

Planning Committee: 11 January 2006

Item Number: 22

Application No: W 05 / 1938

Registration Date: 30/11/05

Town/Parish Council: Baddesley Clinton

Expiry Date: 25/01/06

Case Officer: Will Charlton

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Old Keepers Lodge, Haywood Lane, Baddesley Clinton, Solihull, B93 0DG

Variation of condition 1 (time limit) of permission W02/1670 for the erection of a replacement dwelling after demolition of existing FOR Mr & Mrs Agnew

SUMMARY OF REPRESENTATIONS

Parish Council: No comments have been received to date, however objection was originally received for the scheme, with the committee report stating: "*Proposal is out of keeping, having a detrimental effect on the character and appearance of such a sensitive Green Belt location, adjacent to an ancient woodland and Baddesley Clinton estate. It would result in the destruction of a property with special historic design and character, while the increase in the footprint of the dwelling represents a considerable enlargement of the property.*"

WCC Ecology: Hay Wood is a SINC and care should be taken not to adversely affect this Ecosite. A bat survey is also recommended prior to demolition.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
- (DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
- DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)
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- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

The existing property has been much extended, together with numerous extended outbuildings. It was originally a keepers cottage, with large eave overhangs, giving the property a unique character. However, because of the extensions, the dwelling is not of a listable quality. The Council's Conservation Architect who has investigated the property confirmed this with English Heritage when the original outline application was submitted in 2002.

Permission was then granted in January 2003 for outline planning permission to replace the dwelling, in broad accordance with indicative plans submitted as part of the application.

KEY ISSUES

The Site and its Location

The property is in a remote location to the south of the village of Baddesley Clinton. There are no immediate neighbouring properties, apart from other randomly located dwellings along Haywood Lane, all of different periods and sizes. The site is set away from the road, up a long drive which is also a bridleway, with the backdrop of Haywood Wood to the east.

Details of the Development

The application for the renewal of the planning permission for a replacement dwelling granted in January 2003 (Ref: W20021670) .

Assessment

At the time it was considered that the indicative design was acceptable, retaining the historical connection of a keepers lodge, whilst protecting the character of its isolated location. Although the floor area proposed represented a 42% increase, the footprint of the property was only a 3% increase over the existing buildings on the site. The increase in floor area was due to the provision of first floor accommodation. It was not considered that the increased bulk and form of the property proposed was inappropriate.

The principle of a replacement dwelling has been approved and under current legislation an application to renew permission should only be refused if planning policy has altered since permission was originally granted. As both national and local policy, including policies in the current Warwick District Local Plan, have not altered with regard to replacement dwellings, it is considered that the proposal to increase the length of time to implement the permission is not unreasonable and cannot be refused.

RECOMMENDATION

GRANT, subject to the conditions listed below (as on the original permission).

CONDITIONS

- 1 This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
 - (a) the design and external appearance of the proposed dwelling,
 - (b) details of the access arrangements,
 - (c) details of landscaping.

REASON : To comply with Section 92 of the Town and Country Planning Act 1990.

- 2 In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of three years beginning with the date of this permission. **REASON**: To comply with Section 92 of the Town and

Country Planning Act 1990.

- 3 The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. **REASON** : To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 Any reserved matters submitted under Condition 1 of this outline permission shall be in broad accordance with the external appearance of the illustrative plans submitted with the outline application (Ref: W2002/1670) (Drawings: 2117/9, 2117/10 and 2117/11 received on 4 November 2002).
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.

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:

The proposed replacement dwelling is not materially larger than the existing dwelling and does not result in a greater impact on the character and openness of the rural area. The proposal is therefore considered to comply with the policies listed.
