

**Planning Committee:** 28 February 2017

**Item Number: 12**

**Application No:** [W 16 / 2291](#)

**Town/Parish Council:** Budbrooke

**Registration Date:** 15/12/16

**Case Officer:** Helena Obremski

**Expiry Date:** 09/02/17

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**Hampton View, Henley Road, Hampton On The Hill, Budbrooke, Warwick,  
CV35 8QX**

Erection of single story building with flat, green (living) roof linking the two existing residential buildings that comprise the property, Hampton View. FOR Mr Purser

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This application has been requested to be presented to Committee by Councillor Phillips.

**RECOMMENDATION**

Planning Committee are recommended to refuse planning permission.

**DETAILS OF THE DEVELOPMENT**

The applicant seeks planning permission for the erection of a single storey, flat roof "link" building to connect the main dwelling to the existing annex. The link-building would have a green roof and would also house a plant room to serve the property.

There is an existing pergola which is positioned between the main property and the annex at present.

**THE SITE AND ITS LOCATION**

The application relates to a detached two storey dwelling and large single storey ancillary building to the south of Henley Road. The application site lies within the Green Belt.

The existing large single storey building to the rear of the property has lawful use as ancillary accommodation constructed under permitted development rights, with a Certificate of Lawfulness to demonstrate this approved in 2016 which was the reason for withdrawal of previous applications in 2014.

**RELEVANT PLANNING HISTORY**

Relevant planning history is as follows:

W/77/1082 - application approved for the erection of a two storey rear extension.

W/81/0186 - application approved for the rebuilding of the existing garage to form workshop.

W/84/1122 - application refused and dismissed at appeal for the erection of a garage, with laundry room and bedroom over.

W/10/1583 - application approved for rear extensions and increase in ridge height of the main dwelling.

W/14/1438 - application withdrawn for proposed erection of a single storey flat roof link building between existing cottage and ancillary building.

W/14/1648 - application withdrawn retention of the existing annex and proposed erection of single storey link building between existing cottage and existing annex (resubmission of W/14/1438).

W/16/1941 - application approved for a Certificate of Lawfulness for existing outbuilding to the rear of Hampton View used as an annexe.

### **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)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

#### The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

#### Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

- Residential Design Guide (Supplementary Planning Guidance - April 2008)

## **SUMMARY OF REPRESENTATIONS**

**Budbrooke Parish Council:** No objection.

**WCC Ecology:** No objection, subject to the inclusion of bat and nesting bird notes. The construction of a green roof is welcomed.

**Councillor Phillips:** Councillor Phillips has indicated that he supports the proposal.

## **ASSESSMENT**

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

- The Principle of the Development - whether the proposal causes harm to the openness of the Green Belt and if so, whether special circumstances exist which would outweigh the harm caused to the Green Belt.
- Design
- Impact on Neighbouring Residential Amenity
- Energy Efficiency/CO<sup>2</sup>
- Ecology

Principle of the Development - whether the proposal constitutes harm to the openness of the Green Belt and if so, whether special circumstances exist which would outweigh the harm caused to the Green Belt.

The National Planning Policy Framework (NPPF) states the essential characteristics of Green Belt are openness and permanence. Paragraph 89 in the NPPF states that the exceptions to inappropriate development in the Green Belt includes the extension or alteration of a building (inter alia) where they do not result in disproportionate additions over and above the size of the *original* building.

Adopted Local Plan policy RAP2 and emerging Local Plan policy H14 allow extensions to dwellings unless they result in disproportionate additions to the original dwelling, which:

1. do not respect the character of the original dwelling by retaining its visual dominance;
2. do not retain openness by significantly extending the visual impression of the built environment; or
3. substantially alter the scale, design and character of the original dwelling.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In policy RAP2 of the adopted Local Plan and policy H14 of the emerging Local Plan the original dwelling is defined as that which existed on 1 July 1948 or, if constructed after that date, as it was originally built. This reflects the definition given in the Framework. The justification also indicates that additions to dwellings within the Green Belt (taking into account any previous extensions permitted) which represent an increase of more than 30% to the gross floor space of the original dwelling, excluding any detached buildings, are likely to be considered disproportionate.

The original house (as it stood in 1948) is calculated as 51msq. The *existing property* already benefits from substantial extensions, including two storey side and rear extensions, which create an increase in floor space of 28msq, representing a 55% increase above the original floor space.

When considering the addition of the link building, which provides an additional floor area of 28msq, when this is combined with the existing extensions, this represents a total increase above the original floor space of 111%. When the floor space of the annex is then added (an additional 133msq), this represents a total increase above the original floor space, when taking the existing extensions and link into consideration, of 370%.

