelling**

The Parish Council objects to the change of use and feel and continue to be concerned that the boundary dispute has still not been resolved and this Appeal is in respect of a building being developed adjacent to the disputed boundary. The Parish Council have noted and support the comments of Mr & Mrs Forrest's objections. The Parish Council originally objected to the garage in June 2010 and reiterate their comments at the time – "10/0476 The Parish Council question the further extension of an already extended cottage within the 40% rule. Also question the erection of a second garage and the size of the garage when the property already has an existing garage and its location is so far from the property necessitating the felling of mature trees." The Parish council wishes to draw attention that the increased traffic gaining access to and from a very narrow lane would result in the detrimental effect to the public bridle way. If the Planning Inspectorate is minded to permit the Appeal then the Parish Council requests that a condition is attached to the consent withdrawing the properties' Permitted Development rights as further extensions would be detrimental.

5. Planning applications

None received

6. Planning decisions

12/0256 – High Cottage, Alfreds Well – Regularisation of existing structure, proposed roof and timber cladding to facilitate garage
Refused

7. Enforcement/environmental issues:

2013/011/ENF – Little Yarnold Farm, Yarnold Lane – Raised garage and roof trusses over 4m high

Bromsgrove District Council have visited the site and are happy that there is no development. Roof and roof supports are being renewed and will continue to be used as a barn.

The Clerk was asked to return to the Enforcement Officer and enquire as to what was viewed.

The meeting closed at 8.30pm

Signed Chairman