

Application No: W 11 / 0321

Town/Parish Council: Rowington

Case Officer:

Rob Young

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Registration Date: 09/03/11

Expiry Date: 04/05/11

Cornerways, Mill Lane, Rowington, Warwick, CV35 7DQ

Erection of timber landing stage into pond (retrospective application)
FOR Mrs G Wade

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

SUMMARY OF REPRESENTATIONS

Parish Council: Object for the following reasons:

1. This pond was granted planning permission, again retrospectively, in March 2008 and several conditions were imposed at that time – Conditions 1, 2, 3 and 4. Condition 4 has not been complied with to date i.e. the tree/shrub planting to screen the pond should have been completed within the first planting season following approval of the scheme – this has not been carried out and the PC would wish to see this work completed prior to any further development being carried out on this site.

2. In 2008 at the time of the original application for this pond, WDC made reference to the Arden Special Landscape Area/Green Belt and stated that the visual amenities of the Green Belt should not be injured by development proposals which, although they do not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design. Councillors are of the view that the landing stage is visually detrimental and unnecessary in what was, at the time, purported to be a wildlife pond.

3. The platform did not form part of the original proposals and Councillors feel access to a boat (if necessary) could easily be created in the earth bank without creating this further intrusive structure.

RELEVANT POLICIES

- 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)
- National Planning Policy Framework

PLANNING HISTORY

In 2007 a planning application was submitted for "Change of use from paddock to residential curtilage and construction of pond" (Ref. W07/0975). This was referred to Planning Committee in August 2007 with a recommendation for refusal and for authorisation to be given for enforcement action to be taken. However, the application was withdrawn before the meeting.

In 2008 Planning Committee granted planning permission for "Construction of a pond (retrospective)" (Ref. W08/0172). This was subject to a condition to require the submission of a landscaping scheme. A landscaping scheme was submitted and approved in April 2012.

KEY ISSUES

The Site and its Location

The application relates to a paddock situated to the rear of the dwelling at Cornerways. The paddock slopes down from the boundary with the garden of the application property to the south-western boundary where the site bounds the adjacent dwellings in Finwood Road. There is a very tall conifer hedge along the south-western boundary. There is a native hedge along the boundary with Finwood Road that is broken by a gated access into the paddock. The dwelling at Horse Shoe Cottage adjoins the south-eastern boundary of the paddock. A pond has been excavated within the paddock and a landing stage has recently been constructed on the eastern edge of the pond. Various planting has recently taken place around the paddock, including a line of leylandii trees along the boundary with Horse Shoe Cottage and a further shorter line of leylandii trees just inside the gate onto Finwood Road. Various fruit trees have also recently been planted around the site.

Details of the Development

This is a retrospective application for the retention of the landing stage.

Assessment

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

- the impact on the living conditions of neighbouring dwellings; and
- the impact on the openness and rural character of the Green Belt.

Impact on the living conditions of neighbouring dwellings

The landing stage is a small structure that is only marginally higher than the adjacent ground level. Therefore it would not have any significant implications in terms of loss of light, loss of outlook or loss of privacy for neighbouring dwellings.

Impact on the openness and rural character of the Green Belt

The site is located with the Arden Special Landscape Area and the Green Belt. However, in view of the small size of the landing stage and the fact that it is only marginally higher than the adjacent ground level, it is considered that the impact on the openness and rural character of the Green Belt is inconsequential. The concerns of the Parish Council are noted, but in the absence of any demonstrable harm to the openness and rural character of the Green Belt, there is no justification for withholding planning permission.

The Parish Council have raised concerns about compliance with the condition on the 2008 planning permission that required details of tree/shrub planting to screen the pond. Landscaping details have subsequently been submitted in accordance with this condition and the condition has now been discharged. The landscaping scheme has not yet been fully implemented and the Council's Enforcement team will monitor the situation to ensure that the scheme is implemented in accordance with the approved details.

RECOMMENDATION

GRANT.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development does not prejudice the openness and rural character of this green belt area and does not have an adverse impact on the living conditions of neighbouring dwellings. The proposal is therefore considered to comply with the policies listed.
