

Planning Committee: 25 April 2016

Item Number: 13

Application No: [W 16 / 0412](#)

Town/Parish Council: Hatton

Registration Date: 08/03/16

Case Officer: Emma Spandley

Expiry Date: 03/05/16

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The Forge, Hatton Green, Hatton, Warwick, CV35 7LA

Outline application for the erection of up to 8no. dwellings with all matters reserved except access after demolition of the existing buildings on the site. FOR Mrs P Lyons, Sarah Booth, Lucy Rudd

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

RECOMMENDATION

Planning Committee are recommended to REFUSE planning permission.

DETAILS OF THE DEVELOPMENT

The application is in outline with all matters reserved, for the erection of 8no. dwellings on the former Hatton car garage site and the rear / side garden of adjacent house called 'The Forge' and the erection of a detached garage for 'The Forge'.

All of the existing buildings within the red line site will be demolished. An indicative plan has been submitted which shows a potential layout. However, the details of siting, design and access do not form part of this application.

THE SITE AND ITS LOCATION

The application site contains an existing commercial car garage, which is to the front (west) portion of the site, and the rear / side garden of 'The Forge' a dwelling located the south east of the site. The site is located on a corner plot and wraps round 'The Forge', with the garden area to the east extending past the existing built development located within Starmer Place, to the north; along Hockley Road and further into the Green Belt. There are open fields beyond the eastern boundary of the site.

To the south is 'The Forge' and the Hockley Road. The site is located within the village envelope and is washed over by Green Belt.

PLANNING HISTORY

The planning history relates to extensions and uses of buildings for the commercial part of the site.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Hatton Parish Council: Support

Housing & Strategy: The affordable housing requirement is required to be achieved.

WCC Landscape: No objection, landscape details need to take into account of the Warwickshire Landscapes Guidelines. This can be dealt with at the Reserved Matters stage.

WCC Highways: No objection to the principle, access and layout are a reserved matters and therefore the concerns of the Highway Authority can be dealt with at the Reserved Matters stage.

WCC Ecology: No objection raised, however, requested a habitat survey prior to determination.

WCC Archaeology: No objection subject to conditions.

Public Response:

2 objection comments have been received. The concerns raised relate to highway safety; the density of development; loss of employment land and prematurity.

2 comments in support have been received. They support the removal of the garage as it causes issues with parking and highway safety and the housing for young people.

ASSESSMENT

The main issues in the consideration of this application are:

- Housing Land Supply
- The Current Policy Position
- Whether the proposal constitutes appropriate development in the Green Belt, and if not, whether there any very special circumstances which outweigh the harm by reason of inappropriateness and any other harm identified.
- Scale of Proposed Development:
- Ecology
- Affordable Housing
- Highways and Parking

Five Year Housing Supply

The site is within open countryside within the Green Belt within the small village called Hatton Green, where the relevant Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. The proposals would be contrary to Policy RAP1. However, the National Planning Policy Framework (NPPF) 2012 states (para. 49) that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement.

Whilst significant steps have been made towards meeting a five year housing land supply an analysis of all current information indicates that the District Council are not able to demonstrate a five year supply of deliverable housing sites. As from 31/03/16 the number of years supply has been calculated at 4.69 years.

Accordingly Policy RAP1 is to be considered out-of-date and in these circumstances the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 14), however, footnote 9 lists exemptions to this, with Green Belt land being excluded. The Framework explains that there are three dimensions to the concept of sustainable development: economic, social and environmental.

The scheme will contribute towards helping the Council meet its five year requirement and granting outline permission for this site would increase the supply of land for housing. This carries some weight in the assessment of this

application. While the Council has no control over whether a site will be delivered, it is nevertheless reasonable to assume that a site with planning permission would be deliverable with a realistic prospect that development on this site would be achievable within a five year period.

Therefore the main assessment of this application is, whether, in the absence of a five year supply of housing, any adverse impacts of the proposed development, having particular regard to the effect upon: the Green Belt, the character and appearance of the area, including the setting of the village of Hatton Green, would significantly and demonstrably outweigh the benefits of the scheme.

The Current Policy Position

The current Local Plan covered the period 1996-2011 and therefore makes no provision for future housing needs. This forms the Development Plan, which decisions should be made in accordance with, unless material considerations indicate otherwise. The NPPF is a material consideration, as are other policies under preparation such as the emerging Local Plan. Emerging Local Plan Policy H1 - 'Directing New Housing' indicates Hatton Green as a limited infill village and emerging Policy H11 relates to infill development within villages in the Green Belt to which it is appropriate to attribute some weight.

