Planning Committee: 10 November 2015 **Item Number: 15**

Application No: W/15/1443

Registration Date: 03/09/15
Town/Parish Council: Baddesley Clinton **Expiry Date:** 29/10/15
Case Officer: Liam D'Onofrio
01926 456527 liam.donofrio@warwickdc.gov.uk

Greenacre, Rising Lane, Baddesley Clinton, Solihull, B93 0DA
Erection of 2no. detached dwellings FOR Kingswood Homes (West Midlands) Ltd

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This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of two, four-bedroomed detached dwellinghouses. Each property will measure 8.4m wide by 13.8m deep and 8.5m high.

The application is accompanied by a Supporting Statement which states the following: The NPPF states that new housing in Green Belt is not inappropriate development when it constitutes limited infilling in a village. The emerging Local Plan outlines a proposed infill village boundary for Baddesley Clinton, which the application site lies within. The development and its design respect and reflect the character of the area, which consists of large detached dwellings within substantial plots. The proposed dwellings will maintain the building line which would make them sit comfortably within the existing streetscene.

THE SITE AND ITS LOCATION

The application site relates to the southern (side) garden of Greenacre, which is located on the eastern side of Rising Lane within the village of Baddesley Clinton. The site is washed over by Green Belt.

PLANNING HISTORY

W/15/0839 Erection of 1no, dwellinghouse: Granted 24th July 2015

W/02/0799 Erection of two dwellinghouses, garaging and access: Refused July 2002 - Appeal: Dismissed March 2003.

W/01/0647 Erection of 17 two and three bedroom dwellinghouses: Refused December 2001.

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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 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)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Baddesley Clinton Parish Council: Object on the following grounds:
- Inappropriate design and layout. The proposal is more suited to an urban environment, rather than a village in the Green Belt and 'does not harmonise with the existing settlement in terms of physical form' or 'respect surrounding buildings in terms of scale, height, form and massing'. The shared driveway and proximity of dwellings is not in keeping with streetscene.
- Over-development of the village.
- Loss of distinction between villages. The possible loss of distinction and merger into Chadwick End (Solihull MBC).
- Loss of green approach. Development would result in significant loss of the green approach to the village and that this development would result in harm to that approach and the Green Belt.

WCC Highways: No objection, subject to conditions.

WCC Ecology: No objection, subject to conditions.

Community Protection: No objection, subject to conditions.

Public Response: One objection received from a local resident on grounds of design/ mass and impact on the character and appearance of the area, increased traffic and safety concerns and drainage concerns.

ASSESSMENT

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

- Principle;
- Siting and design;
- Impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Health and wellbeing;
- Ecology/ Landscaping;
- Drainage and flood risk;
- Renewable energy.

The Principle of the Development

The National Planning Policy Framework (NPPF) states that the construction of new buildings is inappropriate development in the Green Belt unless it is development falling within one of the various categories listed as exceptions. One such category is limited infilling in villages.

The application site falls within the Baddesley Clinton Village infill boundary, as defined on the emerging Local Plans Proposals Map (No.28). The application site is between built form and the proposed dwellinghouses will sit within the general pattern of development fronting the highway. Whilst there is no definition of 'limited infill' within the framework the insertion of two new units is considered to meet this definition. Appeal decisions across England have determined that limited infilling can also include the use of residential garden land.

The proposed development would therefore fall within the category of 'limited infilling in villages' set out under NPPF Paragraph 89. Consequently it is concluded the proposal would not be inappropriate development in the Green Belt. There is therefore no need to consider whether there are other considerations amounting to very special circumstances.

It should be noted that a scheme for a single dwellinghouse was approved at the July 2015 Planning Committee under planning application ref: W/15/0839. Gaps where infill will be considered appropriate are finite and making better use of this application site by providing two dwellinghouses instead of one is considered to be positive.

In terms of sustainable development, as with the previous approval, it is considered that the dwellings would not create 'isolated homes' within the countryside as they will relate to an existing settlement. Paragraph 55 of the NPPF notes that where there are groups of smaller settlements, development in one village may support services in a village nearby.

The scheme is therefore considered to be acceptable in principle.

Siting and design

The proposed dwellinghouses will be well sited within the existing pattern of development, fronting the highway. Adequate gaps are considered to be retained between the dwellinghouse and the side boundaries.

The two dwellinghouses will form a handed pair, one with a contemporary glazed forward gable and one with a traditional window design with cambered brick arches over. The design is considered to be sympathetic and the bulk and mass of the proposed dwellinghouses largely reflects that of the adjoining properties. No chimneys are provided, however this is consistent with existing properties on this side of the highway.

