

**Planning Committee:** 15 October 2013

**Item Number:** 12

**Application No:** W 13 / 1143

**Town/Parish Council:** Stoneleigh

**Case Officer:** Liam D'Onofrio

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**Registration Date:** 20/08/13

**Expiry Date:** 15/10/13

**Motslow Cottage, Motslow Hill, Stoneleigh, Coventry, CV8 3DL**

Proposed single storey oak framed garden equipment/machinery store. FOR Ms Puxley

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

**RECOMMENDATION**

Planning Committee are recommended to grant planning permission, subject to conditions.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for a single storey, oak framed garden equipment/machinery store. The building will measure 5.9m by 6.9m by 4.3 metres high and is positioned to the rear of Motslow Cottage within the garden area, set over 25 metres from the main house.

**THE SITE AND ITS LOCATION**

The application site relates to a Grade II listed dwellinghouse and grounds located south of Vicarage Road in Stoneleigh Village. The site is accessed via a footbridge across the River Sowe and is set on rising ground. The site is located within the Green Belt. The main dwellinghouse is also located within Stoneleigh Conservation Area, however the part of the garden where the proposed building will be located falls outside of the conservation area.

**PLANNING HISTORY**

None

**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)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP6 - Upper Floors within Listed Buildings and Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework

## **SUMMARY OF REPRESENTATIONS**

**Stoneleigh & Ashow Joint Parish Council** : Object to this application in principle because JPC concur with the points raised by English Heritage regarding the location adjacent to the conservation area and in registered parkland. It is considered that this is inappropriate development in the green belt and does not appear to fall into any of the categories of exception criteria outlined in National and Local Green Belt policies. The applicant has not included a design statement in this application, neither have they demonstrated the need for such a very large structure. As there is no comment from the Conservation Officer stating that this application has fully considered the guidance of English Heritage, in terms of both size and siting, we can only object to the current application. If these concerns can be demonstrated to be adequately addressed then our objection could be withdrawn.

**English Heritage** : The application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.

**WCC Ecology** : It appears that a number of trees may be impacted on as a result of the proposed works. If this is the case they should be assessed for their nature conservation value and bat potential.

**Warwickshire Gardens Trust** : No observations received

**The Garden History Society** : No observations received

## **ASSESSMENT**

The main considerations in assessing this application are:

- Principle within Green Belt.
- Siting/design and impact upon the listed building/registered Park and Garden/adjacent conservation area.
- Neighbours' amenity.
- Landscape/ecology.

### **Principle**

Policy RAP2 allows *proportionate* extensions to dwellinghouses within the Green Belt, however this does not include detached garden buildings. The NPPF 2012

paragraph 89 also indicates that the proportionate extension or alteration of a building is appropriate development within the Green Belt, but is silent on the matter of domestic garden buildings. The proposed garden building therefore represents inappropriate development within the Green Belt. The NPPF 2012 sets out a presumption against inappropriate development in the Green Belt and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The applicant has clarified that they own a significant amount of land around the property (some 9.5 acres) and the proposed building's principal function will be a storage facility for an old trailer used for transporting wood and tools to manage the trees and land properly. The old trailer is at present just under a tarpaulin which the applicant considers is not adequate protection. The applicant adds that new wood burning stoves have been fitted to the property within the last two years and they are now the major source of heat during the winter months (there is no gas supply to the property). The estimated quantities of wood consumed per stove per winter is 4 cubic metres and there is obviously a need to keep the wood as dry as possible. At present there is nowhere to store the wood except under tarpaulins, hence the request for wood storage areas along two sides of the planned outbuilding.

The applicant suggests that the building is an 'exception' to new build within the Green Belt as it is required for forestry and agriculture, however this must relate to a trade or business use and the building will clearly be domestic in nature. That said, there appears to be a clear and reasonable domestic need for the building in this case.

Officers are mindful that dwellinghouses, including those within Green Belt, can typically erect domestic garden buildings under permitted development rights without the need for planning permission, however this allowance does not extend to development within the curtilage of a listed building, hence the need for this planning application. There are clear reasons why permitted development rights are removed to protect openness, for example on barn conversions, however the intention of the restriction on permitted development in this case is to ensure that the proposed development does not harm the character and setting of the listed building.

Taking a pragmatic approach it is therefore considered that principle for this scheme can be accepted, subject to siting and design considerations (considered below) to ensure that the proposal does not result in any unnecessary visual impact upon openness or the listed building.

### **Siting/design**

The essential characteristics of Green Belts are their openness and their permanence. How well a building can be screened from public view does not override openness considerations, however a well-sited building can reduce visual impact. In this case the building is sited on a slope on higher ground to the dwellinghouse, but will be very well screened from the public footpath to the north by mature trees located on the river bank. The building will not break the

ridge line of the bank and will be set against the backdrop of mature trees on higher ground to the south.

Consequently the building would be largely concealed from view and will appear unobtrusive within the landscape. Furthermore the natural oak and earthy clay roof tile tones of the materials proposed will assist in ensuring that the building assimilates into the wider landscape, particularly in winter when the foliage is limited.

The design is considered to be sympathetic and the conservation officer has raised no objection to the building's siting or design.

The scheme is not therefore considered to result in any undue visual impact upon the streetscene, adjacent conservation area, Green Belt, registered park and garden or the special historic character and setting of the listed building.

### **Neighbours' amenity**

The building will be set well away from adjoining neighbours and is not considered to create any adverse impact upon the amenities of the occupiers of surrounding properties.

### **Landscaping/ecology**

The County Ecologist has raised no ecological issues in terms of protected species, however concern has been raised with regard to the proximity of adjacent trees. The applicant advises that it is not the intention to site the building near to existing trees and a detailed tree survey will be submitted to demonstrate that the building does not affect root protection areas. Members will be updated at the Committee meeting accordingly. Subject to the additional supporting plan being acceptable this would overcome any concerns regarding impact to trees and the need for a bat survey of the trees would also fall away. A condition to secure protective fencing around the trees during construction works is recommended.

### **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority the proposed development will have an acceptable standard of siting and design and does not unacceptably harm the general openness or rural character of the green belt or the character and setting of the listed building, registered park and garden and adjacent conservation area. Furthermore the scheme does not result in an unacceptable adverse impact on the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

## **CONDITIONS**

- 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) 100/162/2013, MB/130813-A, and specification contained therein, submitted on 20/08/13. **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 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless and until tree protection measures have been put into place in full accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter such measures shall remain in place during any such construction work. 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.
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