

Extended Delegated Decisions Meeting: 04 June 2020

Application No: [W 20 / 0426](#)

Town/Parish Council: Lapworth

Case Officer: Emma Booker

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Registration Date: 09/04/20

Expiry Date: 04/06/20

The Grove, Rising Lane, Lapworth, Solihull, B94 6JB

Erection of single and two storey side extension FOR Mr M Rogers & Ms R Deacon

This application is being presented to the Head of Development Services and Chair of Planning Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

The Head of Development Services is recommended to grant planning permission, subject to the conditions listed at the end of this report.

PLANNING HISTORY

W/17/1517 - Planning permission granted for the demolition of existing dwelling and erection of a replacement dwelling and associated works.

W/17/2377 - Lawful Development Certificate granted for the proposed erection of a detached garage.

DETAILS OF THE DEVELOPMENT

The applicant seeks planning permission for the proposed erection of a part single and two storey side extension on the north-side of the dwelling.

The proposal will provide additional living space at ground floor level and two ensuite bathrooms at first floor level.

The extension is proposed to be built using matching brickwork and roof tiles with detailing at eaves level and around the windows to match existing.

THE SITE AND ITS LOCATION

The application site comprises a two storey detached dwelling with living accommodation within the roofspace. The dwelling is a recent construction and replaced a former two storey dwelling; planning permission was granted for these works in 2017 under application ref: W/17/1517.

The character of the dwelling is defined by a pair of prominent two storey front protruding gables, stone detailing around the windows and main entrance, red/brown brickwork and brown roof tiles. The rear elevation also features two,

two storey gables with a dormer set in between. A prominently glazed single storey extension also extends out from this elevation.

The dwelling sits within a spacious plot and its garden wraps around the dwelling to the north, south and west.

The site is washed over by Green Belt.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS18 - Green Belt
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- H14 - Extensions to Dwellings in the Open Countryside
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council - Objection on the following grounds:

- Overdevelopment in the Green Belt
- Proposal would lead to a significant expansion of the original and recently replaced dwelling. The Parish Council wish to be assured that the planning history is thoroughly investigated as concerns are raised regarding the increased scale of the property since 1948.
- The property is in a visible location across fields as viewed from Rising Lane, it is already a large feature and will become even more so if the application is approved.

WCC Ecology - The building appears to be well-sealed and in good condition, a bat survey is not considered necessary. Recommend that advisory notes relating to bats and nesting birds, as protected species, is attached to any approval granted.

ASSESSMENT

The key issues in the consideration of this application are:

- Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified
- Design of the proposed extensions
- Amenity impacts
- Parking

- Ecology

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified

Paragraph 145 of the National Planning Policy Framework (NPPF) makes it clear that the construction of new buildings in the Green Belt is to be regarded as inappropriate development. One of the exceptions to this is the enlargement of an existing buildings provided it does not result in disproportionate additions over and above the size of the original building. Local Plan Policy DS18 states that the Council will apply national planning policy to proposals within the Green Belt.

Local Plan Policy H14 stipulates that extensions to dwellings in the Green Belt will be permitted unless they result in a disproportionate extension to the original dwelling which;-

- a) do not respect the character of the original dwelling by retaining its visual dominance
- b) do not retain the openness of the rural area by significantly extending the visual impression of built development; or
- c) substantially alter the scale, design and character of the original dwelling.

As a guide, Policy H14 indicates that an extension of more than 30% of the gross floor space of the original dwelling is likely to be considered disproportionate in the Green Belt. Development in excess of 30% should not be permitted unless very special circumstances exist which outweigh the harm identified.

Gross Floor Area Calculations:

Original replacement dwelling = 340.5 sqm (approx.)

Proposed floor area = 442.3 sqm (approx.) (amounts to a 29.90% increase in floor area).

Lapworth Parish Council have objected to the proposed development on 3 separate grounds;

- the existing dwelling was a replacement of a former dwelling which had previously been extended and so the scale of the dwelling has been substantially increased since 1948 and it would seem to set a poor principle if a house can be demolished, planning approved for a new larger house and then a further 30% allowed on top within 2 years of the new building completion.
- it would lead to overdevelopment within the Green Belt.
- the dwelling is in a visible location across fields as viewed from Rising Lane and would become larger if approved.

The replacement dwelling granted under application ref: W/17/1517 was actually *marginally smaller* than the one it replaced. There is no planning history for the previous property and so it is not possible to determine the extent of previous extensions described by the Parish Council. Policy H14 permits replacement dwellings which are not materially larger than the existing dwelling and have no greater impact on the character and openness of the rural area; the policy does

not seek to resist the replacement of dwellings which have already been extended. This is in accordance with national planning policy which states that the replacement of a building in the Green Belt with a building which is not materially larger than the one it replaces is not inappropriate development in the Green Belt.

The replacement building then becomes the original building which is permitted. The NPPF and Policy H14 then allow further extensions to the new 'original' dwelling to increase the original floor area by up to 30%. In short, it is correct that planning policy permits the extension of dwellings in the Green Belt which can then be replaced and extended again by up to 30% despite the cumulative impact that this would have on the openness of the Green Belt over time. What is required to be considered in this case is whether the proposed development in isolation would represent a proportionate and appropriate addition.

As stated above, Policy H14 tests the appropriateness of extensions to dwelling in the Green Belt by comparing the floor area of the proposed extensions with the floor area of the original dwelling. As The Grove is a replacement dwelling, the gross increase in the floor area must be calculated using the floor area of the original dwelling. Once the property which stood in 1948 is demolished and replaced, the replacement dwelling becomes the original property. The proposed development will increase the floor area of the original dwelling by 29.90%, which is below the threshold for proportionate extensions to dwellings in the Green Belt as stipulated within policy H14 of the Local Plan. The proposal is therefore considered to satisfy this criteria of H14 and is considered a proportionate addition in terms of scale.

