

Planning Committee: 03 March 2015

Item Number: 9

Application No: W 14 / 1757

Registration Date: 09/01/15

Expiry Date: 06/03/15

Town/Parish Council: Beausale, Haseley, Honiley & Wroxall

Case Officer: Helena Obremski

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3 Haseley Court, Birmingham Road, Haseley, Warwick, CV35 7HG

Proposed erection of a single-storey building comprising summer room and store, positioned to the rear of the application property. FOR Mr S Waterworth

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

RECOMMENDATION

Planning Committee are recommended to REFUSE the application.

DETAILS OF THE DEVELOPMENT

Erection of a mono-pitched outbuilding to serve as a "summer room" and store, positioned to the rear of the application property, to the North Western corner of the application site.

THE SITE AND ITS LOCATION

The application site forms part of a mews complex of converted barns, situated next to Haseley Court. The site is washed over by Green Belt and the permitted development rights for Part 1 and Part 2 development have been removed from the site. There is dense vegetation and screening to the rear boundary of the application site and the rear gardens are separated by 1.8 metre close boarded timber fences.

PLANNING HISTORY

W/98/0770 - granted for the conversion of derelict barns into 6 dwellings, garaging and parking area.

W/05/1895 - granted for the proposed erection of a rear extension.

W/06/0485 - granted for the proposed erection of a single storey rear extension and insertion of two roof lights to the front roof slope.

W/08/0038 - granted for proposed conservation roof lights and first floor window.

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)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (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)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (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)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Beausale, Haseley, Honiley and Wroxall Parish Council: Supports the application as the proposed development falls within the exceptions in Paragraph 89 of the NPPF.

WCC Ecology: No objection, subject to the inclusion of a nesting bird note and recommendation of a buffer zone between the proposed works and hedgerow.

ASSESSMENT

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

- The impact on the character and appearance of the area
- The impact on the living conditions of nearby dwellings
- Whether the proposal constitutes appropriate development in the Green Belt and if not whether there are very special circumstances to outweigh the harm
- Renewable Energy
- Health and Wellbeing
- Ecological Impact

The impact on the character and appearance of the area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's adopted Local Plan 1996 - 2011 policy DP1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. Emerging Local Plan 2011 - 2029 policy BE1 echoes the existing Local Plan and calls for development to be constructed using the appropriate materials and to enhance the existing settlement. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The permitted development rights for Part 1 and Part 2 development have been removed from this site as it is part of a barn conversion. The adopted Historic Buildings Guidance for Barn Conversions states that outbuildings should not be permitted within the setting of a converted barns as this adds an alien and residential feature which should be avoided. Barns do not have outbuildings and the erection of the proposal would therefore harm the integrity and setting of the complex and would be contrary to the Council's guidance on barn conversions.

The impact on living conditions of nearby dwellings

Warwick District Council's adopted Local Plan policy DP2 and emerging Local Plan policy BE3 require all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a requirement for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide SPG provides a framework for policies DP2 and BE3, which stipulates that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

Due to the positioning of the proposed outbuilding, none of the adjoining neighbours will be impacted as a result of the proposed development. There will be

no conflict with the Council's adopted 45 degree guidance from any of the adjoining neighbours. It is therefore considered that the proposed development complies with adopted Local Plan policy DP2, emerging Local Plan policy BE3 and the Residential Design Guide.

The impact on the Green Belt

The National Planning Policy Framework (NPPF) states the essential characteristics of Green Belt are openness and permanence. Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, Paragraph 88 states that substantial weight should be given to any harm to the Green Belt and that "very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, is clearly outweighed by other considerations. Paragraph 89 states that the construction of new buildings within the Green Belt should be considered as inappropriate development.

Beausale, Haseley, Honiley and Wroxall Parish Council have supported the application and consider that the proposed development falls within the exceptions to new buildings set out in Paragraph 89 of the NPPF. This qualifies that new buildings can be constructed as limited infilling on previously developed sites, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The Parish Council go on to say that there is no conflict with the fundamental aim of the Green Belt policy in preventing urban sprawl and there should be a presumption in favour of sustainable development.

The proposed development is considered to be inappropriate development by virtue that it is a new building within the Green Belt and is therefore by definition harmful to the Green Belt. In terms of the exception to Paragraph 89 presented by the Parish Council, garden land does not constitute previously developed land as defined in the NPPF and the building would have a material impact on openness.

No very special circumstances have been put forward by the applicant to outweigh the harm to the Green Belt and the proposed development is not considered to fall within the exception to Paragraph 89 of the NPPF as put forward by the Parish Council. Therefore, the proposed development is not considered to comply with the NPPF.

Renewable Energy

Due to the type of construction, it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables in accordance with adopted Local Plan Policy DP13, emerging Local Plan policy CC2 and the associated SPD would not be appropriate.

