

**Planning Committee:** 19 July 2016

**Item Number: 8**

**Application No:** [W 16 / 0656](#)

**Town/Parish Council:** Beausale, Haseley, Honiley & Wroxall  
28/06/16

**Registration Date:** 03/05/16

**Expiry Date:**

**Case Officer:** Liam D'Onofrio  
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**Land at Haseley Knob, Haseley, Warwick CV35 7NJ**

Erection of two dwellings FOR Mr Tebby

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

**RECOMMENDATION**

Committee are recommended to grant planning permission, subject to conditions.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the erection of two detached dwellinghouses, each with 3 bedrooms and an attached garage.

The application is accompanied by a Design and Access Statement which states that: *the proposal is for a pair of two storey three bed detached dwellings that are modest in size, so as to ensure that characteristics and attractiveness of the site are preserved, and is in keeping with the rural area. In terms of layout this has been devised to ensure that the development is visually appealing from the road side. The layout differs from that originally submitted under reference W/13/1238 in that plot sizes have been reduced and a shared access is incorporated following standing advice from County Highways.*

*The scale of the proposed new dwellings takes into account the height and size of neighbouring properties and is deliberately modest so it does not have a negative visual impact on the green belt. The dwellings will be constructed using local red bricks under a plain clay tile roof as this is commensurate with other cottages in the area.*

*The mature hedgerow boundaries will be retained and each dwelling will have a small garden area, with the remainder of the site at the rear left as open land in order to minimise the urbanisation of the countryside. There will also be a small garden area at the front. The access will consist of a terraced apron with a paved or gravelled parking and turning area.*

**THE SITE AND ITS LOCATION**

The application site relates to a parcel of land located on the western side of the highway set between properties 'Four Winds' and 'Hillcrest'. The site is within the Green Belt.

## **PLANNING HISTORY**

W/13/0983 Erection of 2no. detached dwellings with new access: Granted  
14/08/16

W/13/1238 Erection of two dwellings: Refused 24/10/13

## **RELEVANT POLICIES**

- National Planning Policy Framework

### The Current Local Plan

- 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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

### The Emerging Local Plan

- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- National Planning Policy Framework

## **SUMMARY OF REPRESENTATIONS**

**Beausale, Haseley, Honiley and Wroxall Parish Council:** Object for the following reasons:

1. This disagrees with the wishes of the community, as noted in the Parish Plan – (sections 3 and 24). The application for detached properties to replace the

previously granted semi-detached properties, will move them outside the reach of the demographic group that the village has been trying to predominately encourage – that being properties suited to smaller families and younger people. It is therefore contrary to the stated wishes of the parishioners.

2. The Council feels that they should act consistently in their approach to planning applications. The 'estate style' properties are out of keeping with the style of the village, and the openness of the village would be detrimentally impacted by the development of properties that would appear to be 'squashed in' on small plots.

3. The Parish Plan states that 'any new development within the parish be restricted to one or two dwellings per year'. There have been three planning applications since July 2015, each applying for two properties on garden plots. Two of these applications have been granted. Again therefore, this application is against the wishes of the community.

**WCC Landscape:** The character of Haseley Knob is one of detached and semi-detached houses of small to medium size sitting in large rectangular plots, with extensive back gardens. The proposed dwellings fit well within this setting and are not considered to be of harm to the integrity of the Green Belt.

**WCC Ecology:** No objection, subject to conditions.

**WCC Highways:** No objection (following a change to a single access point).

#### **Public response:**

One supporting letter received noting that the development accords with planning policy.

One objection raising the following:

- Poor design.
- Traffic/noise.
- Is a new eco-survey needed?
- Can't understand why original plans passed are being altered?
- The village is not on mains drainage as stated in the application and a cesspit would be required.

#### **ASSESSMENT**

The main issues relevant to the consideration of this application are as follows:

- Principle;
- Siting and design;
- Impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Health and Wellbeing;
- Ecology/Landscaping;
- Drainage and floodrisk;
- Renewable energy.

#### **The Principle of the Development**

The scheme for two infill dwellings has been previously granted on the site under application W/15/0983.

The site is within Green Belt where the current Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. The National Planning Policy Framework (NPPF) 2012 states (para. 49) that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement. The Council's current position is that the Council cannot demonstrate a five year supply of deliverable housing sites against the housing requirement and Policy RAP1 is to be considered out-of-date.

The National Planning Policy Framework (NPPF) states that the construction of new buildings is inappropriate development in the Green Belt unless it is development falling within one of the various categories listed as exceptions. One such category is limited infilling in villages.

The application site is between built form and the proposed dwellinghouses will sit within the general pattern of development fronting the highway. Whilst there is no definition of 'limited infill' within the framework the insertion of two new units is considered to meet this definition. The site also falls within the Haseley Knob Village infill boundary, which complements Policy H11 of the emerging Local Plan.

The proposal would therefore fall within the category of 'limited infilling in villages' set under NPPF Paragraph 89. Consequently it is concluded the proposal would not be inappropriate development in the Green Belt. There is therefore no need to consider whether there are other considerations amounting to very special circumstances.