With regard to criterion a) and c) of Policy H14, it is considered that at the proposed scale the extension would not substantially alter the scale, design and character of the original dwelling. Whilst it is acknowledged that the existing dwelling is a large building which is readily visible from Rising Lane due to the change in ground levels, and that the extension would increase the scale of the dwelling further, it is considered that at the proposed scale the extension will not appear as a disproportionate addition which would result in harm to the Green Belt. This reflected by the gross floor area calculations and the fact that the extensions appear subservient to the original dwelling and retain its visual dominance.

The ability to observe the dwelling and the proposed extension readily from public vantage points ie Rising Lane is not considered reasonable grounds to refuse planning permission because planning policy permits development where it is considered appropriate and proportionate.

With regard to criteria b) of Policy H14, it is considered that the extension is compact in nature, it does not have excessive extensions of single storey elements which sprawl outwards for example. The development would therefore would not significantly extend the visual impression of built development, meaning that it would have a limited impact on openness.

The proposal is considered to satisfy the criteria of para. 145 of the NPPF and Local Plan Policies DS18 and H14.

Design of the proposed extensions

Local Plan Policy BE1 requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design. The Council has also adopted The Residential Design Guide as an SPD.

Local Plan Policy H14 requires all development in the Green Belt to respect the character of the original dwelling by retaining its visual dominance and not substantially altering the scale, design and character of the original dwelling. The purpose of this policy is to ensure that extensions to dwellings do not have an adverse impact on the surrounding open countryside and are of an appropriate design and scale for their location.

The character of properties within the area is varied and dwellings do not immediately front Rising Lane meaning that there is no strong architectural character in the street scene which needs to be adhered to.

It is considered that the proposed extension to the dwelling constitutes good quality design and is keeping with the character of the dwelling and the surrounding area. The characteristic two storey gable feature and stone detailing around the windows and doors of the existing dwelling will be continued through into the design of the new extension. The extension will be constructed using matching materials and the new windows and doors will match the those within the existing dwelling in terms of their positioning within the elevations and the size of the apertures. This attention to detail and the appropriate scale of extension ensures that it would not appear incongruous within the rural landscape. The extension appears as a subservient addition to the dwelling and would not substantially alter its scale or character. The extension complies with the design criteria for two storey side extensions outlined within the Residential Design Guide SPD.

The proposal is considered acceptable in terms of design and is in accordance with Policies BE1 and H14.

Impact on the amenity of the adjacent properties and the current and future occupiers of the dwelling

Warwick District Local Plan Policy BE3 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development.

It is considered that the proposed development would have an acceptable impact on the amenity of the neighbour dwellings. Given that The Grove is sited within a spacious plot, the extension would not give rise to increased opportunities for overlooking nor adversely impact on outlook or light delivered to the neighbour dwellings. It is also noted that no objections have been received from neighbours.

It is considered that the proposed development would have an acceptable impact on the amenity of the current and future occupiers of the dwelling. All habitable

rooms are proposed to be provided with adequate outlook and the development will not unacceptably reduce the size of the dwelling's private amenity space.

The proposal is considered acceptable and to be in accordance with Policy BE3 and the Residential Design Guide SPD.

Parking

Warwick District Local Plan Policy TR3 states that development will only be permitted that makes provision for parking which does not result in on-street car parking detrimental to highway safety. Development will be expected to comply with the parking standards set out in the most recent Parking Standards SPD.

The development will create two additional bedrooms within the dwelling bringing the total number of the bedrooms to 7. The number of off-street parking spaces required by the adopted Parking Standards SPD does not increase as a result of an increase in the number of bedrooms from 5 to 7. The proposal is therefore considered to comply with the SPD. Nevertheless, The Grove benefits from a large driveway capable of accommodating many more than the required 3 off-street parking spaces.

The development is therefore considered to comply with Policy TR3.

Ecology and trees

Local Plan Policy NE2 seeks to protect species of national and local importance for biodiversity and geodiversity. The policy stipulates that development will not be permitted that will destroy or adversely affect protected species.

The WCC Ecologist requested photographs of the dwelling to assess the need for an initial bat survey to be carried out. On receipt of site photos they considered that the building appeared well-sealed and that the risk to protected species was low enough approve the application without a survey. Due to the mobile nature of bats and records of roosts within the area, the Ecologist recommended that advisory notes relating to bats be attached to any approval. They also recommended that a note relating nesting birds be attached. Officers agree that in this case advisory notes would afford adequate protection to protected species.

There are no trees in close proximity to the extension which would be negatively impacted by the development.

The proposal is considered to satisfy the criteria of Policy NE2.

Summary/Conclusion

The proposed development is considered to constitute appropriate development in the Green Belt which would not have an adverse impact on openness and the character of the rural landscape. The extension is considered to constitute good quality design by virtue of the fact that appears as a subservient addition and in keeping with the character of the dwelling and surrounding area. The extension will not harm the amenity of the neighbours or current and future occupiers of the dwelling and it would accord with the Council's parking requirements. The

development is considered to pose a low risk to protected species and there are no trees in close proximity to the extension which would be negatively impacted.

The proposal is considered to comply with all of the aforementioned Local Plan Policies, SPDs and the NPPF.

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) 1931 PL 01, 1931 PL 02 and 1931 PL 03, and specification contained therein, submitted on 16th March 2020.
REASON: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
 - 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
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