The proposed dwellinghouses are therefore considered to provide an acceptable scale and design and will not harm the visual amenity of the streetscene. The proposal is therefore considered to accord with Policy DP1 of the adopted Local Plan.

The impact on the living conditions of nearby dwellings

The proposed dwellinghouse will sit largely commensurate with adjoining properties and will not breach the 45-degree sightline measured from the front/rear windows of neighbouring properties in compliance with the Council's Residential Design Guide SPG.

The property to the south 'The Oaks' is well screened by existing mature boundary landscaping and the only first floor window proposed in the side elevation of Plot 2 is a small unit serving an ensuite, which can be conditioned to be obscure glazed to avoid any overlooking/ perception of overlooking.

The property to the north 'Greenacre' has a glazed lean-to and side-facing windows, however, these will be set some 8 metres from the proposed dwellinghouse on Plot 1 and are secondary, with each room they serve also having large glazed windows to the front and rear elevations. There is one first floor side-facing window proposed in the North elevation of Plot 1 facing Greenacre, however this will serve a non-habitable ensuite and can also be conditioned to obscure glazed to avoid any overlooking issues.

The proposed dwellinghouses are not therefore considered to result in any material loss of light, outlook, privacy or amenity to the occupiers of surrounding properties.

In terms of the amenities of the future occupiers of the proposed properties, the development is considered to create a good residential environment. The rear elevation of Plot 2 pinches into the southeast corner of the site, however, window locations have been carefully considered with two bedroom windows serving Bedroom 2 and an open plan family/ kitchen area at ground floor to assist with natural light entering the property.

The proposal is therefore considered to accord with Policy DP2 of the adopted Local Plan.

Car Parking and Highway Safety

The new access point was previously granted under planning permission ref: W/15/0839, albeit for a single dwellinghouse. A single access point is proposed for the amended scheme, which is preferable to creating an individual access point for each property. The Highway Authority have raised no objection to the proposed scheme, but have requested that the proposed access be widened to 5m to ensure that two vehicles can pass one another. Amended plans have been submitted accordingly.

The site will provide adequate off-street parking with room for vehicles to turn and exit in a forward gear. The Highway Authority have also requested a condition to secure and maintain access visibility splays and bound hardstanding within 7.5m of the public highway.

Health and Wellbeing

No health and wellbeing issues are considered to be raised by this application.

Ecology and landscaping

Conifers will be removed to form the new access, however, the Country Ecologist has raised no objection to the scheme, subject to a condition to protect the retained trees during development. A further condition is suggested for the supervision of ground works/vegetation clearance by a qualified Ecologist (to check for protected species).

Drainage and Flood Risk

The site is within Flood Zone 1 and no flood risk issues are raised. The Council's Health & Community Protection Team have suggested a condition to secure a drainage plan with permeable hardstanding, Aco drainage adjacent to the property and soakaways sufficient to avoid any localised flooding issues.

CO^2/ Renewables

The standard planning condition is suggested to secure either 10% of the predicted energy requirement of the development from renewable energy resources, or a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the development is acceptable in principle and respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents or highway safety. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with

Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 250, 251, 150 and specification contained therein, submitted on 03/09/15 except as required by conditions 3-6 below. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

3 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

4 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been implemented in accordance with the approved details. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **REASON:** To protect trees and other features during site construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

5 The development hereby permitted shall be carried out in strict accordance with details of surface water drainage works that shall have been submitted to and approved in writing by the local planning authority. Details shall include sustainable urban drainage methods to avoid localised flooding from the highway onto the lower application site. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

6 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the

Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

7 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

8 The development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON:** To ensure that a satisfactory visibility splays in the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

9 The development hereby permitted (including site clearance) shall not commence unless and until two weeks' notice in writing of the start of works has been given to a licensed great crested newt ecologist appointed by the applicant to supervise all ground work elements of the development within the site. The Ecologist's report shall be submitted to the Local Planning Authority within one month of its completion. **REASON:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and NPPF.

