

Planning Committee: 23 April 2019

Item Number: 15

Application No: [W 19 / 0327](#)

Town/Parish Council: Lapworth

Registration Date: 22/02/19

Case Officer:

Rebecca Compton

Expiry Date: 19/04/19

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Pinners Cottage, Old Warwick Road, Lapworth, Solihull, B94 6AZ

Erection of single storey side extension FOR Mr I Fernie

This application has been requested to be presented to Committee by Councillor Gallagher

RECOMMENDATION

Planning Committee is recommended to refuse planning permission for the reasons set out at the end of the report.

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of a single storey side extension.

THE SITE AND ITS LOCATION

The application site relates to a detached dwelling, located on the south west side of Old Warwick road in Lapworth. The property is within the Green Belt and benefits from a number of extensions over time. The site is also situated in the Canal Conservation Area.

PLANNING HISTORY

W/78/0939 - Erection of a two storey side extension - Granted

W/78/1398 - Erection of a two storey extension - Granted

W/83/1239 - Erection of a cloakroom and kitchen extension - Granted

W/89/0446 - Erection of a conservatory with link to laundry room and first floor rear extension - Granted

W/94/0884 - Erection of a first floor rear extension - Granted

W/17/1837 - Erection of 200mm flat roof extension to conservatory to north west elevation to incorporate new doorway, single storey rear extension for W.C., single storey front extension and new access – Withdrawn following concerns from officers that the extension was a disproportionate addition

W/17/2424 – Application for a Lawful Development Certificate for proposed erection of a single storey side extension - Lawful
W/18/0364 – Formation of new access and closing of existing - Granted

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Lapworth Town Council: No objection.

Cllr Gallagher: Supports the application.

ASSESSMENT

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified

Paragraph 145 of the National Planning Policy Framework makes it clear that the construction of new buildings is to be regarded as inappropriate development in the Green Belt. An exception to this include extensions to existing buildings which are not disproportionate additions over and above the size of the original building.

The supporting text to Policy H14 of the adopted Local Plan states that development which would represent an increase of more than 30% of the gross floor space of the original dwelling (excluding any detached buildings) located within the Green Belt is likely to be considered disproportionate.

The floor area of the original dwelling was approximately 91 square metres. The proposed extension (including existing extensions) amounts to a floor area of approximately 233 square metres which equates to 256% over the floor space of the original building. This is significantly greater than the Council's adopted Local Plan guidance of 30% and is therefore considered to represent a disproportionate addition to the property, which is harmful by definition and by reason of harm to openness. It is considered that it would not be appropriate to grant planning permission for any further additions to this property.

No very special circumstances have been presented which would outweigh the harm identified. The proposed development is therefore considered to conflict with the NPPF and Local Plan Policy H14.

Design and the impact on the character and appearance of the Conservation Area

The application site is situated within the Warwick District Canal Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 195 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Warwick District Local Plan states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or if criteria listed within the policy have been satisfied. 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.

The proposed single storey extension is not considered to harm the character of this part of the Conservation Area and is therefore considered to comply with Local Plan Policy HE1 and the NPPF.

Impact on the amenity of the neighbouring properties

There are no nearby neighbouring properties that would be impacted by the proposed development. The proposal is therefore considered not to result in material harm to the living conditions of the occupiers of the neighbouring properties by reason of loss of light or outlook.

The proposal is considered to comply with Local Plan Policy BE3.

Summary/Conclusion

The proposed development would represent a disproportionate addition to the application property which therefore means that the proposal constitutes inappropriate development in the Green Belt which is harmful by definition. It would also be harmful by reason of harm to openness.

REFUSAL REASONS

- 1 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 National Policy Framework and to Policy H14 of the Warwick District Local Plan 2011-2029.
