



REGULATORY SERVICES COMMITTEE

13 September 2012

REPORT

Subject Heading:

P0419.12 – Woodville Works, Church Road – demolition of existing buildings and erection of single-storey dwellinghouse (received 2 April 2012; additional plans received 14 June 2012 and additional plans and information received 28 June 2012)

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report concerns an application for the demolition of the existing former factory building and the erection of a residential bungalow with hipped roof construction. The proposal accords with Green Belt, residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. The proposal is judged to be acceptable in all material respects and subject to the execution of a Unilateral Undertaking and conditions.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 180m² and amounts to £3,600.

It is recommended that the application is unacceptable as it stands, but would be acceptable subject to the applicant entering into a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- A financial contribution of £6,000 towards local infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document;
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Unilateral Undertaking to the date of receipt by the Council;
- The owners / developers as appropriate to bear the Council's reasonable legal costs incurred in considering the form of the Unilateral Undertaking;
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee.

That upon the Unilateral Undertaking being signed that planning permission be granted subject to the following conditions:

1. SC04 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.

2. SC09 Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

3. SC34 The proposed window to the en suite shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority,

Reason: In the interests of privacy and in order that the development accords with Policy DC61 of the LDF Core Strategy and Development Control Policy DPD.

4. SC32 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

5. SC58 Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the local planning authority. Unless otherwise agreed in writing these details shall include provision for underground containment of recyclable waste.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

6. SC59 Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

7. SC43 The building shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimal value) against airborne external noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

8. SC11 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development, in order that the development accords with Policy DC61 of the LDF Core Strategy and Development Control Policy DPD. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

9. SC63 Construction Method Statement

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:-

To protect residential amenity, and in order that the development accords the Core Strategy and Development Control Submission Development Plan Document Policy DC61.

10. SC62 No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority,

Reason: To protect residential amenity and in order that the development accords with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

11. NSC01 Prior to the first occupation of the building hereby permitted to be converted/extended, the out-buildings and hardstanding proposed to be removed shall be demolished/broken up and any resulting debris fully removed from the application site.

Reason: Without the removal of the outbuildings/hardstanding the proposal would be likely to be unacceptable and contrary to Policies DC61 and DC46 of the Local Development Framework Development Control Policies Development Plan Document and PPG2 (Green Belts).

12. SC45A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) Article 3, Schedule 2, Part 1 Classes A, B, C, D, E and F and Part 2 Class A, no enlargement, improvement or other alteration of a dwellinghouse, no enlargement of a dwellinghouse consisting of an addition or alteration to its roof, any other alteration to the roof of a dwellinghouse, the erection or construction of a porch outside any external door of a dwellinghouse, the provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure, the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such, the erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating, the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with LDF Development Control Policy DC61.

13. SC46 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) or northern elevation of the building(s) hereby permitted to be converted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

14. NSC02 Prior to the first occupation of the building, the garden area shall be formed in accordance with the approved plans and the landscaping scheme approved under Condition 8.

Reason: To ensure that residential amenity is adequate in accordance with Policy DC61 of the Local Development Framework Development Control Policies Development Plan Document.

15. NSC03 contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

a) A Phase II (Site Investigation) Report as the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

b) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

c) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

INFORMATIVES

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP17, DC2, DC3, DC5, DC7, DC33, DC34, DC37, DC55, DC60, DC61, DC62, DC63, DC70 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a group of single-storey commercial buildings at Woodville Works on the western side of Church Road. The roughly "L-shaped" site has a highway frontage of approximately 13m to a drive way with the main body of the site being approximately 35m from north to south and roughly 25m wide. To the Western and Southern boundaries there are a number of mature trees. Ground levels fall slightly to the south and west across the site and beyond.
- 1.2 There are a number of residential properties to both this same side of Church Road and to Noak Hill Road but the area is otherwise open agricultural fields. The application site is within the Metropolitan Green Belt and the Havering Ridge Area of Special Character. The site area is approximately 0.10 hectares.

