

PRINCIPAL ITEM NO. 4

PARISH: OLD MILVERTON

APPLICATION NO. W20031161

DATE OF RECEIPT: 10.7.2003

CASE OFFICER: ALAN COLEMAN

WOODLAND GRANGE, OLD MILVERTON LANE, OLD MILVERTON

Erection of a 2 storey extension to southern elevation to form main entrance with reception area and leisure facilities at ground and first floor level, a four-storey extension to northern elevation comprising 3 no ground floor lecture rooms and 3 no syndicate rooms, 42 no additional bedrooms on upper floors and provision of additional office accommodation with re-structured roof space above existing ground floor lecture rooms to western elevation, for Mr. M. R. Dawson.

THE SITE AND ITS SURROUNDINGS

The site is located in the Warwickshire Green belt between Leamington Spa and Kenilworth where it is situated on the Western side of Kenilworth Road at the junction with Old Milverton Lane. The premises comprise a residential management training centre that occupies a broadly rectangular site. The site is adjoined by Quarry Farm to the north and west and is largely screened by mature trees along the western boundary with Kenilworth Road.

Woodland Grange is a substantial detached building that has been extensively extended following its conversion to a training centre in 1968 (WDC Ref: 4871/5).

DETAILS OF THE DEVELOPMENT

In summary, the proposals comprise three principal elements. The first of these elements consists of the erection of a four storey extension to the northern rear elevation to accommodate lecture rooms and syndicate rooms on the ground floor, with 42 no additional bedrooms on the upper floors.

In addition, it is proposed to provide for additional office accommodation within the first floor roof space of the existing wing building that extends from the rear of the premises along the western elevation.

The third element is for the erection of a two storey extension to the southern front elevation to provide a main entrance and reception area at ground floor with additional leisure facilities at ground and first floor level. The former stable and link buildings adjoining the eastern elevation of the original building would be demolished to accommodate this extension, which would occupy a broadly similar footprint.

PLANNING HISTORY

Following the conversion of the premises to a management training centre in 1968, there have been twelve separate applications relating to various extensions and alterations. Of most relevance to this proposal is planning application W891437 for the erection of two significant rear wing extensions, comprising a mixture of three and four storey development to provide 78 no study bedrooms, a restaurant, lounge bar, reception offices and staff facilities. A car park extension and sewage treatment plant was also proposed. Planning Permission was granted on 8th January 1992.

The original application was subject to several amendments, the most recent of which was

approved on 16th September 1993 for the omission of two rear projecting wings to the development and replacement by a single rear wing on the eastern side of the development fronting Kenilworth Road. When the development was implemented the rear wing (subject of the above amendment) was not undertaken. Nevertheless, the balance of the development was implemented (approximately 80%).

On this basis, it is ascertained by the applicants that this permission remains extant and may be completed at any time, either in relation to the original approved plans or the amended scheme.

PLANNING POLICY

The fundamental policy considerations in relation to the application can be found within Planning Policy Guidance Note 2 on Green Belts, The Warwickshire Structure Plan 1996/2011 and Warwick District Local Plan 1995.

Planning Policy Guidance Note 2 on Green Belts, confirms the intention of Green Belt policy in paragraph 1.4 as *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness.”*

In addition to the above, paragraph 3.1 confirms the general presumption against inappropriate development in the Green Belt and paragraph 3.2 goes on to confirm that such inappropriate development is by definition harmful to the Green Belt.

Notwithstanding the above, the fact that this development is inappropriate, is not determinative of the application in itself. In such circumstances, however, it is necessary to go on to examine whether or not very special circumstances exist sufficient to override Green Belt policy. Paragraph 3.2 confirms however that such very special circumstances will not exist, however, *“unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.”*

Paragraph 3.4 of Planning Policy Guidance Note 2 confirms that the construction of new buildings inside a Green Belt is inappropriate unless it is for specific identified purposes, which for the purposes of this exercise would exclude development of this site.

Warwickshire Structure Plan 1996-2001 identifies the general location of the Green Belt and in so doing requires Local Plans to *“specify policies for the restriction of inappropriate development in the Green Belt.”*

Warwick District Local Plan Policy ENV1 reiterates the advice contained in Planning Policy Guidance Note 2 relating to inappropriate development in the Green Belt and confirms that inappropriate development will continue to be resisted.

The agent also refers to the following case law as being relevant to the proposals.

