

Planning Committee:

27 April 2010

Application No: W 10 / 0074

Registration Date: 19/03/10

Town/Parish Council:

Ashow

Case Officer:

Steven Wallsgrove

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Bericote Cottage, Bericote Road, Blackdown, Leamington Spa, CV32 6QP

Extend and improve vehicle turning area and widen entrance (retrospective) FOR
Mr Singh

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

SUMMARY OF REPRESENTATIONS

Ashow, Burton Green and Stoneleigh Joint Parish Council: Objection on the following grounds.

The property is in a green belt agricultural landscape. It was an agricultural workers home. Planning applications W/06/0285 permitted a 2 storey extension and W/08/0486 extended the residential curtilage. In both applications it was stated that there would be no change to the public road pedestrian or vehicle access.

This application is retrospective. It is for changes that have been made to the entrance contrary to the approved applications statements.

The attached pictures, taken from "Google Earth", show a typical farm gate entrance to the property. Hedges and similar gateways stretch from the A46 Thickthorn roundabout to the row of houses near Rugby Road, Cubbington.

The entrance should be restored to that pictured to maintain the undeveloped, open character of this section of countryside.

The application is contrary to planning policies RAP2b and the character element of RAP2c. Paragraphs 8.21 and 8.22, adverse impact apply. The application is also contrary to RAP 10 (safeguarding rural roads), the development is out of character and is inappropriate, paragraph 8.68. Further it does not conform to policy DP1 covering layout and design.

Old Milverton and Blackdown Joint Parish Council: It might be queried why the turning area is not near the house rather than adjacent to the highway.

The Parish Council objects at the extent of this work which is not appropriate to this rural location and supports the grounds of objection already submitted by Stoneleigh and Ashow Parish Council.

Chairman of Ashow Village Meeting: There has been clear contravention in respect of the above planning consent granted, and the main entrance including gates and planting are totally out of character with the otherwise unspoilt rural area lying to the north of Bericote Road, which is an area of considerable natural beauty.

It brings an unwelcome urbanisation to an otherwise undisturbed part of the green belt. The gates jar visually with the rural nature of the area and the utilisation of 5 bar gates or similar. The development is in discord with the area, particularly bearing in mind that the property was an agricultural workers home. We believe the openness of the Green Belt is harmed by the form and physical appearance of this urban style gated entrance.

WCC (Highways): No objection subject to visibility splay condition.

Public Response: Letters of objection have been received from five local residents. The objections are to the new walls and gates, the provision of a 'layby' as it may lead to fly tipping and overnight parking, the lack of need for a turning area as there is space by the cottage, and inappropriate planting.

RELEVANT POLICIES

- DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

Planning permission was granted for a two-storey side extension in 2006 and for an increase in the size of the curtilage in 2008.

KEY ISSUES

The Site and its Location

The application site forms the entrance to the driveway to the cottage, but does not include any of the residential curtilage, which is limited to a relatively small area around the cottage itself. A low fence (less than 1 m in height) has been erected beside the road, with planting on the outside of it, with a fence, gate and wall (not more than 2 m in height) at the back of the surfaced area.

The whole area lies in the Green Belt.

Details of the Development

The proposal is to retain the existing, widened, access and the surfaced parking/turning area between the highway and the entrance gate and screen walls/fencing.

Assessment

The fences and walls do not need planning permission as they are 'permitted development'. This means that the only parts that need consent are the widened access and the surfacing of the land in front of the security screening since this is on agricultural land.

The original access was through a standard, wooden, field gate on the road, in the line of the original hedge. Using this access gate required a driver to stop on the road in order to open the gate so that setting the gate back, as has been done, is a clear safety improvement. The narrow width of the access and driveway also meant that two vehicles could not pass, which resulted in further problems and increased the potential for accidents. It is considered, therefore,

that the increased width, which makes it easier to turn in to the entrance, is an improvement.

Since the present gates are normally kept closed, for security purposes, it is considered that there is a need for highway safety reasons, to have some form of parking and turning area outside them. This is the reason for the hard surfacing which has been carried out. Although this is larger than is necessary and has an urbanising effect on the countryside, it is considered that it does not materially affect the openness of the Green Belt and its impact is mitigated by the remaining hedging, and will be further screened when the new planting matures. On balance, therefore, I am of the view that the degree of harm is not sufficient to warrant refusal. The new hedge planting is on the line of the old hedge, rather than being set back to provide improved visibility splays, and this is the reason why the Highway Authority have recommended a condition to maintain the hedge height at no more than 0.9 m.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 Obstructions, including gates and barriers, shall not be placed within the vehicular access to the site any closer than 9.0 metres to the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 2 The newly planted hedge along the frontage of the turning areas shall be maintained at a height of not more than 0.9 m. **REASON** : In the interests of highway safety and to satisfy Policy DP6 of the Warwick District Local Plan 1996-2011.

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:

In the opinion of the District Planning Authority, the development does not prejudice the openness and rural character of this green belt area to an extent which warrants a refusal of permission and is considered to comply with the policies listed.