

Planning Committee: 06 October 2020

Item Number: 7

Application No: [W 20 / 0884](#)

Town/Parish Council: Shrewley
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

Registration Date: 16/06/20
Expiry Date: 11/08/20

Post Office, 97 Shrewley Common, Shrewley, Warwick, CV35 7AN

Erection of a two storey rear extension to provide a first floor addition to the first floor flat and a ground floor addition to the ground floor shop FOR Mr Suki Singh

This application is being presented to Planning Committee as the Parish Council supports the application and more than 5 letters of support have been received and the application is recommended for refusal.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application proposes the erection of a two storey rear extension to an existing ground floor shop and first floor flat. The extension will replace existing single storey extensions at the ground floor which are currently used for storage in association with the shop. The proposal seeks to provide a more rational layout for storage at ground floor along with a staff restroom, canteen and a larger kitchen. To the first floor there is an existing 4 bedroom flat with separate living areas and the proposal seeks to extend the existing accommodation to provide an enlarged living space and an additional bedroom.

THE SITE AND ITS LOCATION

The application property comprises a village shop at ground floor with a 4 bedroom flat at first floor, which is occupied by the owners of the shop. The site is located on the south side of Shrewley Common. The shop does not benefit from any allocated parking. There is a rear access and gates serving the existing upper floor flat and is accessed off Shrewley Common. The site is washed over by Green Belt.

PLANNING HISTORY

W/87/0926 - Erection of a shop extension with dining room, kitchen and balcony over – Granted

W/89/0989 - Erection of a first floor rear extension and detached double garage – Granted

W/92/0202 – Erection of a storage shed - Granted

W/96/0875 – Installation of a walk-in freezer with perspex canopy - Granted

W/19/1068 - Erection of a two storey rear extension to include a first floor addition to the first floor flat and ground floor addition to the ground floor shop - Withdrawn

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- TR3 - Parking
- TR1 - Access and Choice
- TC17 - Local Shopping Facilities
- DS18 - Green Belt
- H14 - Extensions to Dwellings in the Open Countryside
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: Supports the application as it would support the everyday operation of the shop and the family that run the business.

WCC Archaeology: Request a scheme of archaeological works to be undertaken.

Public Response:

11 letters of support have been received on grounds that the extension would support the existing shop which is a much needed facility and would support the family that run the business.

2 letters of objection have been received raising concerns over impacts to neighbouring amenity, increase in traffic and impact on Green Belt.

ASSESSMENT

Whether the proposal would constitute 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 is to be regarded as inappropriate development in the Green Belt, which is harmful by definition and to which significant weight should be attached. An exception to this include extensions to existing buildings which are not disproportionate additions over and above the size of the original building.

The supporting text to Policy H14 of the adopted Local Plan makes it clear that, as a guide, development which would represent an increase of more than 30% of the gross floor space of the original dwelling (excluding any detached buildings) located within the Green Belt is likely to be considered disproportionate.

The floor area of the original dwelling was approximately 223 square metres. The building has been extended extensively over time and the proposed extension taken together with existing extensions amounts to a floor area of approximately 355 square metres. This equates to a 160% addition over the floor space of the original building. This is significantly greater than the Council's adopted Local Plan guidance of 30% and is therefore considered to represent a disproportionate addition to the property.

The proposed extension would enlarge the footprint of the building and significantly increase its bulk. This combination of factors would result in a loss of openness to the Green Belt.

The proposal is therefore considered to result in harm by reason of inappropriateness which is harmful by definition and by reason of harm to openness. It is considered that it would not be appropriate to grant planning permission for any further additions to this property.

In terms of very special circumstances, the agent has put forward an argument that the extensions will support the continuing operation of the rural shop in accordance with Local Plan Policy TC17 which supports the expansion of existing rural shops where these meet local retail needs. It is argued that supporting the existing operation and the long term viability of the rural shop and first floor accommodation outweighs the harm to the Green Belt.

