Planning Committee: 05 January 2016 **Item Number:** **12**

Application No: W 15 / 1900

Registration Date: 13/11/15
Town/Parish Council: Norton Lindsey **Expiry Date:** 08/01/16
Case Officer: Liam D'Onofrio
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Arden Wold, Wolverton Road, Norton Lindsey, Warwick, CV35 8JL
Erection of replacement dwelling FOR Mr Andrew Bull

This application is being presented to Committee due to a request by Councillor Phillips and support from the Parish Council having been received.

RECOMMENDATION

Members are recommended to refuse to grant planning permission for the reasons set out at the end of the report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to demolish the existing bungalow and erect a two-storey, four-bedroomed dwellinghouse.

The application is accompanied by a supporting statement, bat survey, Design and Access Statement, Renewable Energy Statement and Arboricultural Report. The applicant's justification for the size of the replacement dwellinghouse within the supporting statement is considered below.

THE SITE AND ITS LOCATION

The application site comprises a detached bungalow with detached brick building located on the southern side of Wolverton Road and set back from the highway. The site is within the village of Norton Lindsey and the Green Belt.

PLANNING HISTORY

W/15/1308 - Erection of replacement dwelling: Refused 28/09/15.

W/14/1040 - Erection of single storey side link extension between house and garage: Granted 22/10/14.

W/06/1404 - Extensions and alterations to form new kitchen, bedrooms, en-suite and entrance.

W/04/1074 - Erection of a singles storey link extension and alterations to roofs.

W/91/1218 - Erection of a bungalow.

W/84/1222 - Erection of a single storey side extension to form dining room.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
- RAP3 - Replacement Dwellings (Warwick District Local Plan1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Norton Lindsey Parish Council: Support. NLPC believes that the proposed development is a positive improvement on the existing buildings and previously approved plans, and it is in-keeping with the street scene.

WCC Highways: No objection.

WCC Ecology: No objection, subject to conditions.

Public response:

Three local residents have supported the scheme noting the following:
- Attractive elevations, more in keeping with scale of the plot, sympathetic design.
- The scheme is considerate to neighbours.

One neutral response stating that the development does not looked cramped and green energy aspects are good.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The principle of development;
- Siting and design;
- The impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Renewables;
- Ecology/landscaping;
- Flood risk and drainage;
- Health and Wellbeing

The Principle of the Development

The NPPF 2012 paragraph 89 identifies the replacement of a building as appropriate development within a Green Belt, providing that the new building is in the same use and is *not materially larger* than the one it replaces.

Policy RAP3 of the Warwick District Local Plan states that proposals to replace existing dwellings will not be permitted unless the existing dwelling is of poor architectural design and does not add to the rural character of the area and any replacement dwelling must *not be materially larger* than the existing dwelling and have no greater impact on the character and openness of the rural area. 'Not materially larger' is generally considered to be not more than 30% of the original building, as defined in Local Plan Policy RAP2.

No issues are raised with the demolition and replacement of the existing bungalow, subject to a suitable replacement in terms of scale and design. In this case the original bungalow has a floor area of 96sq.m and the proposed replacement dwellinghouse will have a floor area of 249sq.m representing an increase of over 159%. The scheme is therefore considered to represent inappropriate development within the Green Belt.

The NPPF 2012 paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances sufficient to overcome any such harm will not exist unless the potential harm to the Green Belt and any other harm, is clearly outweighed by other material considerations.

The applicant's justification for the increase in floor area arises from extant planning permissions and the claimed permitted development 'fallback' for which there is a Lawful Development Certificate. Such justification is considered to run contrary to the aims and objectives of National Green Belt policy and officers do not consider that it is appropriate to give significant weight to the claimed fall back position. Rather, the proposals including impact within Green Belt should be considered on their own merits.

The proposed development does not comprise infilling within a village but is a replacement dwellinghouse and needs to be considered accordingly under the relevant planning policy. The applicant notes that the replacement dwellinghouse would have better energy efficiency, however this in itself does not override Green Belt policy. The applicant states that the new dwelling would not conflict with, or undermine any of the identified purposes of Green Belt designation, however officers consider that, by reason of its scale, the development is inappropriate within the Green Belt and that there is therefore an objection in principle which is contrary to the NPPF purpose of assisting in safeguarding the Green Belt from encroachment.

It is therefore considered that 'very special circumstances' have not been identified sufficient to outweigh the harm to the openness of the Green Belt and the scheme is recommended for refusal accordingly.

Siting and design

The proposed dwellinghouse will be appropriately sited within the existing run of residential development. However it's scale and extent relative to that of the existing property at the site is considered to result in a building which by reason of its size and scale would have an adverse impact upon the existing rural character within the surrounding area contrary to Local Plan policy RAP3.

The impact on the living conditions of nearby dwellings

Policy DP2 requires development to not lead to an unacceptable adverse impact on the amenity or nearby users or residents, and to provide acceptable standards of amenity for future users/occupiers of the development.

The proposed dwellinghouse will not breach the 45-degree sightline as measured from The Garden House. The neighbouring property Highridge to the east is set forward of Ardenwold, however the replacement dwelling will be set further off the common boundary than the existing detached garage and the impact upon this occupier is not therefore considered to be so significant as to warrant refusal of the scheme on this ground.

Proposed side facing first floor roof lights would have to be obscure glazed/set at high level to maintain privacy, however this could be secured by condition.

Car Parking and Highway Safety

The Highway Authority have raised no objection to the scheme. No conditions are suggested as the existing access arrangements will be maintained.

Renewable Energy

The supporting statement indicates that either a fabric first approach or an air source heat pump will be provided to meet the Council's requirement to reduced CO2 emissions by 10% or produce 10% of the dwellinghouses predicted energy requirement through renewable technology. This could be secured by condition.