“In the case of Vision Engineering Limited versus the Secretary for the Environment and Guildford Borough Council (1991) Mr Vandermeer, sitting as Deputy Judge, adopted the words of Lord Donaldson in a separate judgement Pehrsson (unreported) in assessing the existence of very special circumstances.

“In my judgement the effect is that if a proposed development is in a Green Belt and is of a nature which is inappropriate, it is by definition one which would cause demonstrable harm to interests of acknowledged importance. This is not determinative of the application but it then becomes incumbent upon the application to show that the advantages of the particular development in the particular circumstances are such as to outweigh this harm to such interests. This is a balancing exercise since the extent of the harm to the Green Belt interests and the extent of the advantages to be derived from development, can vary from case to case, but in the very unlikely event of the equilibrium being reached the application should be refused.”

In reaching these conclusions, evidently Lord Donaldson had regard to the provisions of paragraph 3.2 of PPG2 in undertaking the relevant balancing exercise.

In the case of Snowden versus the Secretary of State and the City of Bradford (July 1980); New Forest District Council versus the Secretary of State and Shorefield Holidays (13 July 1985); and

Brentwood Borough Council versus Secretary of State and Grey (1 March 1996), a different point of law was established in the form of “*the fallback position*”. In this regard the conclusions were that where an existing Planning Permission is capable of being implemented, then that can represent a material planning consideration to which appropriate weight can be applied, and that represents a fallback position. In such circumstances, therefore, it is reasonable to compare the apparent impact of each development and derive from that assessment any advantages in carrying out one development in favour of another.”

CONSULTATIONS

Old Milverton Parish Council: No objection.

Leisure and Amenities: No objection.

COMMENTS

In my opinion, there are two principal issues for consideration in relation to the proposals:

1. The principle of the proposed development on this Green Belt site, and;
2. The impact of the development in terms of its scale, design and appearance.

1. The Principle of Development

In support of the proposals the agent comments as follows:

“The principal considerations in relation to the merits of this application are twofold. Firstly relating to the principle of built development in the context of the Green Belt and secondly in relation to design matters which have been presented by others.

In relation to the principle of the development, it is clear that the extent and nature of the built development proposed represents inappropriate development in the Green Belt, and as such is necessary for us to demonstrate very special circumstances.

In consideration of the above it is also clear that such very special circumstances can only exist whereby we are able to demonstrate that the harm by way of inappropriateness and any other harm is outweighed by the advantages of undertaking this development.

As regards the extent of the harm to the interests of the Green Belt, it is clear that the principal impact will be derived from the proposed four-storey wing building, which by reasons of its scale, footprint, and floor area, will clearly impact upon the otherwise openness of the Green Belt. To that extent, therefore, we recognise the harm to the fundamental objective of Green Belt policy in keeping land open.

In relation to the other two elements of the proposal however, it is clear that both elements are either largely contained within the existing location of the building or represent a replacement of existing built development within a part of the site that might reasonably be described as infill in any event. In that context, the harm to the interests of the Green Belt would be negligible.

One further issue arises in respect of the potential harm in terms of increased intensity of use, car parking and traffic frequency, etc.

In contrast however, your attention is drawn to the nature and extent of planning application no. W89/1437 which remains extant. In that regard I attach a copy of extract from a plan accompanying the minor amendment to that approval which shows both the original approval and the minor amendment in context (item 15 in the bundle). In addition, I also enclose a copy of a plan which shows the relationship between the amendment to application no W89/1437 as compared to the current proposal. In that regard, you will please note that the footprint of both proposals are not dissimilar, but the overall benefit is that in approving the current application, then it would in effect preclude not only the amendment to W89/1437 from being implemented, but also the original approval insofar as this rear east wing is concerned. Evidently that element of the

original approval will no longer be capable of being implemented.

Having regard to the above, there is a clear and unequivocal fallback position as regards the physical impact of the proposed extensions, which in my view represents significant advantages over and above the harm brought about to the interest of the Green Belt by the present proposal. In the circumstances, it can reasonably be advocated that significant advantage exists in terms of this element of the proposal.

As regards the other two alterations to the premises, then clearly these elements are largely either integral to the existing building with minor alterations to elevations, or indeed represent a replacement of existing floor space in the form of an infill as per the leisure facility provided. Whilst there may be on balance some modest harm arising to the interests of the Green Belt, any such impact would be insignificant when compared to the overall advantages outlined above.

