Planning Committee: 18 June 2019 **Item Number:** 5

Application No: W 19 / 0208

Registration Date: 12/02/19
Town/Parish Council: Baddesley Clinton **Expiry Date:** 09/04/19
Case Officer: Dan Charles
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Pheasant Lake, Birmingham Road, Wroxall, Warwick, CV35 7NN
Erection of a detached garage FOR Mr Leone

This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

RECOMMENDATION

Planning Committee is recommended to refuse planning permission, for the reasons set out at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of a new double garage building with space for garden machinery and tool storage associated with the residential use of the site.

The building is to be 6.5 metres wide by 7.2 metres deep giving a total footprint of 46.8m2. The building is single storey with a height of 2.4m to eaves with an overall ridge height of 3.8m.

In terms of materials, the proposed building is to be constructed of brick and tile to match the host dwelling on the site. The proposed window and personnel door are to be constructed of timber with the garage doors being plastic coated metal roller-shutter doors.

THE SITE AND ITS LOCATION

The application site comprises part of an organic farm which includes a small complex of buildings set behind a belt of trees on the Birmingham Road frontage.
The site lies in an open countryside location within the Green Belt.

PLANNING HISTORY

W/18/0665 - Erection of an agricultural building – Granted 02.11.2018

W/17/1586 - Side extension of bungalow and other small extensions – Granted 01.11.2017

W/17/0245 - Application for removal of condition 3 (occupancy) of planning permission ref: W/16/2125 (Notification for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3) and associated operational development) – Granted 25.05.2017

W/16/2125 - Notification for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3) and associated operational development – Granted 23.01.2017

W/16/1670 - Application for a Lawful Development Certificate for established use of building as a single dwelling house (Use Class C3) – Granted 08.11.2016

W/15/0912 - Change of use of existing administration/storage building to single dwelling (retrospective) – Refused 06.08.2015

W/14/1229 - Application for a Lawful Development Certificate for an existing use as a dwelling, private amenity space, parking access – Refused 22.10.2014

W/14/0004 - Variation of condition 3 of planning permission W09/1365 – Refused 27.02.2014

W/13/0913 - Variation of condition 3 of planning permission W09/1365 - Granted 14.01.2014

W/13/0902 - Erection of a single dwelling house (retrospective application) – Refused 01.10.2013

W/09/1365 - Application to vary condition 3 of W/07/0446 to allow for partial non-agricultural office use of existing office building – Granted 28.01.2010

W/08/1150/AG - Erection of implement barn – Granted 02.09.2008

W/07/0783 - Erection of a single storey administration and storage building after demolition of existing timber buildings – Granted 06.07.2007

W/07/0446 - Conversion of barn into offices and storage (for purposes ancillary to the agricultural use) – Granted 19.04.2007

W/06/1954 - Change of use of existing barn to class use B1 office with ancillary storage – Withdrawn 07.02.2007

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029)

- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Beausale, Haseley Honiley & Wroxhall Parish Council: Support the proposal.

WCC Ecology: As there are ponds within close distance to the site, recommend that a method statement for great crested newts (reasonable avoidance measures) is submitted by a qualified ecologist prior to determination of the application. Also recommend a bird note be attached to any approval granted.

ASSESSMENT

Whether the proposal constitutes appropriate development in the Green Belt

As the application site lies within the Green Belt, the proposal must be assessed against Policy DS18 of the Local Plan. The policy states development must be in accordance with the National Planning Policy Framework (NPPF) Green Belt provisions. Paragraph 145 states that new buildings within the Green Belt are considered to be inappropriate development which is harmful by definition and also by reason of harm to openness.

In these cases, Paragraph 143 of the NPPF states that development should not be approved except in very special circumstances.

There is no permitted development fallback for the garage building as the property is subject to a legal agreement in the form of a Unilateral Undertaking that has removed all permitted development rights for the dwelling.

No other very special circumstances have been put forward that would override the harm identified.

The proposal is therefore contrary to Policy DS18 and the NPPF.

Design

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide SPD sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The proposed building is to be constructed of brick work under a tiled roof to match the host property. It is well located to the host property on an area currently used as garden land. The building is subservient in scale and appearance of the host property that it is proposed to serve.

Overall, it is considered that the design and appearance of the building is acceptable for the purpose of the building and no objection is raised in design terms.

Impact on visual amenity and the character of surrounding area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The building is well located on the site in relation to the existing built form. The single storey nature of the building is also in keeping with the adjacent buildings in terms of appearance.

The site is set away from the public domain by dense tree belts and public views are extremely limited. Notwithstanding this, the design of the building and its siting is appropriate for the use and as such, I am satisfied that the proposal is acceptable.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

There are no nearby neighbours that would be affected by the proposed building. It is noted that there is an additional building on the site that is used for residential purposes. However, it is considered that the location of the single storey building between the proposed building and the adjacent dwelling would ensure that no material harm was caused.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The site benefits from a high quality access affording good visibility in either direction. The use of the building is also not considered to result in any material intensification of the use of the access to the detriment of highway safety.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The building is located on an area of open land with an existing hardstanding and would not have any direct impact on features of ecological importance.

The County Ecologist has recommended that due to the presence of ponds on the site, a Great Crested Newt assessment is required. Having considered this, it is noted that the site is located away from the ponds and the area of land is existing hardstanding on a well-used part of the site, and therefore the imposition of a cautionary note regarding Great Crested Newts would be sufficient.

Trees/Hedgerows

No trees or hedgerows are directly affected by the development. The site does lie adjacent to existing trees. It would be possible to require the provision of protective fencing to ensure the trees are adequately protected.

Conclusion
The proposed building is considered to be inappropriate development within the Green Belt which is harmful by definition and by reason of harm to openness. There are no very special circumstances that outweigh harm identified.

REFUSAL REASONS

1 In the opinion of the Local Planning Authority, the proposed new building constitutes inappropriate development in the Green Belt which is harmful by definition and by reason of harm to openness. No very special circumstances are considered to exist which outweigh the harm identified.

The proposed development is therefore contrary to the National Policy Framework and to Policy DS18 of the Warwick District Local Plan 2011-2029.