It is considered that the property would not be an 'isolated home' within the countryside as it would relate well to an existing settlement. Paragraph 55 of the NPPF notes that where there are groups of smaller settlements, development in one village may support services in a village nearby.

The current scheme is considered to remain acceptable in principle.

It is noted that the Parish Council have objected as the application for detached properties to replace the previously granted semi-detached properties, will move them outside the reach of smaller families and younger people. Although the application is made by brothers who live and work locally this application relates to market housing, acceptable under 'limited infill' green belt policy and there is no affordable housing required. Furthermore the parish plan, unlike a neighbourhood plan, carries limited weight.

### **Siting and design**

The Parish Council have raised objection to the design of the properties, which they consider to be out of keeping with the style of the village, and 'squashed in' on small plots.

The proposed detached dwellinghouses are considered to be well-proportioned two-storey properties with appropriate architectural features that will be sympathetic to their rural context. The application forms indicate that local red brick and clay tiles will be used in construction, which is considered appropriate for facing and roofing materials.

The properties will be set 1.8m apart, which is considered appropriate and the dwellings will be clearly read as a pair. There is ample space to the side gardens and the properties are not therefore considered to appear cramped within their plots. The western side of the highway is characterised by a tight linear run of predominantly detached dwellinghouses of varied styles and designs on the proposed dwellinghouses are considered to integrate appropriately into the streetscene.

### **The impact on the living conditions of nearby dwellings**

The adjoining properties are set well off the common boundaries and the new dwellinghouses will be comfortably sited within the application site without breaching minimum window-to-window separation distances or the 45-degree sightline measured from the habitable windows of neighbouring properties in compliance with the Council's Residential Design Guide SPG.

To maintain the privacy of the occupiers of adjoining properties it is considered necessary to condition the first floor side facing windows (serving non-habitable bathrooms) to obscure glaze.

### **Car Parking and Highway Safety**

The Highway Authority have initially objected to the current scheme, which proposed an individual access for each dwelling. The Highway Authority stated that it was unclear from the drawings provided whether the visibility splays required under the previous application W/15/0983 of 'x' distance of 2.4 metres and 'y' distances of 80 metres measured along the near edge of the carriageway, would still be met. To address this concern the applicant has reverted back to the original single access point to overcome Highway Authority concerns. Conditions imposed upon the original scheme will also be applied.

There is ample space within the site for off-street parking and manoeuvring space to enable vehicles to turn and exit the site in a forward gear.

### **Health and Wellbeing**

No health and wellbeing issues are considered to be raised by this application.

### **Ecology and landscaping**

The County Ecologist has assessed the supporting Ecological Assessments and raises no objections, subject to conditions to secure mitigation in accordance with the survey recommendations and a lighting scheme, as requested under the previous application.

It is considered that existing trees around the site boundary will need to be protected from the proposed works by a suitable buffer area, which can be secured by condition.

### **Drainage and Flood Risk**

The site is situated within Flood Zone 1, and has no flood risk issues. The use of permeable hardstanding or sustainable urban drainage methods can be secured via condition.

The application forms indicate that the dwellings will be served by mains drainage, however an objector has raised concern that the site would have to be served by a cesspit. This would usually be a last resort, however a condition has been applied to secure further details.

## **Renewable Energy**

To accord with Local Plan Policy requirements the scheme will need to either generating 10% of the energy needs from renewable sources or reducing the energy demand of the development and its CO<sup>2</sup> emissions by 10% through initial construction methods. This can be secured through condition.

## **SUMMARY/CONCLUSION**

### **CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) PAL.011, PAL.016, PAL.017, PAL.019 and specification contained therein, submitted on 11/04/16 and 06/06/16, except as required by pre-commencement conditions below. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO<sup>2</sup> emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 4 The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted on the south and

west side of the development and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- LEDs with low wattage should be used with preference.
- Yellow filters can be used to reduce the blue spectrum light
- the brightness of lights should be as low as legally possible;
- lighting should be timed to provide some dark periods;
- connections to areas important for foraging should contain unlit stretches.

**REASON:** To ensure that any lighting is designed and appropriate measures are taken in relation to protected species in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and the NPPF.

- 5 The development hereby permitted shall not commence until a detailed schedule of great crested-newt mitigation measures (to include timing of works, protection measures, enhancement details, monitoring and further survey if deemed necessary) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District local Plan 1996-2011 and the NPPF.
- 6 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellings hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 7 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by