2. Description of Proposal

- 2.1 The proposal follows a refusal for a new dwellinghouse, two applications for conversion (one refused and one approved) and one for the conversion and extension of the existing main building (approved and subsequently granted a time extension to undertake the approved works). None of these have been implemented although the latter has only just been extended and is extant.
- 2.2 This current application is for the demolition of all the buildings on the site and the construction of a single-storey residential dwellinghouse. The building would be 9.42m deep and 19.2m wide with a hip, pitched roof with a ridge height of 5.25m. The layout indicates that the dwellinghouse would have 4 bedrooms (one with en suite), a bathroom/wet room, a lounge, a kitchen/dining room, a utility room and a full staircase access to a loft room indicated as use for storage with 3 velux windows.
- 2.3 The current proposal also incorporates a change of use to residential use. The proposed residential curtilage would exclude the wooded area to the south which is also in the applicant's ownership.
- 2.4 Apart from the fact that this would be a new property rather than a conversion and extension of one of the original buildings, the main differences between this scheme and the most recently approved conversion/extension residential unit are:
- relocation of the whole building 1m further away from northern and eastern boundary

- reduction in total length from 23.3 to 19.2m (although increase from main building section with the higher roof ridge from 18.7m)
- increase in ridge height from 5m to 5.25m
- provision of concertina doors to front elevation

2.5 The applicant has submitted a special circumstances case which can be summarised as follows:

- The land for Woodville, Eagle House and Woodville Works have been owned by the same family since 1919 with Woodville being built in 1925, Eagle House in the 1940s and Woodville Works in 1951. There were various extensions to both Woodville and Eagle House and further buildings were added to the Works itself resulting in the buildings being very close to each other such that the proposal would result in a greater degree of separation between residential properties.
- increases in sunlight and daylight to the properties
- easier access for maintenance purposes for all occupiers
- better air flow and ventilation around the new residential property
- larger more function space to the rear of the building to contain bin and other less visually appealing storage items
- greater protection and maintenance of the roots and canopy of a nearby tree
- ability to provide more green planting to the shared boundaries between the three properties
- more amenity space to the rear of the building improving the appearance of the development from the adjoining properties to the north and east
- improved visibility for natural and security surveillance
- greater protection for the neighbour's garage, fence and planting during and after development
- no greater impact on the openness of the green belt
- wildlife would be unaffected
- the proposal would represent a reduction in the volume of buildings by 2% when compared to the 2011 (2008) approval and 27% in relation to approval P0855.07 which included the retention of an outbuilding for recreational use
- the proposal would be for a whole new building such that a single roof line and rectangular building would appear more regular and less sprawling than previous schemes for extensions to the existing building
- the curtilage will be better defined with firm physical boundaries and additional planting
- the commercial building cannot be used again for commercial purposes and residential use would bring this previously developed land back into a beneficial use
- the 4-bed bungalow would enable the applicant to more easily care for her chronically ill mother who lives in one of the other family-owned buildings which will reduce reliance on the Government/Charitable assistance

3. **History**

- 3.1 P1834.11 Extension of time to implement application P1909.08 for conversion and extension of factory unit to form a residential unit - Approved 27/1/12
P1909.08 Conversion and extension of factory unit to form a residential unit - Approved 29/2/09
P0836.08 Demolition of all existing buildings and erection of a dwelling - Refused 17/06/08
P0855.07 Change of use to residential – Approved 12-07-07
P0148.07 Change of use to residential – Refused 26/03/07

4. **Consultation/Representations**

- 4.1 15 neighbouring properties have been notified of the application, a press notice was advertised and a site notice displayed. No letters have been received.
- 4.2 Thames Water have written to advise that they have no objection with regard to sewerage infrastructure and that it is the developers responsibility to make proper provision for surface water drainage to ground, water courses or a suitable sewer.
- 4.3 The London Fire and Emergency Planning Authority have written to indicate that the access should comply with Section 11 of the ADB Volume 1. This requires that the minimum width of a road between kerbs is 3.7m and that where the access is more than 20m from the highway, that a turning circle, hammerhead or other turning point should be provided. The proposed driveway width would be 3.5m wide, nonetheless it is not kerbed. A turning head is provided. The proposal would require a separate Building Regulations application where such matters can be addressed in detail.
- 4.4 The Metropolitan Police Crime Prevention Design Advisor has written to indicate that he has no material objections concerning any significant crime or community safety issues in respect of this application.

