

**Planning Committee:**

**Item Number: 11**

**Application No:** W 17 / 1245

**Registration Date:** 07/07/17

**Town/Parish Council:** Beausale, Haseley, Honiley & Wroxall  
**Case Officer:** Ed Pigott  
01926 456521 ed.pigott@warwickdc.gov.uk

**Expiry Date:** 01/09/17

**Land South of Briardene, Honiley Road, Beausale, Warwick, CV35 7NX**  
Erection of detached chalet bungalow, garage and associated access. FOR Mrs V Branagh

-----

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

### **RECOMMENDATION**

Planning Committee is recommended to grant planning permission for this development, subject to the conditions listed at the end of this report.

### **DETAILS OF THE DEVELOPMENT**

The proposed development is for a one and a half storey 'chalet' style dwelling with new access, parking area and detached garage. The dwelling would be 7m high (2.5-3.4m to the eaves) by 16.9m wide by 9.2m deep. The dwelling would be orientated to face the road to the east. The garage would sit on the rear of the plot and would be 5.3m tall (2.3m to the eaves) by 6m wide by 6.5m deep. The dwelling would be constructed of a mixture of white render, cedar cladding and tile. The garage would be constructed from render and tile and would have polyvoltaic panels on the roof.

The applicant has shown, within the Design Statement, how the dwelling will be energy efficient.

### **THE SITE AND ITS LOCATION**

The application site is garden land within the built up boundary of Beausale between two existing properties. The property to the north of the application site is 5.2m tall (2.6m to the eaves). Beausale is a small village characterised by linear development within the green belt. The properties immediately adjacent to the application site are bungalows.

### **PLANNING HISTORY**

No history

### **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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H1 - Directing New Housing (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)
- 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)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (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)
- Guidance Documents
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

## **SUMMARY OF REPRESENTATIONS**

**Parish Council** – Objection due to overdevelopment of site within the greenbelt and level of development within the village.

**WCC Archaeology** – Proposals unlikely to have significant archaeological impact

**WCC Ecology** – No objection subject to note regarding time of year works are undertaken and condition protecting existing trees/hedges

**WCC Highways** – No objection subject to conditions regarding visibility splays and width of access

## **ASSESSMENT**

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

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbouring amenity

- Parking and highway safety

#### Principle of development

Saved Policy RAP1 concerns new housing within rural areas. The proposed development would not comply with this policy as the village is not defined as a Limited Growth Village within the policy where development is seen as acceptable.

Emerging Policy H1 also concerns new housing within rural areas. This policy states that housing would be acceptable within Limited Infill Villages, of which Beausale is one. Emerging Policy H1 is based on the most up to date evidence which the Council has and has identified Beausale as a sustainable location for new housing. The proposed development would comply with this policy.

Therefore, notwithstanding the conflict with Saved Policy RAP1, it is considered that the proposed location is suitable for new housing and therefore would be acceptable in principle in this regard. This is because the proposed complies with the Emerging Local Plan, in this regard, and with the NPPF, and a dwelling in this location would be sustainable and acceptable in principle.

The site is also located within the West Midlands Green Belt so the principle of development is twofold. The NPPF, at paragraph 89 sets out particular forms of development that will not be considered inappropriate development in the Green Belt. One such example relates to limited infilling in villages. This is supported in Emerging Policy H11, which relates to limited village infill housing development in the Green Belt. This policy states that such development will be permitted where the site is located within a Limited Infill Village and the following criteria are satisfied:-

1. the development is for no more than two dwellings,
2. the development comprises the infilling of a small gap fronting the public highway between an otherwise largely uninterrupted built up frontage, which is visible as part of the street scene, and
3. the site does not form an important part of the integrity of the village, the loss of which would have a harmful impact upon the local character and distinctiveness of the area.

In considering the above, it is officers' opinion that all three criteria are satisfied by the proposed development which therefore amounts to an appropriate form of development within the Green Belt.

Overall, the provision of a new single dwelling in this location is considered to be acceptable in principle subject to an assessment being made of the other relevant material planning considerations, which are considered below.

#### Impact on character of surrounding area

The proposed dwelling is a chalet style one and a half storey design which has been sited fronting the road. The existing plot would be large enough to comfortably fit this development and it would continue the linear form of the area and the building line whilst broadly respecting the ridge line. The garage to the rear is of a suitably modest scale and therefore would also be acceptable. It

has also been reduced in size during the lifetime of the application. As a garage is already proposed, however, it would be reasonable to restrict Permitted Development Rights relating to the outbuildings to ensure there is no further development within the green belt on the plot.

The actual design of the proposed property is also considered to be acceptable. It is simple in form with different materials used to provide interest. While the building would be taller than the immediate neighbour, the low eaves height would help to give the appearance of a bungalow style. No landscaping has been proposed but given the nature of the site (a garden) this is not considered necessary. The boundaries are already in place and the new closeboard fence on the northern edge is shown on the plans and therefore would be required if the permission was granted.

The proposals are therefore considered to comply with saved policy DP1 of the Local Plan and emerging policy H1(2) of the New Local Plan.

