

Planning Committee: 01 February 2006

Item Number: 12

Application No: W 05 / 1943

Registration Date: 30/11/05

Town/Parish Council: Lapworth

Expiry Date: 25/01/06

Case Officer: Penny Butler

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Bow Hill, 178 Bakers Lane, Lapworth, Solihull, B93 8PS

Erection of a replacement dwelling. (amended scheme to W05/1571) FOR Mr & Mrs
C Yarnell

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

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council: comment that it is an incongruous design in this country lane.

WCC (Ecology): recommend a bat survey prior to determination, and the protection of hedges/shrubs.

Neighbours: Letters of objection have been received from 6 local residents on grounds of being materially larger, design not a Warwickshire country style, due to too much glass, too much lighting, overlooking, extension of garden into farmland and Green Belt.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
- (DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

PLANNING HISTORY

The only relevant history is that outline planning permission was granted in February 2004 for a replacement dwelling, subject to conditions (W20031859). One of these conditions, in its reason, referred to the need to ensure that the replacement was not materially larger than the existing dwelling, as required by PPG2: Green Belts.

KEY ISSUES

The Site and its Location

The property lies on the south side of Bakers Lane, in the Green Belt, and consists of a fairly substantial plot with a late 19th century 'gentleman's residence' on it.

Details of the Development

The proposal is to erect a two-storey house, with a detached, three car, garage a little to the west of the existing house, without extending the garden. It would be aligned at a slight angle to the road and would have fairly substantial areas of glazing to front and rear (east and west), with substantial brick ends to north and south. It

would have a hipped roof with glazed gables to front and rear, the rear gable being for the master bedroom with a semi-circular balcony over the dining room.

Assessment

The two principal issues are the size of the replacement house, and its impact on the character of this part of the Green Belt.

Consideration of the size of the dwelling is based on PPG2: Green Belts which refers to acceptable replacements not being "materially larger" than the existing. No definition of this term is given, however, but since the basic duty is to protect the open character of the Green Belt, the term needs to be considered in a visual manner, not just a mathematical calculation of gross floor area, height, or volume. In terms of gross floor area, the dwelling is slightly larger at 427 m², compared with 399 sq m, but the existing dwelling is a tall two-and-a-half storey house with its narrow end towards the road, as with the proposal. It is considered, therefore, that the size and general form of the new dwelling is acceptable.

Residents have raised concerns, however, about the impact of the proposal on the Green Belt, particularly due to the amount of glazing. It is accepted that the design does have quite a substantial area of glazing, but this is not towards the road and the general design and form is not dissimilar from houses in the area, albeit they have smaller window areas. It is considered that this design does not justify a refusal since designs should only be refused if they are obviously poor, particularly if a local design guide has not been adopted as supplementary guidance, as explained in paragraph 17 of PPG1: General Policy and Principles.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing no. 4732/02 and /03, and specification contained therein, received on 30th November 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 A landscaping scheme, incorporating existing trees and shrubs to be retained and

new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

The proposed replacement dwelling is not materially larger than the existing dwelling and does not result in a greater impact on the character and openness of the rural area. The proposal is therefore considered to comply with the policies listed.
