

Planning Committee: 05 January 2016

Item Number: 13

Application No: [W 15 / 1914](#)

Registration Date: 19/11/15

Town/Parish Council: Beausale, Haseley, Honiley & Wroxall
14/01/16

Expiry Date:

Case Officer: Liam D'Onofrio
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Land at Hillcrest, Haseley Knob, Haseley, Warwick, CV35 7NJ

Erection of two detached three bedroom dwellings with integral garages, new vehicular access and associated works. FOR Mrs L J Johnson

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Members are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of two detached 3-bedroomed dwellinghouses, each with an integral garage. The houses are two-storey and will each measure 7.8 metres wide by 8.6 metres deep and 8.2 metres high. A new access will be created in the western side of the highway to serve the new dwellings.

The application is accompanied by a supporting statement, which notes that the development is limited infilling in a village in the Green Belt and is not inappropriate development. The applicant notes that the proposed position of the dwellinghouses will follow the established pattern of ribbon development along the west side of the road. Existing ground levels will be remodelled to create a level site and the floor level of the proposed dwellings will be some 2 metres lower than the floor level of Hillcrest and the new ridge line will be approximately 1.5 metres higher than the bungalow.

THE SITE AND ITS LOCATION

The application site relates to the side garden (south) of Hillcrest, which is located on the western side of the highway and within the village of Haseley Knob. The site is within the Green Belt.

PLANNING HISTORY

No specific planning history relevant to the application site.

Planning permission was granted for 2 infill dwellings on the immediately adjacent site on 14/8/15 (Reference: W/15/0983).

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Beausale, Haseley, Honiley and Wroxall Parish Council: Objection. The proposal does not fit with the openness and landscape of adjacent properties, bearing in mind that the northern end of Haseley Knob is more open. Whilst our

Parish Plan calls for a small amount of development per year suited to young families, this site being small and narrow appears to be unnecessarily overcrowded over- development, and does not fit with the surrounding area. Councillors are aware of an existing Agricultural Tie imposed on the existing dwelling, and are unsure of the effect it could have on the proposed new build, and also its potential effect on other properties wishing to develop.

The Case Officer has sought clarification of the Parish Council's objection given their recent support for the infill development on the adjoining site under W/15/0983. The Parish Council have responded:

The planning Application W/15/0983 was for two Semi-Detached properties on a piece of land approximately 30m wide. It had hedges along both north and south boundaries, and there was also a strip of land on its southern edge separating it from the next property 'Four Winds'. The 'openness' of the area was therefore not compromised. The Application W/15/1914 for Hillcrest however, is for two Detached houses on a narrower piece of land (approximately 25m wide). The plot is more elevated and with only one hedge along the southern boundary, and is therefore more visible. The two new properties would seem to be squashed between Hillcrest and the southern hedge with very little space between them and the next property. The Councillors felt therefore, that the 'openness' of the area would be compromised.

Councillor Gallagher: Objection. Concern that two detached houses with 3 bedrooms and garages would spoil the street scene in Haseley Knob.

WCC Ecology: No objection, subject to conditions.

WCC Highways: No objection, subject to conditions.

Community Protection: No objection, subject to conditions.

Public response:

Two objections received from local residents raising the following concerns:

- Hillcrest is subject to an agricultural tie;
- Loss of view;
- The highway is narrow, used by pedestrians/horses without pavements/streetlights. Houses have already been approved on the adjacent site, extra comings and goings will affect highway safety.
- Object to modern styling of houses on beautiful sloping lawn.
- Impact upon wildlife.

Flood Risk: No objection, subject to conditions (see idox).

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Principle;
- Siting and design;

- Impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Health and Wellbeing;
- Ecology/Landscaping;
- Drainage and floodrisk;
- Renewable energy;
- Other matters.

The Principle of the Development

The site is within Green Belt where the current Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. 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. The Council's current position is that the Council cannot demonstrate a five year supply of deliverable housing sites against the housing requirement and Policy RAP1 is to be considered out-of-date.