#### Impact on neighbouring amenity

The proposed dwelling would sit 18m from the existing dwelling to the south. There is extensive hedging existing between this property and the application site and it is considered there will be little impact caused by the proposed on this property. The existing property to the north would sit much closer to the proposed with a distance of 11.2m between the two buildings. The access road to the proposed garage would run between the two properties and a 1.8m close board fence would delineate the sites. This fence would be 4m from the southern elevation of the existing dwelling which contains windows for habitable rooms. It is considered that this distance would allow sufficient sunlight and the wide plot would retain an acceptable sense of openness.

Further to this, there would be no overlooking impact due to the orientation and size of the properties and the proposed fencing. The Council's adopted separation distances do not deal with this specific relationship but a 12m distance is stated for a single storey to two storey relationship. Therefore, with the above in mind, it is considered that this relationship is acceptable.

The proposed development is therefore considered to comply with saved policy DP2 of the Local Plan and Emerging Policy BE3 of the Local Plan.

#### Access and Parking

A new access is proposed off Honiley Road. The Highway Authority has been consulted and has no objection subject to acceptable visibility splays being created prior to occupation and the access being created not less than 5m in width for 7.5m from the edge of the public highway. Further to this, the proposed contains adequate parking and turning space and there will therefore be no unacceptable impact on the public highway.

Accordingly, it is considered there would be no detriment to highway safety and the proposals are considered to comply with Saved Policy DP6 of the Local Plan and emerging Policy TR1 of the New Local Plan.

## Other Matters

### Energy Efficiency / CO2 reduction

The proposed development shows polyvoltaic panels on the garage roof and details various other mechanisms within the design statement to provide an energy efficient home. Therefore, for this type of development proposal, and having regard to the content of the submitted Sustainable Buildings Statement, a condition can be imposed to ensure the details shown are brought forward in order to satisfy Policy DP13 and the associated SPD.

### Trees and Hedgerows

Only one tree is marked as to be removed on the plans. This is a mature apple tree which would be removed to make way for the proposed access. It is considered that a condition can ensure that trees are planted to replace the tree which would be lost. A further condition can ensure that suitable protection measures are set in place prior to the development commencing to protect the other existing trees within the site.

As such, the proposed would be acceptable with regards to trees and hedgerows.

### Ecology

An ecological survey has been submitted as part of the application and this has been assessed by the County Ecologist who has no objection subject to a notes and conditions being placed on any permission ensuring the protection of protected species. A series of notes will ensure the applicant is aware of their duties with regards to this protection. A condition can also ensure the protection of existing trees.

It is therefore considered the development is acceptable in this regard and complies with Saved Policy DP3 of the Local Plan.

### Open Space

Policy SC13 seeks contributions from residential developments to provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs. The proposed development would not make any on-site provision for open space and accordingly, a financial contribution would be required which would be put toward the development objectives of local open spaces or toward the development of nearby destination parks. Therefore, it is considered that the proposal accords with SC13 and is acceptable in this regard.

### Drainage

The application form states that the foul sewage will be disposed of via the mains sewer and surface water through soakaways. There is plenty of space within the site to hold a soakaway. Building Regulations would ensure the suitability of a soakaway in this location.

## **SUMMARY/CONCLUSION**

The principle of development is considered acceptable having regard to both the policies relating to the provision of rural housing and to the relevant Green Belt policy in the NPPF that cites this type of limited infill development as 'appropriate'. Given the advanced stage of the new local plan, compliance with Emerging Policy H1 is considered to be a material consideration of sufficient weight to justify departing from Policy RAP1 in the existing Local Plan.

The proposed dwelling is considered to be in keeping with the area due to its siting and design and is accordingly not considered to cause any visual harm to the character of the surrounding area. There would be no harm caused to the amenity of existing residential properties around the site and there is no detriment considered to be caused to highway safety in term of the proposed access arrangements. It is considered that there would be no material harm resulting from this proposed development, which is considered to represent a sustainable form of development overall. For these reasons it is recommended that planning permission be granted subject to the following conditions and notes.

- 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) 000 01, 000 02 & 000 03 rev A, and specification contained therein, submitted on 06.07.2017 and 07.08.2017. **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 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
- 4 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work unless otherwise agreed in writing by the local planning authority. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported

by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 5 The existing tree shown to be removed on the approved plans shall be replaced with healthy tree of such size and species as agreed in writing by the Local Planning Authority. **REASON:** In order to protect and preserve the amount of trees within the site which are of amenity value and to preserve biodiversity in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 6 The development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers 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.

- 7 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

**REASON:** To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 8 The development shall not be occupied until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 65 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a

height of 0.6 metres above the level of the public highway carriageway.  
**REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

- 9 The development shall not be occupied until access for vehicles has been provided to the site not less than 5 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
  - 10 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), no building or enclosure shall be provided within the curtilage of any dwelling(s) hereby permitted. **REASON:** That due to the proposed garage and the fact the site is within the green belt, it is considered important to ensure that no additional development is carried out without express planning permission from the local planning authority in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
-