Planning Committee: 18 October 2011   **Item Number: 7**

Application No: W 11 / 0883

                                   Registration Date: 02/08/11
Town/Parish Council: Norton Lindsey   **Expiry Date:** 27/09/11
Case Officer: Erica Buchanan
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4 Hawkes Hill Close, Norton Lindsey, Warwick, CV35 8JZ
Support sloping earth bank and lay natural timber decking over existing lawn
(retrospective application) FOR Mr M Taylor

This application is being presented to Committee in order to request that
enforcement action be taken.

SUMMARY OF REPRESENTATIONS

Norton Lindsey Parish Council: No Objection but would like to see the structure
screened from the road and the colour toned down

RELEVANT POLICIES

- Planning Policy Guidance 2 : Green Belts
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY
No relevant planning history

KEY ISSUES

The Site and its Location
The property is a mid terraced modern property that lies in an elevated location
within the Green Belt. The rear of the property faces open countryside and
Warwick Road. Views of the property can be clearly seen from this vantage
point.

Details of the Development
The proposal is a retrospective application and has been submitted as a result of
Enforcement enquires. The application is for the retention of a support to the
sloping earth bank and the laying of natural timber decking over the existing
lawn. As the dwellinghouse is in an elevated position and the garden area
slopes away, this has resulted in a raised decked area. Gated steps lead down
from the top decking area to the lower garden area which is paved and there are
hand rails around the raised decking area.

Assessment
The main consideration with the application is its impact on the Green Belt, as
the site lies on the edge of the village in a rural and elevated location. PPG2:
Green Belt lists specific forms of development which can be permitted in

appropriate circumstances. It states that within the Green Belt there is a general presumption against inappropriate development which is harmful to the openness of the Green Belt. Moreover, the visual amenities of the Green Belt should not be injured by proposals for development which, although they would not prejudice the purposes of including land in the Green Belt, might be visually detrimental by reasons of their siting, design or materials.

The proposal represents inappropriate development and there are no special circumstances to justify the decking area to depart from Green Belt policies. It is considered to have a detrimental impact on the visual amenities of the Green Belt. The decking area is clearly visible from Warwick Road and the countryside and its scale, height and location represents an urban feature in the open countryside and along with its prominent position and loss of natural vegetation it is considered to be inappropriate development by reason of its siting, materials and design and is considered to cause harm to the openness and visual amenities of Green Belt.

Recommendation
That the application be Refused for the following reason:

Officers be authorised to take appropriate enforcement action directed at the removal of the raised decking area with a compliance period of 3 months.

REFUSAL REASONS

1   The proposed development site is situated within the Green Belt and Planning Policy Guidance Note 2 states that, within the Green Belt, the open character of the area will be retained and the visual amenities of the Green Belt should not be injured. There is a general presumption against inappropriate development in the Green Belt and lists specific forms of development which can be permitted in appropriate circumstances. The proposed development does not fall within any of the categories listed in the Guidance and, in the Planning Authority's view, very special circumstances sufficient to justify the development have not been demonstrated. Moreover, its scale, height and location is considered to harm the visual amenities of the Green Belt contrary to PPG2.