

Application No: W 06 / 1474

Registration Date: 06/10/06

Town/Parish Council: Lapworth

Expiry Date: 01/12/06

Case Officer: Martin Haslett

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Firs House, 122 Bakers Lane, Lapworth, Solihull, B93 8PR

Removal of condition no.3 of planning permission W05/0825 for the removal of hard surface after construction of access FOR Drs Irshas & Tracey Zaki

SUMMARY OF REPRESENTATIONS

Parish Council: Raise objection - 'Condition no. 3 should remain in order to halt creeping urbanisation in this rural road.'

RELEVANT POLICIES

- (DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

The site has been the subject of a number of applications for the erection of stables and garages to serve Firs House. In 2005 permission was granted (under delegated powers) for an access to the highway and a 5-bar gate. Condition 3 of this permission required the hard surface to this access to be removed after the development allowed under permission W04/1781 (erection of a detached garage and store with room over [to replace existing] with attached stables and tack room) had been completed. It was anticipated that the hard surface would consist of tarmac on a crushed stone sub-base.

KEY ISSUES

The Site and its Location

Bakers Lane is a class 4 road serving a semi- rural area. The surrounding land is mainly in rural uses, although there are some dwellings fronting the lane, including the new houses at Heronbrook House, a little to the west.

Most of the driveways to these dwellings consist of gravel or crushed stone, although the recently constructed access to the barns to the rear of Firs House has been finished with tarmac.

Details of the Development

Although a tarmac finish was anticipated in the planning application, the cross-over to the verge has been constructed from engineering bricks. The condition attached to the previous permission envisaged its removal, but the applicants now wish to retain it.

Assessment

The reason for requiring the original hard surface to be removed was the impact it would have on the visual amenities of the area. The driveway is in quite a prominent position in the lane and it was felt that the tarmac would be detrimental to the amenities of this rural area.

In the event, the tarmac has not been installed, rather a more traditional method, using engineering bricks has been employed. Although this still has some impact on the area, it is considered to be more acceptable than tarmac and any detriment to the visual amenities of the area is not considered to be sufficiently serious as to merit a refusal of permission.

Whilst I have a degree of sympathy with the sentiments of the Parish Council, I feel that a potential defence of a refusal on appeal could be difficult given the considerable amount of development which has taken place along the lane in recent years.

RECOMMENDATION

GRANT.

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:

In the opinion of the District Planning Authority, the design of the cross-over does not prejudice the semi-rural character of this green belt area and is considered to comply with the policies listed.