5. **Staff Comments:**

- 5.1 The issues in this case are the principle of development, its impact on the open character of the Green Belt, its impact in the streetscene, on residential amenity and parking/highways. Policies CP1, DC2, DC3, DC33, DC35, DC36, DC45, DC60, DC61 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan and SPD on Residential Design and Residential Extensions and Alterations are relevant. Also relevant are London Plan (2010) Policies 3.3, 3.5, 3.8, 4.7 and 7.3 and the National Planning Policy Framework. Also relevant is the draft Planning Obligations SPD.

Mayoral CIL Implications

- 5.2 The proposal is for a new dwelling in the green belt. The liability is £20 per sq.m. The existing units have not been occupied for 6 months in the last 12 months. The size of the unit is proposed as 180 sq.m such that the amount would be £3,600.

Principle of development

- 5.3 Policy CP1 indicates that housing will be the preferred use of non-designated sites. The site lies in the Green Belt such that Policy DC45 indicates the circumstances when development in the Green Belt would be acceptable. While planning permission has been granted for a conversion of the existing building, it has not yet been implemented and there is no existing residential use at the application site. It is not therefore appropriate to consider the proposal as a replacement residential unit as there is currently no implemented residential use on site.
- 5.4 The NPPF indicates that new residential development in the Green Belt is inappropriate development, unacceptable in principle due to the harm that arises to the open character of the Green Belt.
- 5.5 The proposal for a new dwelling in the green belt is by definition inappropriate development in the Green Belt, harmful to its open character. In accordance with the NPPF, very special circumstances must exist to outweigh such harm both in terms of in principle harm and any other harm. The special circumstances put forward by the application will be considered later in this report, firstly however, an assessment of the scheme is undertaken to consider whether any other harm arises.

Impact on the Open Character of the Metropolitan Green Belt

- 5.6 Policy DC45 indicates that the redevelopment of authorised commercial sites will be granted provided there is a substantial decrease in the amount of building on the site and improvements to the local Green Belt environment.
- 5.7 It was previously considered that the site was probably in a lawful commercial use although a Certificate of Lawful Use has not been granted to this effect and does not form part of the consideration of this application.
- 5.8 The proposal would result in the demolition of the existing buildings. The buildings have the following measurements:

Main building and outbuildings
Existing volume (cu.m) 971
Proposed volume 697 (previously 712)

Existing floorspace (sq.m) 265
Proposed floorspace 180 (previously 205)

- 5.9 The proposal would therefore involve a decrease in both volume and floorspace of the buildings at the application site. Staff consider that this would represent a significant reduction of all buildings at the application site.
- 5.10 The original structure has previously been considered to be sound and capable of conversion to residential and no evidence has been submitted that this situation has changed.
- 5.11 The main concern however, is the overall impact the proposed building would have on the open character of the Green Belt. The existing main building is located to one side, and runs at right-angles to the road (Church Road), such that it currently has a very limited impact in street scene. The proposal would move the “approved” building forward by 1m and decrease its volume by 15 cubic metres. Together with the reductions in built volume and footprint, Staff consider that the proposed dwellinghouse would have no greater an impact on openness or visual amenity in the street scene than the existing buildings. In addition an amenity area of at least 100 square metres could be provided to the south of the property. Staff therefore consider that the proposal would be acceptable in terms of its impact on the open character of the Metropolitan Green Belt.