Green Belt

The National Planning Policy Framework (NPPF) states that the essential characteristics of Green Belt are openness and permanence. It sets out that there is an objection in principle to inappropriate development within the Green Belt and sets out that exceptions to inappropriate development in the Green Belt includes the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development and / or limited infilling in villages.

The site is located within the village envelope of Hatton Green, however, the site does not conform to the criteria set out within Policy H11 of the Draft Local Plan. Policy H11 of the Draft Local Plan states that limited infilling of no more than 2 dwellings, comprising the infilling of a small gap fronting the public highway between an otherwise largely uninterrupted frontage, which is visible as part of the street scene may be acceptable.

The application is for the entire red line site which includes the residential garden of the adjacent dwelling called 'The Forge' along with the site of the former commercial garage, the latter comprising brownfield land. The garden is to the rear, and extends beyond the properties in Starmer Place to the north of the site, and along Hockley Lane to the east, further encroaching into the Green Belt.

The Parish Council have registered their support for the application, but have not indicated whether or how the dwellings might meet a local need.

Considering the site and proposed development as a totally, it is not considered that the exemptions to inappropriate development apply across the whole site and the proposed erection of 8 dwellings on the site is considered inappropriate development within the Green Belt to which there is an objection in principle and in respect of which no very special circumstances have been identified which would be sufficient to outweigh the harm to the Green Belt.

The Scale of Proposed Development

The extent of the site and the nature of the proposal is such that in general terms it is considered that the development proposed could satisfactorily be accommodated within the site.

Ecology

The proposed development will impact on a mature garden consisting of trees, shrubs and grassland. Owing to the potential of protected species to be present on site, WCC Ecology recommend that a Preliminary Ecological Appraisal is carried out by a qualified ecologist prior to determination of the application. All trees on site should be assessed for roosting bats and the site should be assessed for nesting birds, badger, amphibians and reptiles.

However, the application is in outline and the principle of the development is not considered acceptable. It was not therefore considered reasonable to request that a detailed survey be undertaken in such circumstances.

Ecology also require further bat activity survey work to be done prior to commencement, and this could be controlled by a suitably worded condition.

Affordable Housing

The site is of sufficient size to engage Local Plan policy SC11 which requires a minimum of 40% affordable housing on sites of three or more dwellings within rural areas and policy H2 of the publication draft Local Plan where the threshold is five or more dwellings.

In accordance with policy a total of three of the dwellings will need to comprise affordable housing. The Planning Statement submitted with the application gives a clear and welcome commitment to provide 40% affordable housing within the development but does not specify how many dwellings this will be. The requirements for the affordable housing are required to be secured by a S106 Agreement and no heads of terms of such an agreement have been submitted with the application.

Highways and Parking

The indicative site layout shows each property to have the required number of off road car parking spaces, therefore the proposals could accommodate the parking required. The Highways Authority raise no objection in principle to the

development of the site for 8 no. houses and are satisfied that the details of the proposed access can be addressed at the Reserved Matters stage.

SUMMARY/CONCLUSION

The application is in outline with all matters reserved therefore the only consideration of the application is whether the erection of 8no. houses is acceptable in principle. The site comprises part of an existing commercial site and part residential garden. Whilst the application site is located within the village envelope and includes a previously developed site, the extent and nature of the proposal is such that it could not be reasonably considered to comprise limited infilling or solely relate to the redevelopment of an existing brownfield site.

Whilst the benefits of the scheme in providing additional housing within the District carry weight, it is not considered that such benefits comprise very special circumstances sufficient to outweigh the objection in principle to the proposals by way of inappropriateness within the Green Belt.

REFUSAL REASONS

- 1 The proposed development by reason of its location, nature and extent comprises inappropriate development within the Green Belt in respect of which no very special circumstances have been demonstrated sufficient to outweigh that objection in principle. Further it has not been demonstrated that the development would not impact upon any ecological interest that may exist at the site to an unacceptable level or that the required level of affordable housing will be delivered as part of the development.

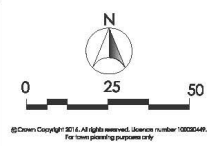
The proposed development would therefore be contrary to the National Planning Policy Framework and to the following Local Plan policies:-

The Warwick District Local Plan 1996 - 2011

- Policy DAP 3: Protecting Nature Conservation and Geology
- Policy RAP4: Providing Rural Affordable Housing

The Emerging Warwick District Local Plan 2011 - 2029

- Policy H2: Affordable Housing
- Policy NE3: Biodiversity
- Policy DS19: Green Belt



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Project
**The Forge
 The Green
 Haffton**
 Client
Ms Pam Lyons
 Scale
1:1250 @ A4
 Date
01-2016

Drawing Ref:
7737-100 Rev A
 Drawing Title:
Location Plan

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