The National Planning Policy Framework (NPPF) states that the construction of new buildings is inappropriate development in the Green Belt unless it is development falling within one of the various categories listed as exceptions. One such category is limited infilling in villages.

The application site is located in a gap between existing built form 'Four Winds' and 'Hillcrest' and the proposed dwellinghouses will sit within the general pattern of development fronting the highway. The site also falls within the Haseley Knob Village infill boundary, which complements Policy H11 of the emerging Local Plan. This policy indicates that such infill development should be for no more than two dwellings, infilling a small gap fronting the public highway between an otherwise uninterrupted built up frontage, however as an emerging policy it currently has limited weight. Planning permission has already been granted on the adjoining site for two infill houses under planning permission W/15/0983 and this application will increase the number of dwellings to four. Whilst within the NPPF, there is no definition of 'limited infill', the insertion of a further two dwellinghouses within this established run of residential development is not considered to be contrary to the Framework.

The proposal is therefore considered to fall within the category of 'limited infilling in villages' set under NPPF Paragraph 89. Consequently it is concluded the proposal would not be inappropriate development in the Green Belt and is therefore acceptable in principle. There is therefore no need to consider whether there are other considerations amounting to very special circumstances.

It is considered that the dwellinghouses would not be 'isolated homes' within the countryside as they would relate well to the form of the existing settlement. Paragraph 55 of the NPPF notes that where there are groups of smaller settlements, development in one village may support services in a village nearby.

Hillcrest is subject to an agricultural tie imposed on an historic planning application 4549/2, however the relevant condition restricts the occupancy of the dwellinghouse only to persons employed or last employed in agriculture and not the associated land. The proposed development would not affect this occupancy condition nor would it transfer to the proposed dwellinghouses.

The scheme is therefore considered to be acceptable in principle.

Siting and design

The proposed detached dwellinghouses provide an appropriate design solution and are considered to be well-proportioned and sympathetic to their rural context with cambered arch brickwork, chimneys and gable end roof design.

The dwellings will sit within the existing pattern of development, set back an equal distance from the highway as Hillcrest. The proposed dwellinghouses will be set some 4 metres off the southern boundary and 1 metre off the northern boundary with a 2 metre gap provided between dwellinghouses to provide an adequate separation in accordance with the Residential Design Guide SPD. The site slopes upwards from south to north and the supporting statement indicates that the site will be levelled. The finished floor levels will therefore be two metres lower than the existing bungalow Hillcrest and the proposed ridge height will be some 1.5 metres higher. Plot 2 will be set some 4.7 metres from Hillcrest and this proposed two-storey property is therefore considered to sit comfortably adjacent to the existing bungalow.

Conditions are suggested to agree details for the proposed level changes and also brick/tile sample materials for the dwellinghouses.

The impact on the living conditions of nearby dwellings

The existing secondary side-facing windows to Hillcrest belong to rooms that are also served by windows in the front and rear elevations. The proposed dwellinghouses will be comfortably sited within the application site without breaching minimum window-to-window separation distances or the 45-degree sightline measured from the habitable windows of existing neighbouring properties (and the approved dwellinghouses on the adjoining site) in compliance with the Council's Residential Design Guide SPG.

Plot 2 proposes no side facing windows and Plot 1 proposes non-habitable windows to the southern elevation. To maintain the privacy of the occupiers of adjoining properties it is considered necessary to condition the first floor side-facing windows (bathroom) to obscure glazing.

Car Parking and Highway Safety

Local resident's concerns regarding highway safety are noted, however the Highway Authority have assessed the scheme and have raised no objection, subject to conditions to secure the proposed access and visibility splays with a bound hardstanding prior to the commencement of the development.

Two off-street parking spaces are provided in compliance with the SPD, although one of these spaces relates to an integral garage. A condition is therefore suggested to retain the garage parking for the lifetime of the development and ensure that the turning/parking areas are provided prior to first occupation and then kept available for that use thereafter.

Health and Wellbeing

No health and wellbeing issues are considered to be raised by this application.

