

Planning Committee: 25 April 2016

Item Number: 11

Application No: [W/16/0280](#)

Town/Parish Council: Weston under Wetherley
Case Officer: Emma Spandley
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Registration Date: 09/03/16
Expiry Date: 04/05/16

**Weston House, Rugby Road, Weston Under Wetherley, Leamington Spa,
CV33 9BW**

Erection of 3no. two storey detached dwellings following demolition of existing public house. FOR Dickinson. Bains and Thompson

This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

RECOMMENDATION

Planning Committee are recommended to refuse planning permission for the reasons set out at the end of the report.

DETAILS OF THE DEVELOPMENT

The application proposes the erection of 3 two storey 4 bedroomed detached houses after the demolition of the existing Public House.

THE SITE AND ITS LOCATION

The application site contains a large mainly two storey 'L' shaped building, formerly a Public House, together with a large car park surfaced in tarmac to the north and a garden area to the south. The site is situated in an area of dispersed development in the open countryside on the edge of Weston under Wetherley. The site is washed over by Green Belt.

PLANNING HISTORY

W/14/0262 - Application for a Lawful Development Certificate for the proposed change of use from a Public House (Use Class A4) to a Letting Agency (Use Class A2) - granted 22nd May 2014

W/14/0768 - Change of use and conversion from Public House to a single dwelling - refused. Subsequently granted on appeal.

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)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (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)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (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)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Weston Under Wetherley Parish Council: 'Weston under Wetherley Parish Council wishes to support planning application W/16/0280 for the erection of three two storey houses on the site of the former Bull Inn.

The site under application is a brownfield site with a large unattractive former Public House, currently in very poor physical condition due to the vandalism it has suffered over the period of time since it ceased trading. Additionally, the building itself is in the centre of a large tarmac car park, which is equally visually unappealing.

Whilst recognising that the site lies within the Green Belt, the Parish Council believes that the building of three good quality homes would enhance the visual aspect of the area in general, and in particular that of adjoining houses. The landscaping that is to be undertaken by the developer will result in an aesthetically pleasing appearance as compared to the stark openness of the current site frontage. It is therefore considered that the proposed development does not have a greater impact on the openness of the Green Belt than the existing buildings and car park.

The site is within a small enclave of housing on this part of the Rugby Road and the Parish Council consider it to be appropriate infilling as opposed to encroachment into the open countryside. Weston under Wetherley's Parish Plan was adopted by the Parish Council on the 31st July 2013 and subsequently by the District Council. Of those residents who contributed to the Parish Plan, nearly 60% expressed the wish that further development in the village should be resisted, except for modest infill of property sympathetic in size and style to neighbouring properties. The Parish Council believes that the application submitted meets these criteria.

The Parish Council recognises that whilst the erection of three houses may result in a small increase of the building footprint, it wishes to point out that the entire site was used for business purposes, particularly during the summer months, not just the building itself. The plans for dedicated access to the proposed houses, together with on-site turning areas, should improve highway safety, particularly coupled with the reduction in traffic since the public house ceased trading.

Finally, in the interests of the village in general and the residents of neighbouring properties in particular, the Parish Council would like to see the site developed as soon as possible to remove the eyesore which is marring the appearance of their village and creating anxiety for those closest to the site.'

Housing Strategy: Require an affordable housing contribution.

WCC Highways: No objection, subject to conditions.

WCC Ecology: No objection subject to conditions.

WCC Archaeology: No objection subject to conditions.

Public Response: 2 letters of objection have been received on grounds of the need for large houses, which is contrary to the Parish Plan; the impact on the adjoining property; flooding and that the site is not limited infilling.

6 letters of support have been received which centre around the support for the redevelopment of the site, however, comments also including the need for smaller houses, impact on highways, drainage and the neighbouring property.

ASSESSMENT

It is considered that the key issues in the consideration of the proposal are:

- Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether any very special circumstances exist to outweigh the harm by reason of inappropriateness and any other harm identified.
- Design and impact on character of the area.
- Impact on neighbours
- Parking and highway safety
- Affordable housing
- Ecology
- Renewables
- Archaeology
- Other matters

Green Belt

The National Planning Policy Framework (NPPF) states that the essential characteristics of Green Belt are openness and permanence. Paragraph 89 of the NPPF makes it clear that the construction of new buildings in the Green Belt is inappropriate development. An exception to this is replacement buildings where the new building is in the same use and not materially larger than the one it replaces. There is no definition of materially larger but the LPA has consistently used the figure of 9% in this respect.