This increase represents a significant departure from the Council's adopted guidance of 30% as set out by adopted Local Plan policy RAP2 and is considered to represent a disproportionate addition to the dwelling, which would substantially extend the visual impression of the original dwelling and significantly increases the overall bulk and mass of the original dwelling. It is considered that the scale and mass of the existing extensions has already diluted the visual dominance of the original dwelling. The Case Officer concluded in their report for application W/10/1583 when approving rear extensions and increasing the ridge height of the dwelling that:

*It is considered reasonable to remove permitted development rights for further extensions, since this site is within the Green Belt where further additions would be highly likely to detract from the original scale and character of the dwelling, contrary to Policy RAP2.*

The applicant states that a flat roof has been chosen to minimise the impact on the wider area and owing to the existing vegetation on the site, the extension would not be visible. However, the original property has already been substantially extended and as previously noted, Officer's considered that any further extensions to the property would be inappropriate and harmful to the openness of the Green Belt.

It is considered that the proposed flat roof link-building would not have a significant impact on the street scene in design terms, however, currently, the main dwelling and annex are clearly read as two separate buildings. They are positioned within 5 metres of each other, but from any views of the site, these are read separately. Attaching a link-building between the two buildings would lose this sense of separation and would harm openness to the Green Belt.

In addition, the overall scale and mass that the proposed link-building and annex provide, when taken together with the existing extensions would visually increase the extent of the built development on the site, significantly altering the scale, mass, design and character of the original, simple rural dwelling.

The proposed extensions when taken together with the existing extensions would significantly exceed the 30% guideline as set out in adopted Local Plan policy RAP2 and emerging Local Plan policy H14. The proposed extensions would therefore represent a disproportionate addition to the original dwelling and on this basis would constitute inappropriate development within the Green Belt, contrary to adopted Local Plan policy RAP2, emerging Local Plan H14 and the NPPF.

The applicant proposes that the link is needed because moving from the main dwelling to the annex and back again is inconvenient, inefficient and unsatisfactory by reason of having to go outside. However, this is not considered to represent special circumstances which would outweigh the harm caused to the openness of the Green Belt as a result of the proposed development.

Finally, the Council has concerns that allowing a link of this nature could set a precedent for similar development, which could cause further erosion of openness within the Green Belt. Therefore, the proposal is considered to be contrary to Policy RAP2 of the adopted Local Plan and para 89 of the NPPF as it represents inappropriate development within the Green Belt and no special circumstances have been provided which would outweigh this harm.

### Design

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Furthermore, Warwick District Council's adopted Local Plan 1996 - 2011 policy DP1 and emerging Local Plan 2011 - 2026 policy BE1 reinforce the importance of good design stipulated by the NPPF as they require all development to respect surrounding buildings in terms of scale, height, form and massing. The policies call for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps to be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The proposed extensions would not have a detrimental impact on the street scene. The proposed green roof is considered to be sensitive to the rural

surroundings and sits comfortably between the main dwelling and annex. The link-building is acceptable in design terms.

#### Impact on Neighbouring Residential Amenity

Adopted Local Plan policy DP2 and emerging Local Plan policy BE3 require all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide provides a framework for adopted Local Plan policy DP2 and emerging Local Plan policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

There are no nearby neighbours which could be impacted by the proposed development.

#### Energy Efficiency/CO<sup>2</sup>

Due to the scale of the proposed development it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables or a 10% reduction in CO<sup>2</sup> production through a fabric first approach would not be appropriate. The proposed development is therefore considered to be in accordance with adopted Local Plan policies D12 and D13, emerging Local Plan policy CC2 and the Council's adopted supplementary guide on sustainable buildings.

#### Ecology

WCC Ecology have no objection to the proposal, subject to the inclusion of bat and nesting bird notes which are considered to be acceptable.

#### **Conclusion**

The proposed link building and subsequent extension of the dwelling are considered inappropriate development within the Green Belt and no very special circumstances have been put forward which would outweigh the harm to the openness of the Green Belt. Therefore, the proposal is not considered to comply with the NPPF, adopted Local Plan policy RAP2 and emerging Local Plan policy H14.

#### **REFUSAL REASONS**

- 1 The property, subject of the application, is within the Green Belt, wherein the Local Planning Authority is concerned to ensure that the rural character of the area will be retained and protected in accordance with national policy guidance contained in the National Planning Policy

Framework (NPPF). The NPPF states that the limited extension of existing dwellings in Green Belt areas may be appropriate provided that it does not result in a disproportionate addition over and above the size of the original dwelling. Policy RAP2 of the Warwick District Local Plan 1996-2011 and policy H14 of the emerging Warwick District Local Plan 2011-2026 seek to prevent extensions to dwellings which substantially alter the scale, design and character of the original dwelling and indicates that extensions which are greater than 30% of the floor area of the original dwelling are likely to be considered disproportionate.

In the opinion of the Local Planning Authority it is considered that, when taken together with the existing extensions, the proposed development would radically alter the scale and character of the original dwelling, thus constituting a disproportionate extension of the original dwelling which would constitute inappropriate development in the Green Belt harmful by definition and also result in a material loss of openness of this part of the Green Belt. The proposal would therefore be contrary to the aforementioned policies.

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