Ecology/landscaping

The County Ecologist has noted that the proposal will involve the construction of two new dwellings on an area currently occupied by a lawn. The lawn appears to be maintained very short and of low suitability for amphibians but there are borders with planting which may provide a small amount of terrestrial habitat for amphibians. In the planning statement the applicant quotes a recent pond survey undertaken for application number W/15/0983 on adjacent Land at Haseley Knob which includes the adjacent pond and other ponds in the surrounding area. Great crested newts were found in the wider area but not in this pond.

Given the low habitat suitability for great crested newts the County Ecologist considers it unlikely that a licence would be required for the works and that reasonable avoidance measures could be undertaken under a Method Statement produced by a suitably qualified ecologist. A condition is therefore suggested for a schedule of great crested newt mitigation measures.

Given the lack of cover the site does not appear likely to support a population of reptiles, but precautions for avoidance of great crested newts should adequately reduce the risk of causing harm to reptiles.

The area is likely to be used by foraging bats and the County Ecologist recommends that lighting is placed sensitively to avoid spillage onto vegetation at the edges of the site, which can be controlled by condition.

No issues are raised with existing mature landscaping and trees, however a condition is suggested to secure a suitable buffer to protect trees during the construction phase.

Drainage and Flood Risk

The site is within flood zone 1 and has no flood risk issues. Community Protection have raised no objection in terms of flood risk and drainage, subject to conditions to secure an appropriate scheme for surface and foul water drainage and sustainable urban drainage.

Renewable Energy

To accord with Local Plan Policy requirements the scheme will need to either generating 10% of the energy needs from renewable sources or reducing the energy demand of the development and its CO² emissions by 10% through initial construction methods. This can be secured through condition.

Open Space

It is not considered appropriate to request an open space contribution, as there are no nearby parks in this rural area.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the development is acceptable in principle and respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents or highway safety. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 1531-01, 1531-02, 1531-03 and specification contained therein, submitted on 16/11/15, except as required by pre-commencement conditions below. **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 development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 4 The development hereby permitted shall not commence until details of all external light fittings and external light columns have been

submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted on the south and west side of the development and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- LEDs with low wattage should be used with preference.
- Yellow filters can be used to reduce the blue spectrum light
- the brightness of lights should be as low as legally possible;
- lighting should be timed to provide some dark periods;
- connections to areas important for foraging should contain unlit stretches.

REASON: To ensure that any lighting is designed and appropriate measures are taken in relation to protected species in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and the NPPF.

- 5 The development hereby permitted shall not commence until a detailed schedule of great crested-newt mitigation measures (to include timing of works, protection measures, enhancement details, monitoring and further survey if deemed necessary) produced by a suitably qualified ecologist, has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District local Plan 1996-2011 and the NPPF.
- 6 The development hereby approved shall not commence unless and until details of all earthworks, site remodelling, retaining walls, removal of excess earth and the finished floor levels of approved buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings, has been submitted to and approved in writing by the Local Planning Authority. All details shall be implemented as approved. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory development of the site and its relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 7 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior

consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect trees and other features on site during construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 8 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellings hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority. Details must include any existing and proposed drainage systems for the site, showing the location of yard gullies, manholes soakaways, and pipes including shape, material, pipe falls in relation to the proposed building. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
- 10 The development hereby permitted shall only be undertaken in strict accordance with drainage details, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan, which have been submitted to and approved in writing by the local planning authority. The approved systems shall thereafter be retained and shall be

managed and maintained in strict accordance with the approved details unless alternative drainage methods have been approved in writing by the local planning authority. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

- 11 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
- 12 The access to the site for vehicles shall not be used in connection with the development hereby permitted unless and until it has been surfaced with a suitable bound material for its whole length of 7.5 metres as measured from the near edge of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011
- 13 The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 120.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011
- 14 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor window(s) to be formed in the side facing elevation of Plot 1 hereby

permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

- 16 The areas indicated on the approved drawings for vehicular manoeuvring space and parking, including the integral garage parking spaces, shall at all times be kept free of obstruction and be available for those purposes. **REASON:** To ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety in accordance with Policy DP8 of the Warwick District Local Plan 1996-2011.
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