Design/Impact on Street/Garden Scene

- 5.12 The proposed development would be of a similar simple design as the existing building and would be located in a similar relative position in relation to the highway as currently. Given that the proposed building would be located some 35m or so from the highway and would be single-storey, it is considered that there would be no undue impact on visual amenity in the streetscene.
- 5.12 Unlike the previously approved extensions to the existing building, this new dwellinghouse would be located a further 2 away from the boundary with the existing residential properties. It is considered that the proposal would improve the relationship in the rear garden environment.

Impact on Amenity

- 5.13 The proposed dwelling would have windows in all but the eastern elevation. However, given that it would be single storey and rear window closest to Eagle House, the nearest adjoining dwellinghouse, would be to an en suite, Staff consider that obscure glazing could be fitted to overcome any privacy concerns. Also that no windows should be inserted in future in the eastern elevation. Suitable conditions could be attached to any grant of planning permission.

Highway/Parking

- 5.14 Within this area, Policy DC2 indicates that between 2 and 1.5 parking spaces should be provided for each property. There are no changes to the

vehicular access and, two parking spaces are proposed at the end of the access road. Staff consider that the proposal would meet current parking standards. A passing bay would be provided to the drive way which is considered to be beneficial. There are no other highway matters.

- 5.15 In line with Annex 6, cycle parking provision would need to be provided on site and would be subject to a suitable planning condition.

Planning Obligations

- 5.16 The draft Planning Obligations SPD indicates that for all new dwellings a £6,000 contribution would be needed to provide for all infrastructure requirements arising from the development. If planning permission granted a Unilateral Undertaking would need to be entered into for this amount to be paid.

Special Circumstances Case

- 5.17 As identified above, the proposal is for inappropriate development and is considered to be harmful in principle in the green belt. The NPPF indicates that such harm (together with any other harm) can only be outweighed if very special circumstances exist. Such circumstances must either singly or together be so special that they could not apply elsewhere and are a reason to allow inappropriate development in the green belt. It is for the Council to decide whether any circumstances raised by the applicant are very special as to allow development in the green belt where there is a general presumption against all inappropriate development.

The Applicant's Case

- 5.18 - The land for Woodville, Eagle House and Woodville Works have been owned by the same family since 1919 with Woodville being built in 1925, Eagle House in the 1940s and Woodville Works in 1951. There were various extensions to both Woodville and Eagle House and further buildings were added to the Works itself resulting in the buildings being very close to each other such that the proposal would result in a greater degree of separation between residential properties

Staff Comment: The three buildings have clearly been built as a group in common ownership. Staff do not consider that it is necessary to move Woodville Works in order to provide a residential property with reasonable levels of amenity for the new and existing occupiers (and planning permission has been granted for extensions and conversions of the existing building, one of which is extant and could be implemented), however, if the properties were to be owned by non-related people, it is considered that the separation distances involved are minimal and would benefit from a greater degree of separation. The proposed 1m shift each from the northern and eastern boundaries would provide a somewhat more comfortable relationship

- increases in sunlight and daylight to the properties

Staff Comment: No specific details are given as to how much light would be added to the existing properties by this 1m move from the existing walls of the building, nonetheless moving the building further to the south and west would be likely to have a positive effect even if it is minimal

- easier access for maintenance purposes for all occupiers

Staff Comment: The gap between the existing building and the boundaries to the north and east are minimal. Easier maintenance is not a specific planning issue although it is recognised that this would benefit future occupiers

- better air flow and ventilation around the new residential property

Staff Comment: Again, this is not a specific planning consideration

- larger more function space to the rear of the building to contain bin and other less visually appealing storage items

Staff Comment: No planning issues were raised previously in connection with the relatively close proximity of the existing building to its boundaries. The existing space could also be sufficient to provide for such storage items although they would be located closer to the proposed windows to the rear wall

