

Planning Committee: 11 June 2013

Item Number: 8

Application No: W 13 / 0513

Town/Parish Council: Rowington
Case Officer: Penny Butler

Registration Date: 19/04/13

Expiry Date: 14/06/13

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**Bracken House, Little Manor Farm, Manor Lane, Pinley Green, Warwick,
CV35 8NH**

Erection of a garden room extension to dwelling (retrospective) FOR Mr & Mrs R Haynes

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

This is a retrospective application for a garden room extension to the rear of the dwelling measuring 4m deep by 6m wide. It is constructed with brick walls, a mainly glazed rear wall comprising folding doors and a shallow sloping metal framed glazed roof. Construction of the extension is complete and it is laid out internally as a dining room leading off the kitchen.

The applicant states that there were not informed that PD rights had been removed when they made enquires of the Council prior to constructing the extension. They have also recently planted a beech hedge along their rear boundary which will screen the extension.

THE SITE AND ITS LOCATION

The property is a modern detached equestrian workers dwelling in the middle of an equestrian holding, in the Green Belt. There is a detached brick built double garage to the front of the house and a further detached brick building in between the house and garage. There are no nearby residential properties as the house adjoins paddocks, stables and a menage. The site is accessed off a long private drive and is not visible from the road. Land drops at the rear of the house to a shallow valley across which there are long distance views of the open countryside. The dwelling forms part of a small hamlet of buildings outside Pinley Green.

PLANNING HISTORY

Planning permission was granted for the erection of the house for an equestrian worker in 1996, on appeal, when permitted development rights were removed. A two-storey side extension and a single storey extension were approved in 2004 (W04/1148), with subsequent larger extensions refused in 2010 (W10/1107), due to their excessive size, which increased the original dwelling by 50%, and conflict with Policy RAP2. In 2011 permission was granted for a two storey side extension which has been erected.

An application for the erection of a garage was incorrectly confirmed as lawful permitted development in 2001, as the removal of PD rights had not been recorded against the property (W11/0682). Enforcement action against this breach was not taken following the removal of a link to the house. Subsequent construction of the proposed garden room was then commenced in late 2012. The Council was then alerted to the works and the enforcement officer advised the applicant to stop work.

RELEVANT POLICIES

- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Rowington Parish Council: Object on following grounds:

- Planning officer reports and consultation responses to two previous planning applications (W10/1107; W11/0874) referred to the removal of permitted development rights on this property, therefore it is difficult to comprehend how WDC and the applicant were unaware that such rights had been removed.
- Out of character in the Green Belt and Special Landscape Area and forms a disproportionate addition to the property - contrary to the NPPF
- The scale, design and character of the original dwelling is substantially altered by this extension which does not contribute to the landscape and character of this rural and special landscape area – contrary to RAP 2, DP1 , DP2 and DP3 of WDC Local Plan (1996 – 2011)
- The extension significantly extends the visual impression of built development and detrimentally affects the openness of the rural area.

- No very special circumstances or needs which would justify a departure from local or national planning policy.

Planning Statements made by the applicant are also disputed:

- Reference to Condition 8 of W95/0071 is irrelevant – the prevention of extensions being built "*without the prior permission of the LPA*" means removal of PD Rights. It has never been stated that planning permission would not be granted if submitted, merely that the permission of the LPA must be sought prior to carrying out any development. It appears that no enquiry was made of the LPA or a planning application submitted.
- The Government's intention to further loosen PD Rights would not alter the situation at this property. PD Rights have been removed, whether for 4m or the proposed 8m single storey extension allowance.
- The applicants were advised by WDC to cease work on the unauthorised development at an early stage, but appear to have continued at their own risk.
- It is clear that normal PD rights were taken away by the Planning Inspector in 1996 since he considered this was necessary to safeguard the visual amenity of the Green Belt. Nothing has changed since that decision was made; and it would appear that unauthorised development has already been allowed, prior to this latest retrospective application.

ASSESSMENT

Impact on Green Belt and rural area

Since the dwelling is within the Green Belt, Local Plan Policy RAP2 applies, as does the NPPF. Extensions to buildings are not inappropriate development within the Green Belt under the NPPF (para.89) , providing they do not result in disproportionate additions over and above the size of the original building. Local Plan Policy RAP2 advises that extensions to dwellings in the rural area will be permitted unless they result in disproportionate additions to the original dwelling house which do not respect the character of the original dwelling by retaining its visual dominance, do not retain the openness of the rural area by significantly extending the visual impression of built development, or substantially alter the scale, design and character of the original dwelling. As a guide, extensions which represent an increase in original floor area of more than 30% are likely to be considered disproportionate.

The dwelling has previously been extended by about 30% by the two storey side extension. The proposed garden room in addition to the existing extension, represents an increase of 42% which should therefore be considered disproportionate according to Policy RAP2. This Policy prevents disproportionate

additions which also do not respect the original dwelling, do not retain openness, or substantially alter the scale, design and character of the original dwelling. The design of the extension respects the character of the original dwelling as it retains its visual dominance due to its single storey nature and subservient design. The extension extends built development on the site closer to the rear boundary of the site with the open countryside, and does therefore reduce openness. However, given that the extension is of a normal domestic scale, which will be viewed against the house, the impact on openness is considered acceptable. The garden room alters the scale of the original house but not substantially, and it retains its design and character. The proposal is therefore considered to comply with Policy RAP2. The proposed extension is not considered disproportionate to the original dwelling in terms of design or impact and therefore it is considered compliant with the NPPF. It would also comply with Policy DP1 as it adopts appropriate materials and details and respects surrounding buildings.

Sustainability

It is considered that the proposed extension is of such a small scale that it would not justify a requirement for the provision of renewable energy in accordance with Policy DP13.

Other matters

There are no neighbouring properties that would be adversely affected by the development, therefore the proposal would comply with Policy DP2.

As an agricultural workers dwelling it can be appropriate to limit extensions in order to ensure that such dwellings remain commensurate with the function of the holding, however, in this case the holding is over 50 acres and a successful livery business. It is also considered that the single storey extension proposed would not significantly increase the value of the existing dwelling to the extent that would put its value out of the reach of other agricultural workers. In these circumstances the extension is considered acceptable.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the development does not prejudice the openness and rural character of this Green Belt area and is considered to comply with the policies listed.

