

Planning Committee: 08 December 2010

Item Number: 14

Application No: W 10 / 1124

Registration Date: 13/09/10

Town/Parish Council: Lapworth

Expiry Date: 08/11/10

Case Officer: Penny Butler

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Long Meadow, Packwood Lane, Lapworth, Solihull, B94 6AU

Erection of new replacement garage to be used as a temporary dwelling during construction of main replacement dwelling and the erection of new stables FOR Mr Jackson

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council: Object. No need for additional dwelling in the green belt.

Ramblers: Comments on amended plans: While the public footpath will still need to be diverted, the revised plan appears to be not an unreasonable size in relation to the dwelling itself, and, therefore, should not have an unacceptable impact on users of the path and their impression of the openness of this part of the Green Belt.

WCC Countryside Access Team: Public footpath W4 passes through the proposed development site and is currently illegally obstructed by the existing garage. It appears that the proposed development would also illegally obstruct the path and planning permission should be refused until this situation is resolved.

WCC Ecology: Recommend a note relating to nesting birds should any vegetation be affected by the proposals.

RELEVANT POLICIES

- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- RAP10 - Safeguarding Rural Roads (Warwick District Local Plan 1996 - 2011)
- RAP13 - Directing New Outdoor Leisure and Recreation Development (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- Planning Policy Statement 7 : Sustainable Development in Rural Areas
- Planning Policy Guidance Note 2: Green Belts.

PLANNING HISTORY

An outline application for a replacement dwelling was approved in 2008 (W/07/1913).

KEY ISSUES

The Site and its Location

The application site is located on the western side of Packwood Lane, a quiet country lane in the Green Belt. Running just inside the northern boundary is a public footpath and on the other side of this is a wood and pond. To the southern side is a further pond and dwellings some distance from the boundary. The application site includes the dwelling which is a bungalow set well back from the road, with detached triple garage to the side, and a large paddock at the rear.

Details of the Development

It is proposed to erect a small stable block in a paddock at the rear of the residential curtilage. This would comprise two stables, a tack room and hay store. A detached replacement garage building is also proposed, on the site of the existing. This would consist of two enclosed and one open garage spaces at ground floor, with an external staircase leading to the roof space above, which would contain a play room, office and store. It is proposed to use the building temporarily as a dwelling in the period when the existing dwelling is demolished and the replacement dwelling completed. During this time, the first floor would provide two bedrooms and a living area, with a bathroom, kitchen and internal staircase provided in one ground floor bay. Once the replacement dwelling is completed, then the use of the building would revert back to a garage.

Assessment

The proposed stable building is considered to be an appropriate form of development in the Green Belt since it is small and essential for the use of the paddock as grazing land. The paddock amounts to some 2.1 acres, where the British Horse Society recommends 1-1.5 acres per horse as sufficient grazing, therefore I am satisfied there is sufficient grazing for two horses. The building has low roofs and is unobtrusively located in the corner of the paddock closest to the house and boundary with the public footpath.

The size and design of the garage has been the subject of negotiation and it is now considered to be an appropriate form of development within the Green Belt, since it can be considered essential for the dwelling. The dwelling currently has a three bay garage which will be replaced by the proposal, and I consider that a three bay garage is not unreasonable for this size of dwelling. The first floor accommodation is provided within the roof space, and although the front timber gable adds height, and bulk when viewed from the side, I do not consider the scale is excessive, and the gable also gives the building a barn like appearance which is considered appropriate in this rural location. The design and scale of the garage building is considered acceptable as it looks like an ancillary single storey outbuilding. The maximum height of the replacement dwelling was limited by condition to 8m. The main ridge of the proposed garage is 5.8m high while the central gable is 6.5m high, therefore, I am satisfied the garage will remain visually subservient to the replacement dwelling. Since the garage is considered acceptable, I can see no reason why its temporary use as a dwelling is not acceptable. A condition will ensure the use as a dwelling ceases upon completion of the replacement dwelling.

The public footpath can be diverted prior to work commencing under separate legislation, therefore, this should not stand in the way of planning permission.

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 drawings (10-057-04B received on 25 October 2010; 10-057-02D and 10-057-03D received on 11 November 2010), and specification contained therein, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The garage building hereby permitted shall not be used as a separate dwelling prior to the vacation of the existing dwelling. Following the occupation of the replacement dwelling the garage building shall return to being used for the housing of private vehicles or other purposes incidental to the residential use of the replacement dwelling house. **REASON**: Since the creation of a separate dwelling would not normally be allowed in the Green Belt except in the circumstances put forward by the applicant.
- 4 The stables hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school or any other commercial purposes. **REASON** : To protect the rural character of the area, in accordance with Planning Policy Statement 7 : Sustainable Development in Rural Areas and to satisfy Policy RAP10 of the Warwick District Local Plan 1996-2011.

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 development does not unacceptably harm the general openness or rural character of the green belt within which the property is situated, by reason of its scale, design and siting. The proposal is therefore considered to comply with the policies listed.