- greater protection and maintenance of the roots and canopy of a nearby tree

Staff Comment: No evidence has been submitted to indicate how the tree would be affected by the proposal such that no comment can be made as to whether the tree would benefit from the proposal

- ability to provide more green planting to the shared boundaries between the three properties

Staff Comment: Additional planting would be beneficial

- more amenity space to the rear of the building improving the appearance of the development from the adjoining properties to the north and east

Staff Comment: Staff acknowledge that the building being moved slightly further away would result in a reduced physical presence, the amenity space being enlarged slightly would not result in any greater improvement of itself

- improved visibility for natural and security surveillance

Staff Comment: It is proposed to provide windows to the rear of the property (northern elevation) as previously proposed in the change of use applications. A 1m change is unlikely to result in any significant increase in the ability of future occupiers to provide their own security

- greater protection for the neighbour's garage, fence and planting during and after development

Staff Comment: Staff recognise that the adjoining buildings lie close to the existing building the proposal would involve the demolition and replacement

of the existing building and it is unclear what benefit derives given that the extant permission would not have involved such comprehensive works.

- no greater impact on the openness of the green belt

Staff Comment: This has been addressed above.

- wildlife would be unaffected

Staff Comment: No evidence has been submitted to support this statement, nonetheless given that the treed area to the south of the application site would not be affected by the proposal, it is not considered that there would be any greater impact from the proposal over that of the previous approvals on wildlife.

- the proposal would represent a reduction in the volume of buildings by 2% when compared to the 2011 (2008) approval and 27% in relation to approval P0855.07 which included the retention of an outbuilding for recreational use

Staff Comment: This has been addressed above in respect of the impact of the proposed dwelling on the open character of the green belt and considered to be acceptable. It is considered that the reduction in the amount of buildings on the site together with the fact that larger residential development has previously been approved provides material circumstances which constitute a very special circumstances case.

- the proposal would be for a whole new building such that a single roof line and rectangular building would appear more regular and less sprawling than previous schemes for extensions to the existing building

Staff Comment: The previous schemes for extensions were considered to have an acceptable impact on visual amenity, the proposal for a new building does not alter this

- the curtilage will be better defined with firm physical boundaries and additional planting

Staff Comment: Additional planting is to be welcomed but a 1.8m boundary fence would have been required for any residential approval

- the commercial building cannot be used again for commercial purposes and residential use would bring this previously developed land back into a beneficial use

Staff Comment: No evidence has been put forward that the building could not be used by a commercial user. Planning permission was granted for a change of use to residential use in 2007. The granting of a further consent, in this case, for a new dwelling would not alter the fact that a residential scheme for the site is considered to be generally acceptable in respect of the reuse of a previously commercial building in the green belt.

- the new dwelling would enable the applicant to more easily care for her chronically ill mother who lives in one of the other family-owned buildings which will reduce reliance on the Government/Charitable assistance

Staff Comment: The personal circumstances of the applicants relative who lives in a neighbouring property is not considered to be a very special circumstance to outweigh the harm identified.

6. Conclusions

- 6.1 The proposal would result in the redevelopment of an existing commercial site to a residential use in the Green Belt. The proposal would be inappropriate in principle. The proposal would result in a significant reduction in the amount of building(s) on site and improvements to the local Green Belt environment and the size of the proposed dwellinghouse would not amount to disproportionate increases over that of the existing main building which it would replace and that, due to its orientation and limited scale (being one-storey), there would be no significant harm caused to the open character of the Green Belt from this proposal. Further, Staff consider that the proposal would result in no other harm to other issues of acknowledged planning importance. Staff consider the special circumstances offered by the applicant, which coincide with planning issues raised, do amount to the very special circumstances which would outweigh the harm caused in principle to the Green Belt and that the proposed dwellinghouse would therefore be acceptable.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 Legal resources will be required in the consideration of the Unilateral Undertaking.

9. Human Resource Implications:

- 9.1 None

10. Equalities and Social Inclusion Implications:

- 10.1 The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.