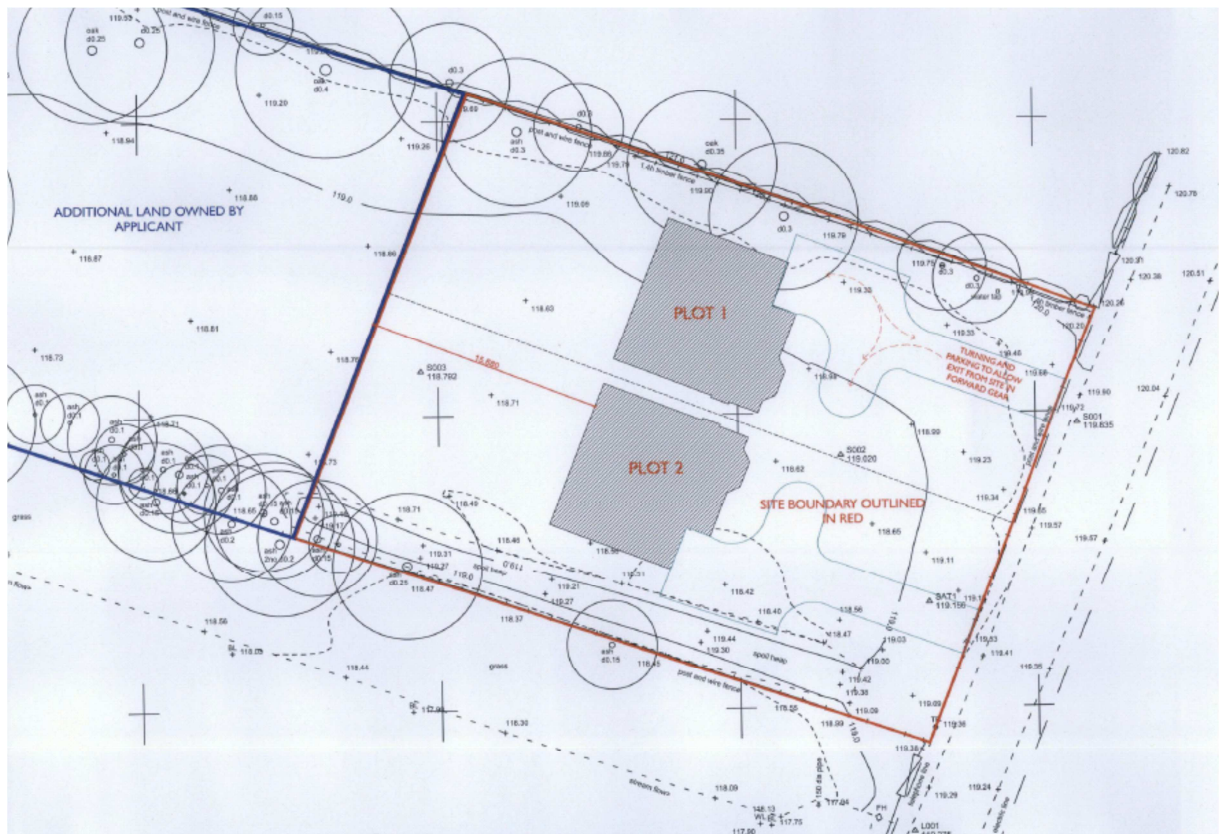
the Local Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect trees and other features on site during construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 8 The development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
- 9 The development shall be timetabled and carried out to wholly accord with the detailed mitigation, compensation and enhancement measures for the safeguarding of protected species within the site as set out in sections 6.2, 6.3 and 6.4 in the document 'Ecological Assessment and Habitat Suitability Assessment' prepared by produced by Udall-Martin Associates and dated March 2014. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and the NPPF.
- 10 The access to the site for vehicles shall not be used in connection with the development hereby permitted unless and until it has been surfaced with a suitable bound material for its whole length of 7.5 metres as measured from the near edge of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011
- 11 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone ( whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.



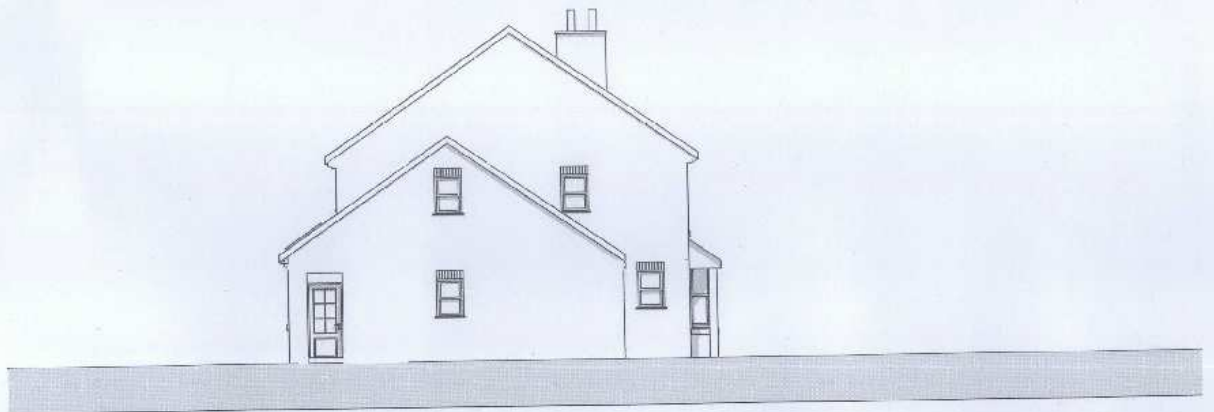
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor window(s) to be formed in the side facing elevations (north and south) of the development hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed.  
**REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
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1:100 proposed south elevation



1:100 proposed west elevation