Health and Wellbeing

N/A

Ecological Impact

WCC Ecology have commented on this application site, however, they consider that a cautionary nesting bird note and buffer zone note would be sufficient and that this application in its present form is acceptable and complies with Warwick District Council adopted Local Plan Policy DP3 and emerging Local Plan policy NE2.

CONCLUSION

The proposed outbuilding is not considered to be of appropriate design and is not considered to be appropriate development within the Green Belt. No special circumstances have been put forward which would outweigh the harm to the openness of the Green Belt and therefore, the application should be refused.

REFUSAL REASONS

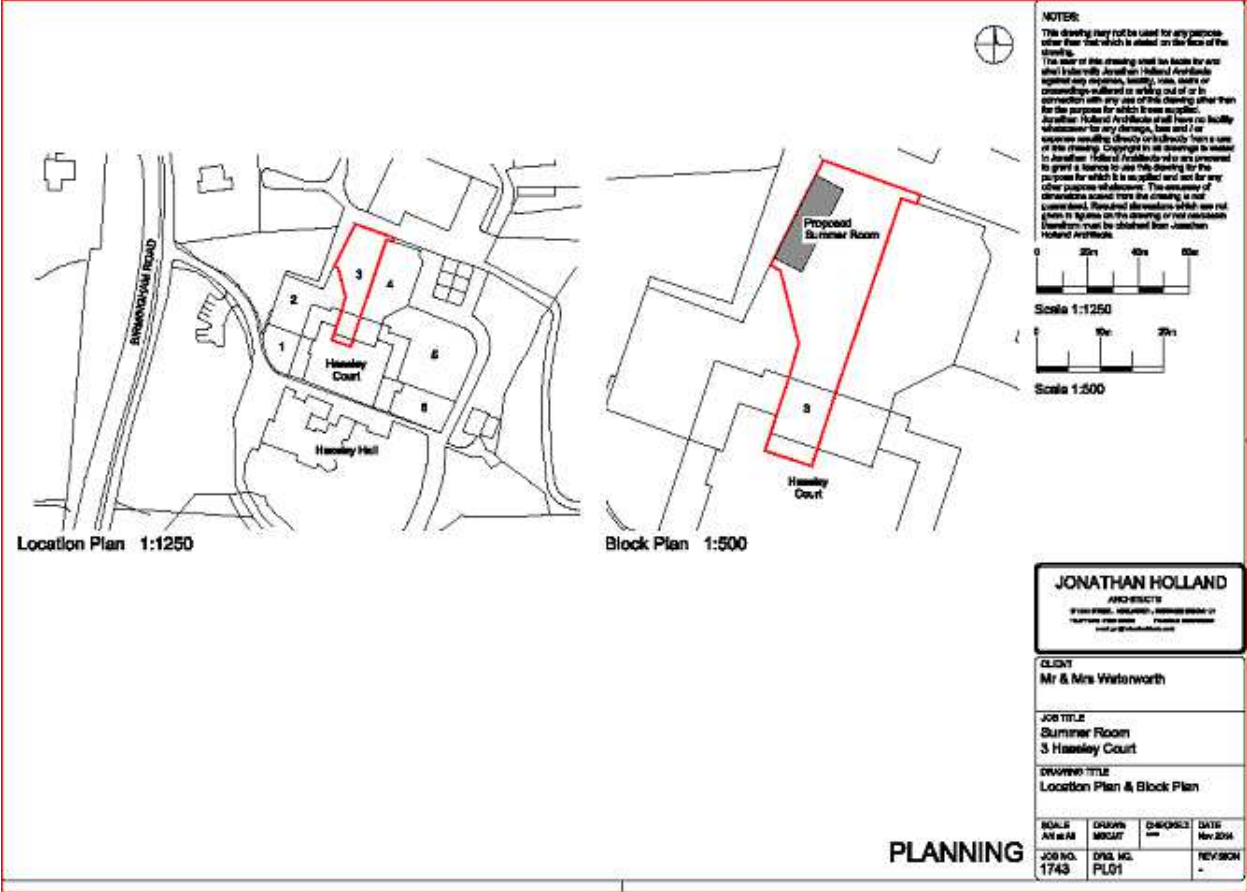
- 1 The application site is located within the Green Belt, wherein the Local Planning Authority is concerned to ensure that the rural character of the area will be retained and protected in accordance with national guidance contained in the National Planning Policy Framework (NPPF).

