

Planning Committee: 20 June 2023

Item Number: 9

Application No: [W 23 / 0362](#)

Town/Parish Council: Budbrooke
Case Officer: Theo Collum

Registration Date: 22/03/23
Expiry Date: 17/05/23

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401 Birmingham Road, Budbrooke, Warwick, CV35 7DZ

Erection of Single storey side extension to provide an En-suite and dressing room. Off-white render to existing property. FOR Mr. Eales

This application is being presented to Committee because the applicant is a former employee of Warwick District Council.

RECOMMENDATION

That the application is refused.

DETAILS OF THE DEVELOPMENT

Erection of a single-storey pitched roof side extension to provide a dressing area and ensuite bathroom to existing bedrooms, with materials to match the rest of the property, and application of white render to entire property.

THE SITE AND ITS LOCATION

The application site refers to a detached house on Birmingham Road, Budbrooke. The site is a detached house, built in red brick with white render to the front and side gable ends. The house lies within the Canal Conservation Area and the Green Belt. The house fronts the A4177 Birmingham Road and the Grand Union Canal runs along the back of the property's rear garden. The property is among a cluster of houses along the southern side of Birmingham Road, which also has some commercial units. Hatton Park is to the northwest of the site and the village of Budbrooke lies southeast, separated by the canal, the rail line and some fields.

PLANNING HISTORY

None relevant

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design

- BE3 - Amenity
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- DS18 - Green Belt
- H14 - Extensions to Dwellings in the Open Countryside

Budbrooke Neighbourhood Plan

- BNDP7 - Design of Development in Budbrooke Parish

Guidance Documents

- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

WDC Conservation - no objection

WCC Ecology - object pending photographs to determine the need for a bat survey

ASSESSMENT

Impact on the Green Belt

Local Plan Policy DS18 states that Warwick District Council will apply national policy to proposals affecting the green belt. NPPF para. 147 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 provides some exceptions to this, including extensions to buildings where that extension does not result in 'disproportionate' additions over and above the original building. While the NPPF does not define what should be considered as disproportionate, Local Plan Policy H14 provides a figure of 30% as what the Council will consider to be a disproportionate increase in the size of the building.

Historic maps show a much smaller house present at this address until the 1980s, and the rear wing of the house, accommodating the kitchen and dining area is constructed from a different brick pattern compared to the rest of the house, which likewise suggests the original building in this case to relate only to the front part of the house, and not the more recent rear extension. The original house, in this case, had a floor area of around of 73m², and the existing extension has an area of 34.5 m². This means that as existing the house has been extended to almost 50% of its original size, over the 30% guide that the Council uses to determine what extensions will be considered disproportionate.

This proposal would therefore constitute a disproportionate addition to a dwelling in the Green Belt, which is considered inappropriate by definition, and should not

be allowed unless very special circumstances exist to outweigh the harm to the Green Belt. It is not considered that there are any very special circumstances surrounding this proposal that would outweigh that harm. Being a private dwelling, any benefit arising from the development would also be considered to be private, and although the proposed extension itself is small in scale, this does not weigh against the inappropriateness of the development. Therefore, the proposal is considered inappropriate development in the Green Belt, for which there are no very special circumstances outweighing the harm to the Green Belt, and should not be allowed, following NPPF para. 147, and Local Plan Policies DS18 and H14.

Design and Conservation

The NPPF places an increased emphasis on the importance of achieving good quality design as a key aspect of sustainable development. Paragraph 134 states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate external facing materials. Development is expected to function well and add to the overall quality of the area by appearing sympathetic to the local character and history.

Local Plan Policy BE1 echoes paragraph 134 of the NPPF and states that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Proposals are expected to demonstrate that they harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use. Proposals are also expected to reinforce or enhance the established urban character of streets and reflect, respect and reinforce local architectural distinctiveness. The Council's adopted Residential Design Guide SPD provides guidance to help make the assessment of good design under Policy BE1.

Additionally, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "in the exercise, with respect to any buildings or other land in a conservation area [of any planning functions] ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Warwick District Local Plan Policy HE1 states that where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.

WDC Conservation have no objection to the application, subject to a condition requiring matching materials. The proposal is limited in scale and would only have a very minor visual impact, with the proposal being suitably subservient to the original house and the design having no harmful impact on the street scene. The proposal is acceptable under Local Plan Policies BE1 and HE1.

Impact on the Amenity of Neighbouring Occupiers

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. There is no conflict with the 45-Degree Guideline or the Distance Separation Standards, and therefore the proposals are considered not to cause any material harm in terms of outlook or loss of light and privacy for neighbouring occupiers. Local Plan Policy BE3 is complied with.

Ecology

The County Ecologist has recommended a Preliminary Bat Survey be undertaken. However, Officers are mindful that there are no specific bat records for the application site itself, the roof space could be converted without the need for planning permission, and the property is well sealed and situated in built-up area. Moreover, bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010. It is a criminal offence to recklessly disturb or destroy a bat 'roost'. Where a bat 'roost' is present a licence may be necessary to carry out any works. If evidence of bats is found whilst carrying out works, there is a legal requirement to stop work and notify Natural England. A note advising the applicant of this will be added to any approval granted.

Summary

While the proposal would have acceptable impacts under BE1, HE1 and BE3, there would be conflict with Local Plan Policy H14, and national policy on Green Belts. The proposed side extension would result in a disproportionate addition to a building in the Green Belt, and no very special circumstances are identified that would outweigh the resulting harm. It is therefore recommended for refusal.

REFUSAL REASONS

- 1 The NPPF and Policy DS18 of the Warwick District Local Plan state that the extension of a building that results in disproportionate additions over and above the size of the original building will constitute inappropriate development within the Green Belt. Policy H14 states that extensions that represent an increase of more than 30% to the gross floorspace of the original building are likely to be considered disproportionate.

In the opinion of the Local Planning Authority, the proposed development represents a disproportionate addition to the original building and therefore constitutes inappropriate development in the Green Belt which is harmful by definition and by reason of harm to openness. No very special circumstances are considered to exist which outweigh the harm identified.

The proposed development is therefore contrary to the aforementioned policies.