The existing building has a gross floor area of 137 square metres at ground floor and approximately 100 square metres at first floor, equating to 237 square metres. Each of the three houses proposed has a gross floor area of 204 square metres, therefore the increase in the built development is 258%. Not only is the percentage increase of built form on the site 258% and therefore the replacement buildings are substantially larger than the existing building on the site which is considered inappropriate development within the Green Belt; the proposed three houses are spread across the entire site therefore increasing urban sprawl and diminishing the openness of the Green Belt, which is contrary to the aims of the NPPF.

Further exceptions to inappropriate development under paragraph 89 are limited infilling in villages and limited infilling of previously developed sites which would not have a greater impact on the openness of the Green Belt.

Policy H11 of the draft Local Plan provides the LPA's interpretation of limited infilling and limits it to no more than 2 dwellings infilling a small gap fronting the public highway between an otherwise largely uninterrupted built up frontage, which is visible as part of the streetscene. However, as the examination into the draft plan is currently suspended only limited weight can be afforded to this policy at the current time.

Due to the distance between the existing building and Bibury Cottage to the North and the Old Police House to the south west combined with the limited opportunity to view them together in the streetscene due to the curvature of the road means that the application site is not seen as a gap between existing properties or indeed as a small gap in an otherwise built up frontage. Rather its open nature together with the open land on the opposite side of the road means that it is seen in contrast to the more built up environment within the village

envelope. Therefore even having regard to the status of Policy H11, the application site cannot therefore be readily described as "infill".

Whilst the application site does constitute a previously developed site, the proposed development would unquestionably have a greater impact on the openness of the Green Belt.

It is therefore concluded that the proposal does not fall within any of the exceptions to inappropriate development in the Green Belt and is harmful by definition and by reason of harm to openness.

The Parish Council's comments in relation to the deterioration of the site are noted, however, as stated above, planning permission has been granted for the conversion of the building to a dwellinghouse and no information has been submitted to indicate that the approved scheme is not viable.

Design and Impact on character of the area.

The design of the proposed houses is two storey with a front gable slightly projecting forward of the main front elevation. There are a number of different types and styles of properties within Weston Under Wetherley and the immediate surrounding area. It is therefore considered that the design of the proposed houses is acceptable within the area. The proposal is therefore considered to accord with Policy DP1 of the Local Plan.

Living Conditions

The nearest neighbouring property, Bibury Cottage, is located 22 metres to the north from the rear elevation of the proposed house on Plot 1. The comments received from the occupiers of Bibury Cottage are noted, however, that property is single storey and there is an abundance of high planting along the boundary which can be retained by condition. The proposed dwelling on Plot 1 is also set at an angle to Bibury Cottage and therefore it is considered that with the significant separation distance and the relationship between the two properties, the proposed dwelling in Plot 1 will not have a detrimental impact on the occupiers of Bibury Cottage through increased visual intrusion or loss of light or privacy.

There are no other residential dwellings surrounding the site.

Highway safety

The existing Public House is served via a dropped kerb access which is approximately 70 metres wide and provides access to two separate parking areas. The development proposals include the closure of the majority of the access and reinstatement of the footway. Drawing no. 15/078.07A shows that two accesses shall be created to serve the proposed dwellings, with a shared access serving Plots 1 and 2 and a single access serving Plot 3.

At the location of the proposed accesses, Rugby Road is subject to a 30mph speed limit requiring visibility splays of 43 metres in both directions, when measured 2.4 metres back from the edge of the carriageway. Approaching

vehicle speeds from the south are likely to be slower than the posted speed limit, due to the alignment of the carriageway. It appears that the existing boundary fence shall be set back behind the visibility splay, to ensure that the required visibility splays can be achieved in both directions, at each access point.

The Highway Authority consider that the proposed 3 dwellings will generate fewer vehicular trips compared to the existing permitted use as a Public House and raise no objection, subject to conditions. It is therefore considered that the proposed dwellings will not have a detrimental impact on highway safety.

Each property requires 2 off road car parking spaces in accordance with the Council's adopted Vehicle Parking Standards SPD. The plans indicate that there is sufficient room for each property to have at least 2 off road car parking spaces. The proposed development is therefore considered to comply Policy DP8 and the adopted Vehicle Parking Standards SPD.