10 The development hereby permitted shall either:
a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.
b.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by ecologist. Birds can nest in many places

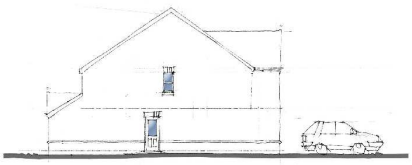
including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. **REASON:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and NPPF.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor window(s) to be formed in the side facing north elevation of Plot 1 and the south elevation of Plot 2 hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

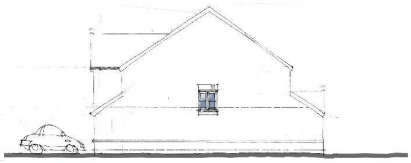
12 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

N
KINGSWOOD HOMES
Revisions
No. Description Date
Kingswood Homes, Greenacre
Rising Lane, Baddesley Clinton
New Residential Development
Ritchie & Ritchie Architects LLP
The Manor House, Lichfield Street, Tamworth, Staffordshire, B79 7QF
+44 (0)1827 62251
www.randrarchitects.co.uk
Location Plan
1:1250
Mar 15
KAL
7411
100
Bedlams
Poor Clares Convent
Convent Farm
Manor Park Farm
Haywood Barn
The Cottage
The Haven
0 10 25 50 75 100 200

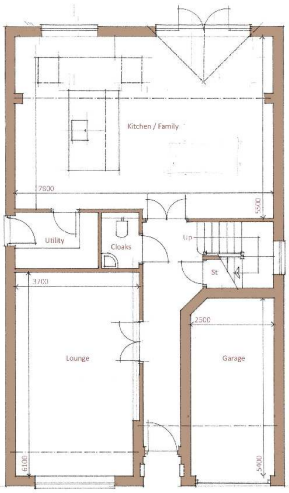
Baddesley Clinton
The Shambles
125.0m
125.9m
Greenacre
22
32
34a
Rising Lane
Plot 1
Plot 2
The Oaks
N
Schedule
Plot 1 1780 sq/ft
Plot 2 1707 sq/ft
KINGSWOOD HOMES
Revisions
No. | Description | Date
A | Entrance Width Revised | 27/10/2015
Kingswood Homes, Greenacre
Rising Lane, Baddesley Clinton
New Residential Development
Ritchie & Ritchie Architects LLP
The Manor House, Lichfield Street, Tamworth, Staffordshire, B79 7QF
+44 (0)1827 63251
www.randrarchitects.co.uk
Proposed Site Plan
1:200@A1
Mar 15
KAL
7411
150A
0 1 5 10 20 40



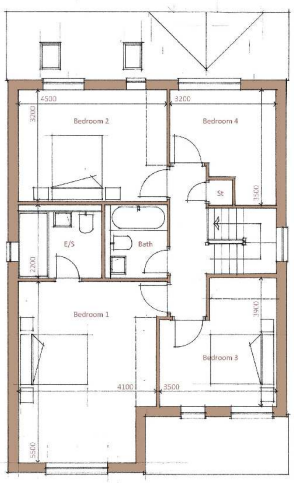
Plot 2 Side Elevation
[Scale 1:100]



Plot 2 Side Elevation
[Scale 1:100]



Plot 1 | Proposed Ground Floor Plan
[Scale 1:50]



Plot 1 | Proposed First Floor Plan
[Scale 1:50]

Plot 1 + 2 Rear Elevation
[Scale 1:100]

Plot 1 + 2 Front Elevation *[Facing Rising Lane]*
[Scale 1:50]

0 0.5 1 2 5 10

KINGSWOOD HOMES

Revisions

No.	Description	Date

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Rising Lane, Baddesley Clinton

New Residential Development

Ritchie & Ritchie Architects LLP
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+44 (0)1827 63251
www.rendrarchitects.co.uk

Plot 1
Proposed Plans + Elevations

Scale	Date	Drawn	Job	Sheet
1:50@A1	Mar 15	KAL	7411	250

Plot 2 Side Elevation
[Scale 1:100]
Plot 2 Side Elevation
[Scale 1:100]
Kitchen / Family
Up
Cloaks
Utility
St
Garage
Lounge
Plot 2 | Proposed Ground Floor Plan
[Scale 1:50]
Bedroom 4
Bedroom 2
St
Bath
E/S
Bedroom 1
Bedroom 3
Plot 2 | Proposed First Floor Plan
[Scale 1:50]
2
1
Plot 1 + 2 Rear Elevation
[Scale 1:100]
1
2
Plot 1 + 2 Front Elevation [Facing Rising Lane]
[Scale 1:50]
0 0.5 1 2 5 10
KINGSWOOD HOMES
Revisions
No. Description Date
Kingswood Homes, Greenacre
Rising Lane, Baddesley Clinton
New Residential Development
Ritchie & Ritchie Architects LLP
The Manor House, Lichfield Street, Tamworth, Staffordshire, B79 7QF
+44 (0)1827 62231
www.randrarchitects.co.uk
Plot 2
Proposed Plans + Elevations
1:50@A1
Mar 15
KAL
7411
251