Ecology/landscaping

The application is accompanied by a bat survey and an arboricultural assessment that shows that the development will fall outside of the root protection areas of the existing mature trees and suitable protective fencing will be erected. WCC Ecology have commented that they have no objection to the development but have suggested conditions to secure bat mitigation measures, as specified within the bat survey, the implementation of a tree buffer zone to protect roots and that shrub clearance be timetabled to fall outside of the bird nesting season, unless cleared under the supervision of a qualified ecologist.

Drainage and Flood Risk

The site is located within flood zone 1. The replacement of the existing dwellinghouse raises no new issues in terms of flood risk or drainage.

Health and Wellbeing

The scheme raises no health or wellbeing issues.

SUMMARY/CONCLUSION

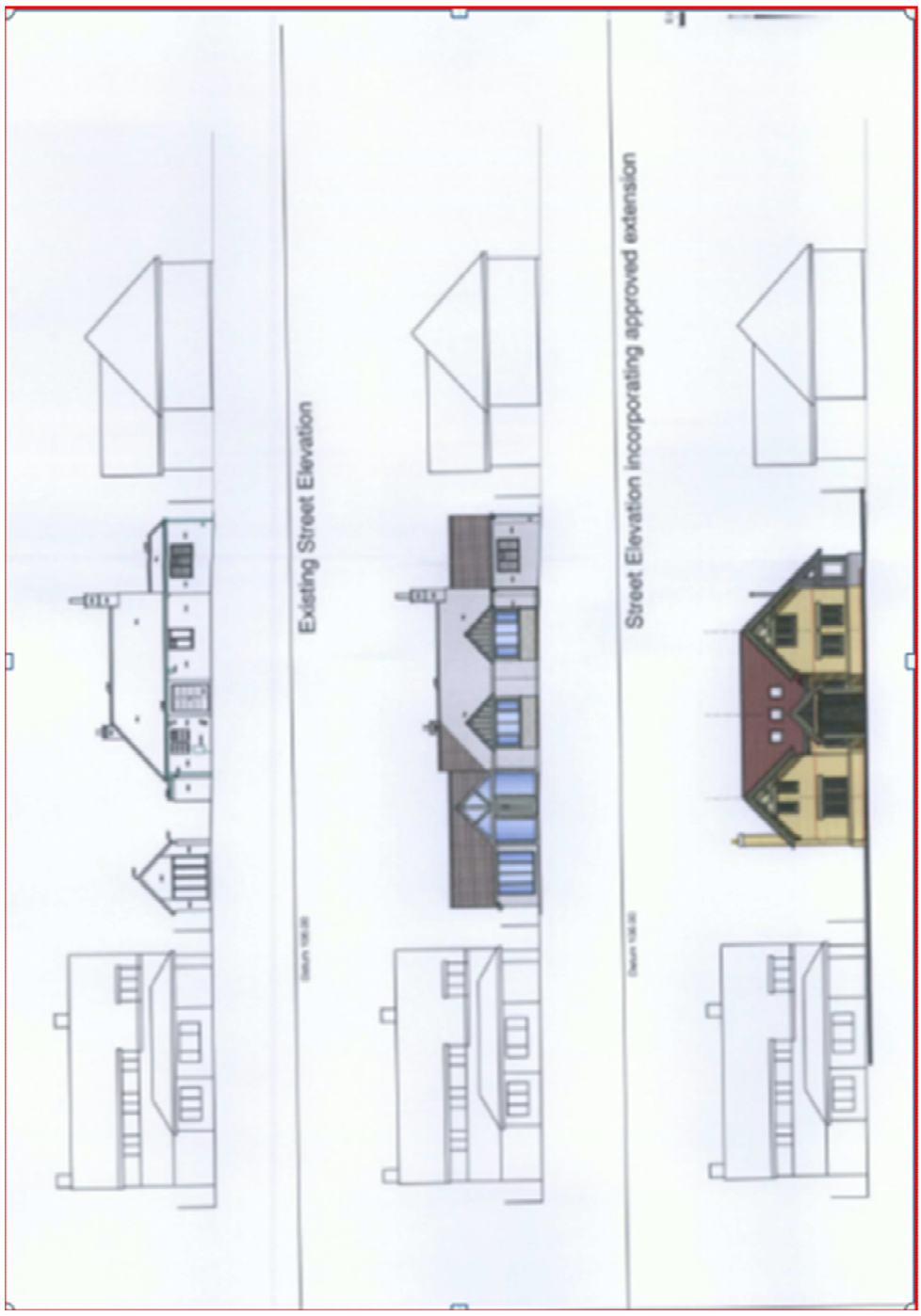
The scheme represents inappropriate development in the Green Belt and there is an objection in principle as the proposed dwellinghouse is significantly larger than the bungalow it replaces (representing a floor space increase of 159%) such that the additional bulk, mass and height will therefore have a significantly greater impact upon the openness of the Green Belt and the character of the rural locality in which it is located. No very special circumstances are considered to exist to outweigh the harm and the development is thereby considered to be contrary to the aforementioned policies.

REFUSAL REASONS

1 The proposed development by reason of it's scale, bulk and massing comprises inappropriate development within the Green Belt to which there is an objection in principle and in respect of which no very special circumstances have been demonstrated to exist sufficient to outweigh that harm by reason of inappropriateness. For that reason, the

proposed development is also considered to introduce a new dwelling of a scale and mass which is harmful to the existing rural character of the surrounding area.

The proposed development is therefore contrary to the National Planning Policy Framework and to Policy RAP3 of the Warwick District Local Plan 1996 - 2011.


Existing Street Elevation
Street Elevation incorporating approved extension