Affordable housing

The application is in outline for a residential development of 3 dwellings. The site is of sufficient size to engage adopted Local Plan Policy SC11 which requires a minimum of 40% affordable housing on sites of this size in rural areas.

The 40% requirement will mean 1 affordable dwelling based on the current proposal. It is noted that the Planning Statement accompanying the application states that "Relevant contributions will be made towards an offsite provision of affordable housing compliant with Affordable Housing SPD dated January 2008." Policy SC11 referred to above states "Contributions in lieu of on site delivery, such as money, land or off site provision, may be accepted in exceptional circumstances."

The Affordable Housing SPD explains that the District Council's first preference is always for onsite provision as long as it is viable and there is a social landlord willing to take the properties or if there are other exceptional circumstances. For one property in an isolated village the only landlords likely to even consider this are those with existing stock in the village. There are two social landlords with stock in Weston-under-Wetherley, i.e. Warwickshire Rural Housing Association and Warwick District Council Landlord Service so we would expect the applicant to approach these landlords to see if either would be interested in taking the house. If neither landlord shows an interest then an off-site contribution or commuted sum could be considered. For a commuted sum the calculation is based upon the build cost in making equivalent provision elsewhere in the district.

The affordable housing can be secured by a s.106 agreement.

Ecology

A bat survey was submitted with the application. Ecology consider that activity survey work is required in order to determine presence /absence of roosting bats at the former public house building. Ecology recommend that further activity survey work is carried out prior to commencement on site (including demolition). This can be secured by a suitable worded condition.

Renewables

The proposal requires the properties to either be built using the fabric first approach or to produce 10% of the predicted energy requirements from renewable resources in accordance with Policy DP13 and the associated SPD. This can be controlled by a suitable worded condition.

Archaeology

The proposed development lies within the possible extent of the medieval settlement at Weston Under Wetherley (Warwickshire Historic Environment Record MWA19200). There is a potential for further archaeological deposits associated with this complex to extend across the application site. The proposed development would have a negative impact upon any archaeological deposits across the application site.

Archaeology do not object to the principle of development, however, archaeology do consider that some archaeological work will be required in the form taking a phased approach, the first phases of which would comprise an archaeological evaluation by trial trenching. This can be controlled by a suitably worded condition.

SUMMARY/CONCLUSION

The proposed development constitutes inappropriate development within the Green Belt which is harmful by definition and by reason of harm to openness due to the bulk and massing and spread of built development and resultant urban encroachment. No very special circumstances have been demonstrated to exist sufficient to outweigh the harm identified.

The proposed development is therefore contrary to the National Planning Policy Framework.

REFUSAL REASONS

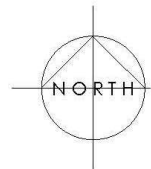
- 1 The proposed development by reason of it's scale, bulk and mass constitutes inappropriate development in the Green Belt, which is harmful by definition and by reason of harm to openness. The harm to openness is exacerbated as a result of the proposed development being spread across the site which is largely open at present. No very special circumstances have been demonstrated to exist sufficient to outweigh the harm identified.

The proposed development is therefore contrary to the National Planning Policy Framework.

- 2 The proposed development would be contrary to Policies SC11 of the Warwick District Local Plan 1996-2011, in that no mechanism has been provided to secure affordable housing contributions and therefore infrastructure needs generated by the development have not been satisfactorily secured.



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Client	Sureway Builders Ltd	Date	July 2015
Job	The Bull Inn, Weston under Wetherley	Scale	1:1250 @ A4
		Drawn	SH
Drawing Title	Site Location Plan	Job Number	15-078
		Drawing Number	01