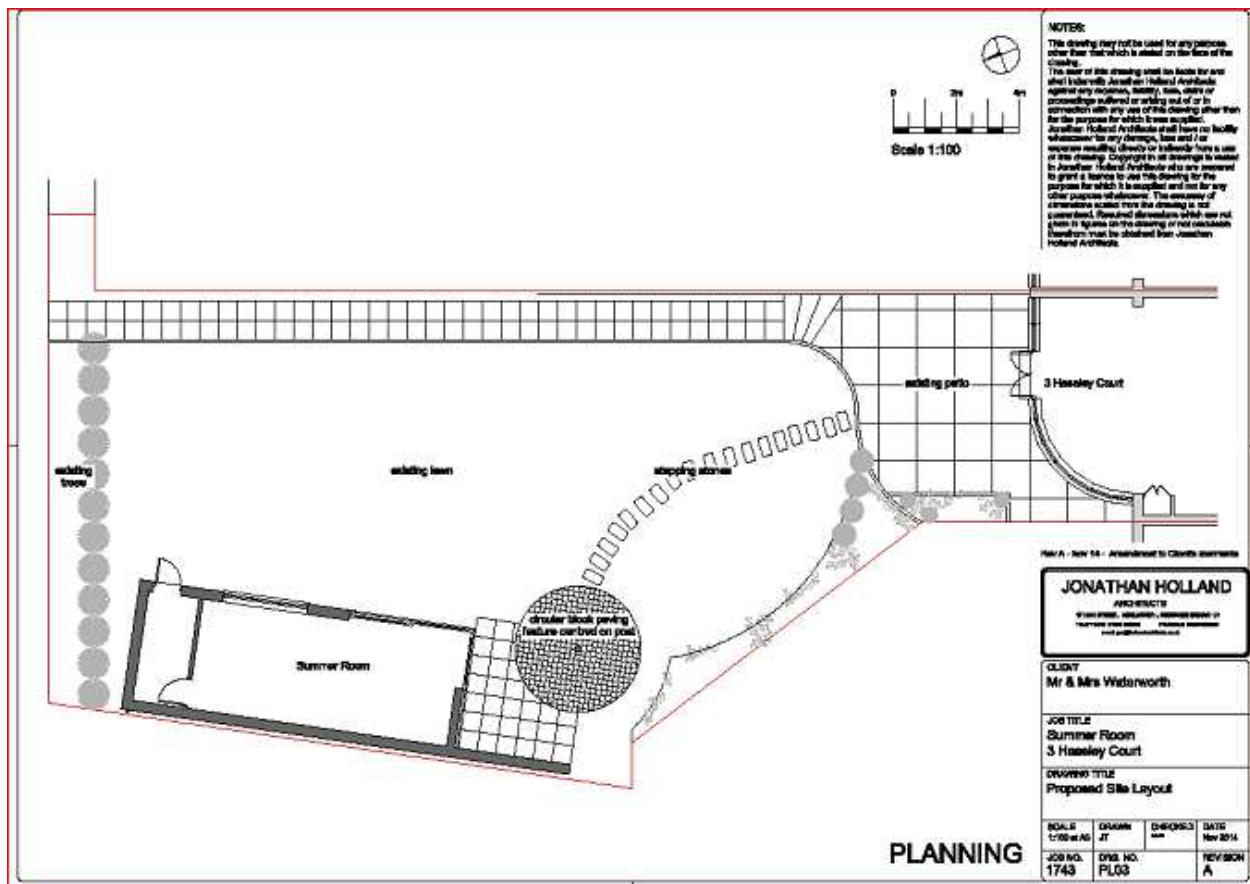
The erection of a new building constitutes inappropriate development in the Green Belt, which is harmful by definition. The proposed building would also have a material impact on openness. There have been no special circumstances presented to outweigh the harm identified. The proposal would therefore be contrary to the NPPF.

- 2 Policy RAP7 of the Warwick District Local Plan (1996-2011) sets out a number of criteria for the conversion of existing rural buildings within the District and the policy specifically refers to the need for the proposed use to be accommodated without extensive rebuilding or alteration to the external appearance of the building, and for the appearance and setting of the building following conversion to protect and where possible, enhance the character and appearance of the countryside.

The application site which lies within the Green Belt, comprises a converted former agricultural building which is part of a larger complex of barns now used for residential occupation. The District Council has approved Supplementary Planning Guidance on barn conversions, and permitted development rights for subsequent extensions and outbuildings are removed in order to ensure that the character and appearance of the converted buildings and their setting within the wider countryside are respected and protected.

In the opinion of the Local Planning Authority, the proposed outbuilding would harm the setting of the converted barn complex by introducing an alien and incongruous residential feature which would detract from the original character, appearance and integrity of the complex of buildings, thereby prejudicing the objectives of the aforementioned policy and if permitted, this type of development could act as a precedent to other converted barns which would be difficult to resist.





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PLANNING

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CLIENT
Mr & Mrs Waterworth

JOB TITLE
Summer Room
3 Hasley Court

PROPOSED TITLE
Proposed Elevations

NO. 135	DATE 11/15/2014	BY J.T.	DATE Nov 2014
JOB NO. 1743	DRG. NO. PL05	REV. SHOWN -	

