

Planning Committee: 10 October 2017

Item Number: 10

Application No: [W 17 / 1517](#)

Town/Parish Council: Lapworth
Case Officer: Dan Charles

Registration Date: 17/08/17
Expiry Date: 12/10/17

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The Grove, Rising Lane, Lapworth, Solihull, B94 6JB

Demolition of existing dwelling and erection of replacement dwelling and associated works. FOR Mr Mark Rogers and Ms Ros Deacon

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

RECOMMENDATION

That planning permission is GRANTED subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal seeks the demolition of the existing dwelling and the erection of a replacement dwelling.

The proposed dwelling is two storey with rooms in the roof space served by a dormer window to the rear roof slope.

The proposed dwelling has a gross footprint of 201m² and an overall floorspace of 393m² over 3 floors. The overall height to eaves is 5.1m with an overall ridge height of 9.4m.

THE SITE AND ITS LOCATION

The existing dwelling is located roughly centrally on a spacious plot accessed from a long access drive connecting the site to the public highway.

A public right of way runs adjacent to the side and rear of the plot.

The nearest neighbours are to the south east adjacent to the access with the public highway and to the north. Both of these dwellings are a substantial distance from the site of the proposed replacement dwelling.

The site is well screened with mature hedges and trees to the boundary and the gardens consist of well kept lawns and mature planting.

The existing dwelling is a two storey dwelling house with a detached garage to the front of the plot nearest to the access point.

The site is outside the defined settlement boundary of Lapworth so is classified as an open countryside location.

The site lies within the West Midlands Green Belt.

PLANNING HISTORY

No previous planning history.

RELEVANT POLICIES

- National Planning Policy Framework
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- DS19 - Green Belt (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029)
- TR4 - Parking (Warwick District Local Plan 2011-2029)
- H13 - Replacement Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council: Objection, height impact and over development in the Green Belt.

WCC Ecology: Recommend the imposition of conditions and explanatory notes regarding protected species.

Principle of development

Policy H13 of the Local Plan states that the one for one replacement of an existing dwelling in a rural area is acceptable where the existing dwelling is structurally unsound or is of poor architectural design and does not add to the rural character of the area. The policy also states that the replacement dwelling must not be materially larger than the existing dwelling and not have a greater impact on the character and openness of the area.

As the site lies within the West Midlands Green Belt, the proposal must also be assessed against Policy DS19 that states development must be in accordance with the NPPF Green Belt provisions. Paragraph 89 states that replacement

dwelling's area appropriate development within the Green Belt where the new building is in the same use and not materially larger than the one it replaces.

The existing dwelling is of no particular architectural merit and its siting means it is not a prominent feature in the landscape. In this respect, Officers are satisfied that the proposal accords with the requirements of Policy H13.

In assessing the proposal for the new dwelling, the standard assessment for determining whether a building is materially larger is an assessment of the floorspace of the existing and proposed buildings.

The existing dwelling on the site is two storey and has an existing gross floorspace of 401m². The proposed replacement dwelling is two and a half storey and has an overall floor space of 393m². Therefore, in floorspace terms, the proposed dwelling is marginally smaller.

Officers are satisfied that the development is acceptable in principle subject to an assessment of the site specific matters.

Impact on the openness of the Green Belt

Whilst the development is considered to be appropriate development within the Green Belt, an assessment of the impact on the openness of the Green Belt is also required.

The overall footprint of the dwelling has been reduced by approximately 50m² but the overall height has increased from 6.6m to 9.4m. This equates to a fairly substantial increase in height of 2.8m.

In assessing the impact, Officers are satisfied that as a result of the relative design and massing of the existing and proposed dwellings, the decreased footprint balances the increase in height in this location and the proposal does not represent a development that is harmful to the openness of the Green Belt.

Impact on character of surrounding area

The proposed dwelling would sit centrally on the mature plot and a high level of new landscaping is proposed. The site is subject to distance views from the public highway and the existing dwelling is of little merit in the street scene. The proposed new dwelling would have the side elevation visible from the public highway compared the wide, rear elevation of the existing dwelling, Officers are satisfied that the proposed dwelling would be less visually prominent from the public domain.

The design of the proposed is high quality and subject to the use of appropriate materials, the dwelling is not considered to result in any demonstrable harm to the character or amenity of the local area.

Impact on adjacent properties

The proposed dwelling is located centrally on the plot which is well away from the neighbouring properties. The proposed development is therefore considered to not result in any demonstrable harm to neighbouring amenity.

Access and Parking

The proposed dwelling is to be relocated further from the existing access point to allow an improved parking and turning area to be provided within the site. The site contains sufficient parking and manoeuvring space within the site to allow vehicles to enter, park and exit the site in a forward gear.

Officers are satisfied that the proposal represents an improvement to highway safety.

Other Matters

Trees and Hedgerows

The proposed dwelling is located fairly centrally on the site. However, as the site is bounded by existing hedges that are interspersed with trees, it is considered appropriate to impose a condition to provide hedge and tree protection measures to be installed prior to the commencement of any works in accordance with BS5837:2005.

Ecology

The County Ecologist has assessed the submitted ecological statements and surveys and raises no objection to conditions and notes regarding protected species.

Conclusion

The principle of development is acceptable having regard to Policies DS19 and H13 of the Local Plan and the scheme is considered to be appropriate development within the Green Belt. The proposed replacement dwelling is considered acceptable in terms of the impact on the openness of the Green Belt, the impact on the character and amenity of the local area, the impact on the amenity of neighbouring properties and the impact on highway safety. Conditions are proposed to mitigate against any harm to protected species.

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) 1710-PL 01A, 1710-PL 02A, 1710-PL 03 and 1710-PL 04A, and specification contained therein, submitted on 14 August 2017. REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 3 The development shall be carried out only in strict 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 BE1 of the Warwick District Local Plan 2011-2029.
- 4 The development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for bats, reptiles, amphibians and nesting birds (to include timing of works, supervision of particular works to the buildings and grounds and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full. REASON: To ensure that protected species are not harmed by the development
- 5 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 existing trees and hedges to be retained on site has been submitted to and approved in writing by the District 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 District 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.