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Notes

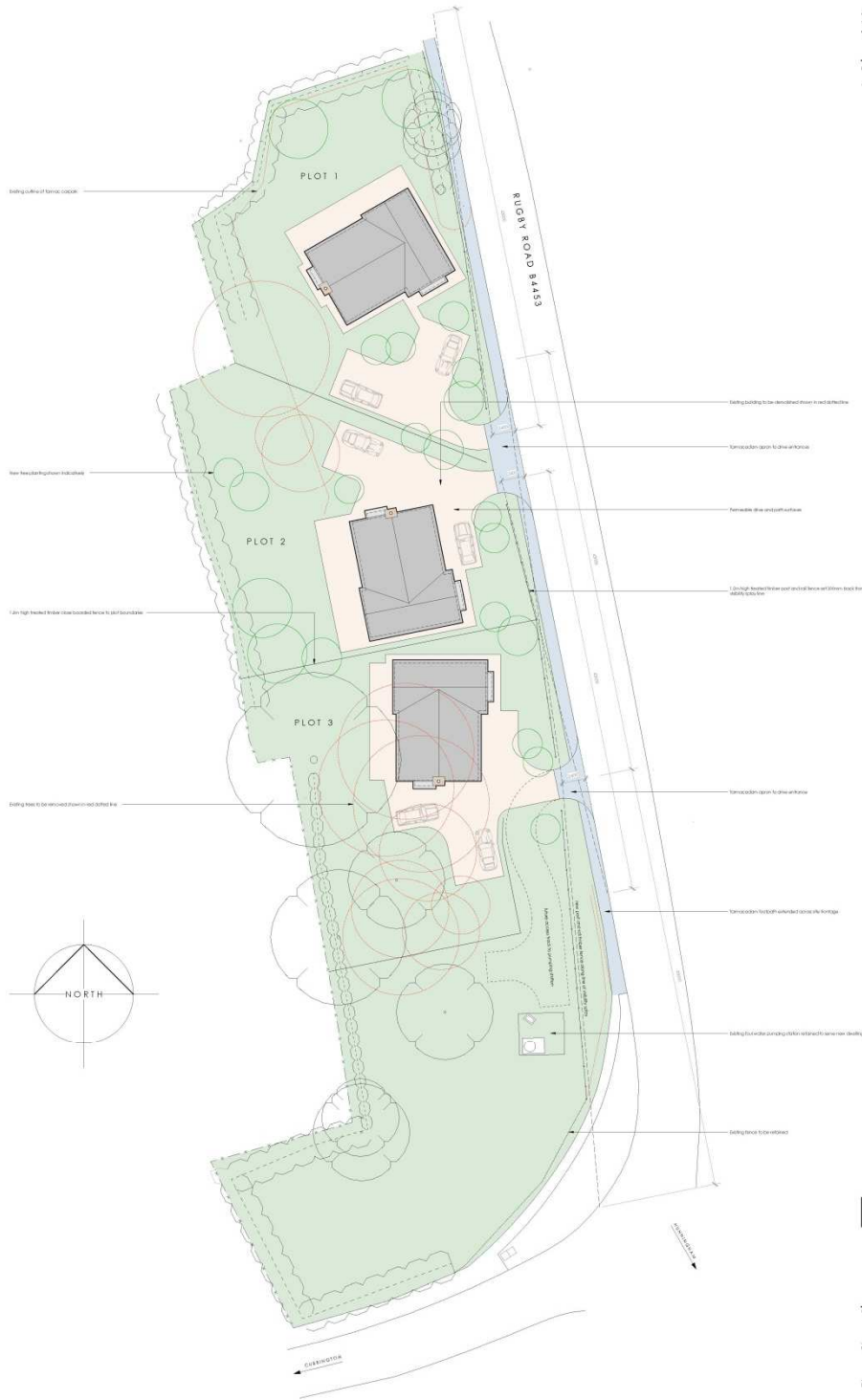
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Client	Sureway Builders Ltd
Project	The Bull Inn Development Weston under Wetherley
Survey	Survey Existing Site Layout
Date	July 2015
Scale	1:200 @ A1
Sheet	SH
Date	15/07/8
Drawn by	03
architecture + interiors	

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Notes
 A. 14/12/14 Note on the proposed planning application

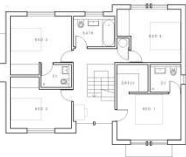


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Client		Sureway Builders Ltd	
Project		The Bull Inn Development Weston under Wetherley	
Drawings		Proposals Proposed Site Layout	
Date		Nov 2015	
Scale	1:200 @ A1	Drawn	SH
Check	15/07/8	Checked	07A
architecture + interiors			

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NO.	DATE	REVISION
1.	15/08	Prepared and approved for issue
2.	15/08	Revised and approved for issue



FIRST FLOOR PLAN
 PROJECT NUMBER: 1508-01-01



GROUND FLOOR PLAN
 PROJECT NUMBER: 1508-01-01

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The Bull Inn Development
 Weston Under Wetherley

Proposals
 Dwelling Type 1

Nov 2015

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