

**Planning Committee:** 27 November 2012

**Item Number: 12**

**Application No:** W 12 / 1172

**Registration Date:** 04/10/12

**Town/Parish Council:** Beausale, Haseley, Honiley & Wroxall **Expiry Date:** 29/11/12

**Case Officer:** Liam D'Onofrio  
01926 456527 liam.donofrio@warwickdc.gov.uk

**Five Ways Nurseries, Firs Lane, Haseley, Warwick, CV35 7NJ**

Removal of existing mobile home and replacement with a single dwellinghouse.  
FOR Mrs Askew

-----

This application is being presented to Committee due to the number of supporting representations received.

**RECOMMENDATION**

Planning Committee are recommended to refuse planning permission.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for a new 3-bedroom dwellinghouse to be located on land at the former Five Ways Nurseries. The proposed two-storey dwelling will measure 9.8 metres wide by 7.3 metres deep and will have an eaves height of 4 metres and a ridge height of 7 metres.

The application is accompanied by a Design and Access Statement and a Sustainable Buildings Statement. The Design and Access Statement comments that the dwelling is submitted on the basis of being a replacement to the residential mobile home at the site, which is not considered to be a suitable long term means of residential accommodation. The applicant accepts that the dwelling is larger than the existing mobile home, however the dwelling will have no greater impact on the character and openness of the rural area than the existing mobile home.

**THE SITE AND ITS LOCATION**

The site relates to the former Five Ways Nurseries site located on the eastern side of Firs Lane close to its junction with Five Ways traffic Island. The wider site consists of a yard area and ancillary buildings, including the mobile home, and external storage associated with the repair of agricultural machinery/vehicles. The application site is located to the southern part of the site close to the access drive. The site is within Green Belt.

**PLANNING HISTORY**

W/03/1010 Application of a Certificate of Lawfulness for the use of land for the stationing of a mobile home for residential purposes: Appeal Allowed 10th August 2004.

## **RELEVANT POLICIES**

- National Planning Policy Framework
- 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)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

## **SUMMARY OF REPRESENTATIONS**

**Beausale Haseley Honiley & Wroxall PC:** The Parish Council cannot support this solely on the presented plans (W12/1172). There are however special circumstances which the council fully support. This established business provides valuable agricultural and forestry services to the local community. The Parish Council Emergency Plan would use this firm to provide heavy lifting machinery if needed, and snow clearing equipment in severe weather. It is suggested that Mr Askew submits these special circumstances for an agricultural dwelling instead of a replacement dwelling, as a mobile home is not a static permanent building.

**WCC Ecology:** No objection.

### **Public response:**

Eight supporting letters making the following comments:

- It is about time a proper dwelling was put on site after putting up with a caravan for so long/living in a mobile home for decades.
- The site is well screened by mature trees.
- As agricultural contractors they are vital to the area's economy/community.
- The site will be much improved with the erection of the dwelling.
- There would be no impact upon the Green Belt or any adjoining properties.

## **ASSESSMENT**

The main considerations in assessing this application are as follows: The principle for development; design and neighbours' amenity; sustainability and matters of ecology and highway safety.

### **Principle**

The National Planning Policy Framework 2012, paragraph 89 identifies that the erection of new residential dwellings within the Green Belt are inappropriate development. The proposal does not meet the exceptions to residential development identified in Policy RAP1 'Directing New Housing' of the Warwick District Local Plan.

The NPPF 2012 paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to say: '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 will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'.

The applicant has not provided any very special circumstances to justify the erection of a new dwellinghouse within the Green Belt, other than the fact that there is an existing mobile home on site. Mobile homes and caravans are NOT buildings and the proposal cannot therefore be considered as a 'replacement' building. Nevertheless the proposed dwelling is significantly larger than the mobile home it intends to replace. The applicant also suggests that the dwelling will not have any greater impact upon the character and openness of the Green Belt than the existing mobile home. The dwelling is significantly larger and will clearly have a greater impact upon openness. The dwelling will be fairly well screened from the highway, however openness is intended to be a permanent characteristic of Green Belt land and how well a development is screened from public view does not override the aims and objectives of Green Belt policy.

The applicant's good work in the community and their choice to occupy a mobile home are again not very special circumstances to justify the erection of a new dwellinghouse within the Green Belt. The proposed dwelling is a significantly larger three-bedroom family home and bears no relation to the current living accommodation or reasonable requirements of the applicants. The applicant does not seek an agricultural workers dwelling, and there is no evidence or justification given the nature of the use that would warrant granting planning permission for an agricultural workers dwelling in this case.

Without any clear justification or identification of very special circumstances the proposed dwelling should be treated as a market property, which clearly remains contrary to Green Belt policy and should be refused accordingly.

Notwithstanding the issues of principle no mechanism has been put in place to secure the removal of the existing mobile home, however this could be dealt with as a unilateral undertaking.

### **Design and Amenity**

Notwithstanding the issues of principle the proposed dwelling provides an acceptable design solution. The dwelling will meet necessary separation distances to surrounding properties and will not result in any significant impact upon the amenities of the occupiers of surrounding properties.

### **Sustainability**

The scheme is accompanied by a Sustainable Buildings Statement which states that renewable technology will be used including a wood burning boiler and solar panels. The details of renewables can be agreed and secured by condition to ensure that the development meets the 10% renewable energy requirement set in the Sustainable Buildings SPD.

## **Other matters**

Ecology have raised no objection to the scheme.

The dwelling will utilise the existing site access and provides sufficient space for parking and turning to exit the site in a forward gear.

## **CONCLUSION/SUMMARY OF DECISION**

In the opinion of the Local Planning Authority, the development represents inappropriate development and is therefore contrary to established Green Belt policy. No very special circumstances are considered to exist to outweigh harm and justify the development.

## **REFUSAL REASONS**

- 1 The application site lies within the Green Belt where strict policies of restraint apply. The application proposes a new dwellinghouse. The development proposed would cause serious harm to the Green Belt as it: -
    - 1) is inappropriate;
    - 2) diminishes openness;
    - 3) conflicts with the purpose of including land in the Green Belt by encroaching upon the countryside and is harmful to the maintenance of its character;whilst failing to contribute to the achievement of any of the objectives for the use of land in the Green Belt. There are no very special circumstances sufficient to outweigh such harm. In consequence the application is contrary to Policy RAP1 of the Warwick District Local Plan 1996-2011 and the aims and objectives of National Planning Policy Framework 2012 and is not justified by any other material considerations.
-