Exploring this, it is noted that while the proposal does involve new storage areas, the overall floor area dedicated to storage as shown on the existing and proposed plans would reduce as a result of the proposal development. The storage areas shown on the existing plan equate to approximately 44 sqm and the proposed storage area would be 33 sqm. It is accepted that a more rationalized layout of the storage area would be a benefit to the existing operations of the shop, however, this could be accommodated by reconfiguring the existing rear extensions of the same floor area. The floor area of the kitchen will double in size as a result of the proposal. It is not clear why such a substantial kitchen is required to support the retail needs of the shop given that the freshly prepared food element of the existing shop occupies a small section within the existing retail unit and is not proposed to be expanded. It is therefore considered that it has not been demonstrated that the extension to the ground floor shop would support the local retail and service needs.

There is a general presumption against inappropriate development in the Green Belt, and the NPPF requires significant weight to be attached to such harm. It is considered that compliance with other Local Plan policies including TC17 does not outweigh the harm to the Green Belt.

It should also be noted that the proposal includes a substantial increase to the first floor living accommodation above the shop which is occupied by the family

that runs the existing business. The proposal would provide the family with a larger living area and it is understood that several generations of the family occupy the upper floor flat. However, benefits to living accommodation are not considered to constitute very special circumstances.

The proposal to extend the ground floor shop and upper floor flat would constitute a disproportionate addition to the original building and would therefore be inappropriate development that would conflict with national and local policy to protect the Green Belt, which is to be afforded substantial weight. The proposed extension would also be harmful to the openness of the Green Belt by substantially increasing the bulk and mass of the existing building.

The very special circumstances put forward have been carefully considered. However, it is considered that they do not clearly outweigh the general presumption against inappropriate development in the Green Belt, and the substantial weight that the NPPF requires to be attached to the harm which has been identified.

No very special circumstances have been presented which would outweigh the harm identified. The proposed development is therefore considered to conflict with the NPPF and Local Plan Policies DS18 and H14.

Design and impact on the street scene

The 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. Furthermore, Local Plan Policy BE1 requires 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. Finally, the Residential Design Guide SPD sets out steps which should be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed extensions will be contained to the rear of the building. The application building already benefits from an existing two storey extension rear extension and the proposal will extend off this and is considered acceptable in design terms. The application building is bordered on both sides by neighbouring dwellings and therefore the proposed extension will be not be readily visible in the street scene.

Impact on the amenity of the neighbouring properties

The proposed extension does not breach the Council's adopted 45° line guidance when measured from the nearest habitable windows serving the neighbouring properties. No side facing windows are proposed and therefore there will be no harmful impact on privacy to either neighbouring dwelling. The proposal is therefore considered not to result in material harm to the living conditions of the

occupiers of the neighbouring properties by reason of loss of light, outlook or privacy.

The proposal is considered to comply with Local Plan Policy BE3 and the Residential Design Guide SPD.

Highway impacts

the proposal does not seek to increase the floor area of the existing retail floorspace but rather provide additional facilities to support the staff and provide storage for the existing shop. It is not considered that the proposal would increase the parking requirement for the existing shop. The existing first floor flat benefits from 4 bedrooms which require 3 off road parking spaces in accordance with the adopted Parking Standards SPD. There is access and parking to the rear of the site for the use of the upper floor flat with sufficient space for 3 off road parking spaces. The increase from 4 to 5 bedrooms would not increase the requirement for parking in accordance with the adopted SPD.

The proposal would not result in additional parking requirements and is considered to comply with Local Plan TR3.

Archaeology

The County Archaeologist has requested investigative works to be undertaken prior to any development taking place. This could be secured via condition in the event that planning permission were to be granted.

Summary/Conclusion

The proposed development would represent a disproportionate addition to the application property which therefore means that the proposal constitutes inappropriate development in the Green Belt which is harmful by definition. It would also be harmful by reason of harm to openness. There are considered to be no very special circumstances which would outweigh the harm identified.

REFUSAL REASON

- 1 In the opinion of the Local Planning Authority, the proposed development represents a disproportionate addition to the original building and therefore 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 Planning Policy Framework and to Policies DS18 and H14 of the Warwick District Local Plan 2011-2029.