Please also appreciate that the issues relating to the intensification of the use, car parking and frequency of traffic have also previously been approved in the context of the extant planning permission. In that regard there would be clear advantage in undertaking the present proposal when compared to the extent of development and associated activity approved under Application No. W89/1437.

Having regard to the above, I take the view that in the particular circumstances of this case, the harm to the interests of Green Belt Policy is clearly outweighed by the ability of my client to implement a significantly larger and more intensively used development. The removal of that potential development is a clear advantage to the interest of the Green Belt and in that regard very special circumstances can be said to exist."

I accept that the initial implementation of the majority of the scheme approved under application W891437 renders this permission extant in relation to the remaining balance of the development, either as originally approved or as amended. I am also of the opinion that this therefore represents a material planning consideration in relation to the current proposals as an established "fallback position," which should be afforded significant weight in the assessment of the development.

In comparison with the approved scheme, I consider the current application represents a scheme that would have a lesser impact and therefore provides the very special circumstances to outweigh the material policy objections.

However, it should be noted that the extant permission also allows for further additional development to the north and east that would currently stand outside the site following a change in land ownership that has occurred in the meantime. Whilst I consider it would be desirable to rescind the extant permission for this additional potential development via a Section 106 Agreement, nevertheless I do not consider there are material planning grounds for doing so within the scope of this application.

2. Scale, Design and Appearance

With regard to the proposed rear wing extension I am satisfied that this aspect of the scheme is acceptable in terms of scale, design and appearance in relation to the existing built development. I am also of the opinion that the development would be a significant improvement upon the modular form of the approved scheme and would enhance the appearance of the site in comparison.

With regard to the proposed two-storey extension to the southern front entrance a contemporary design approach has also been adopted in contrast with the original host building. In support of this approach, the following statement has been submitted by the schemes' architect:-

"The new building block comprising entrance, bar and health facilities at Woodland Grange, bridges the gap between the original house and the later extensions. The new proposal aims to be contemporary yet is also contextual. It respects the massing and material qualities of the original building whilst mediating between this and the later extension which is to be retained.

The new front elevation seeks to extend the adjacent horizontal datum lines visible in original house, and comprises the following horizontal strata as a response to it.

1. The ground floor comprises brickwork walls (to match existing) that not only extends the adjacent base of the original house, but also links this to the more recent south wing of the conference centre, with its single storey brickwork façade. This visually ties together the original house and more recent existing buildings on the site. Large glazed openings to bar and entrance within these new brickwork walls provide views to interior, thus providing visual animation to the façade and a more open and contemporary entrance.
2. At first floor level the new façade comprises white render which is subtly articulated by movement joints into a series of panels, as a modern interpretation of those panels visible in original house. New window openings fit within these panels as with the original and have heights to match.
3. The roof of the new building responds to the pitched roof forms of the original house and specifically extends the line of the existing pitch running west to east which is visible along its front elevation. In character with those of the original house, two new chimneys punctuate the ridgeline of the new building to provide natural ventilation and cooling to the new facilities within. In material terms it is proposed that the new roof will match the existing tiles.

It is worth noting that this “structuring” of the elevations is also applied to the new development proposed at the rear of the centre, in order to provide a consistency and coherence to the buildings on the site.

The new front elevation not only responds to the character of the original house adjacent, but is also respectful of it, having visual articulation at the point where new and old meet. This, together with the simpler form of the new proposal (more akin to the recent developments), aims to reinforce the integrity of the original house rather than compete with it and undermine its original qualities and features. “Visual clutter” inherent in the collection of current buildings which is apparent on approach to Woodland Grange will be reduced by a new front façade of more consistent scale.

Overall, the new front building to Woodland Grange represents a contemporary response to the original house, aims to unify the whole façade to Woodland Grange visible on approach and seeks to restore dignity to the original house on the site.

In my opinion, the contrast in architectural styles between the original host building and later extensions constrain the achievement of a suitable design solution for this element of the scheme. In my opinion, a pastiche of the original host building would be inappropriate and would dilute rather than enhance its architectural integrity, whilst a slavish copy of the later extensions would not reflect evolution in the built form of the development or in terms of applying advances in building practices and technology.

I consider that the scale and relative simplicity of the proposed design, choice of materials and colour finishes would be successful in terms of enhancing the setting of the original roof building whilst fulfilling its function as the main entrance to the premises.

RECOMMENDATION

GRANT, subject to conditions in relation to materials, large scale details and landscaping, after reference to the Secretary of State as a departure from the Development Plan.
