

**Application No:** [W 16 / 0636](#)

**Town/Parish Council:** Baginton  
**Case Officer:** Emma Spandley  
01926 456533 emma.spandley@warwickdc.gov.uk

**Registration Date:** 11/04/16  
**Expiry Date:** 06/06/16

**Hamelin, Coventry Road, Baginton, Coventry, CV8 3AP**  
Erection of a single storey rear extension. FOR Mr Kamaci

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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 the conditions listed.

**DETAILS OF THE DEVELOPMENT**

This application is a resubmission of W/16/0191 which was for a single storey rear extension to the existing shop and differs from that proposal in respect of the reorganisation and reduction in the number of car parking spaces proposed.

The proposal has come forward in connection with the desire to bring this longstanding vacant retail premises back into use as a delicatessen and sandwich shop and to that end provides an extension of 31m<sup>2</sup> which in view of the small scale nature of the existing premises, proportionally represents a significant increase.

**THE SITE AND ITS LOCATION**

The application property is a small garage sized single storey building in a longstanding dilapidated condition located adjacent to a one and half storey house call Hamelin in a central location opposite the village's general store and post office. It also adjoins another similar sized building which is an established hot food take away. The site is located in the village of Baginton and is washed over by Green Belt.

**PLANNING HISTORY**

- W/13/1709 - Demolition of existing retail premises and front extension to existing dwelling for new bed and breakfast accommodation with air source heat pump and construction of side driveway and rear car park for 5 vehicles. Refused 12/02/14
- W/14/0963 - Demolition of existing retail premises and extension of existing dwelling to provide new bed and breakfast accommodation (resubmission of W/13/1709) Refused 14/08/14

- W/15/0445 - Prior approval notification for a proposed larger home extension for the erection of a single storey rear extension; 6m deep, 2.4m to the eaves and 3.9m high. Prior approval not required 21/04/15
- W/16/0191 - Erection of a single storey rear extension. Refused for the following reason:-

*"Policy DP2 of the Warwick District Local Plan states that development will not be permitted which does not provide acceptable standards of amenity for future users / occupiers of the development.*

*The proposed car parking area proposed to the front of the main house, 'Hamelin' by reason of its extent, location and use would impact upon the outlook from that property and result in levels of noise and disturbance to its occupants to an extent that would be detrimental to their residential amenities contrary to the National Planning Policy Framework and to policy DP2 of the Warwick District Local Plan 1996 to 2011."*

## **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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)

### The Emerging Local Plan

- 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)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

### Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)

## **SUMMARY OF REPRESENTATIONS**

**Baginton Parish Council:** Raised no objections on the previous application, have raised an objection to this application regarding the lack of off road car parking.

**WCC Archaeology:** No objection

**WCC Ecology:** No objection, subject to condition

**WCC Highways:** No objection

## **ASSESSMENT**

It is considered that the key issues relating to this proposal are:-

- Principle
- Green Belt
- Design
- Amenity
- Parking
- Renewables.

### Principle

In view of the ongoing challenges facing rural communities in retaining appropriate facilities and services within villages, the principle of this proposal which will bring back into use a longstanding vacant retail unit in close proximity to the village's general store and post office is to be welcomed.

The existing building itself is very small such that an extension of the size proposed, which in many other scenarios would be considered to be modest, is also considered to be acceptable both as a matter of principle and in supporting the level of service provision within the village.

### Green Belt

The proposed extension will add 31m<sup>2</sup> of additional floor space to the existing retail unit, which will equate to an 88% increase and which in Green Belt terms comprises inappropriate development.

However, it is considered that in the particular circumstances of this case the benefits of bringing the building back into use combined with the small scale and single storey nature of the extension proposed to the rear of the existing building are considered to be sufficient to comprise very special circumstances to an extent which outweighs the objection to the proposal in terms of inappropriateness.

### Design

The proposed extension is to the rear, and will be constructed of materials which match the existing building. The building is not a Listed Building or in a Conservation Area and therefore the design of the proposed extension is considered acceptable.

### Amenity

The existing retail unit adjoins an existing take away premises. Therefore, the extension does not breach the 45 degree sightline taken from the nearest habitable room. The neighbouring property, Hamelin, is a dwelling, however, due to the separation distance between the two sites, there will be no impact on 45 degree sightline from this property.

As amended, the proposal no longer incorporates any parking to the front of the existing property Hamelin nor does it extend across the neighbouring property's front garden area, the impacts of which resulted in the previous refusal of planning permission. There is therefore considered to be no material impact upon this property from the scheme as revised including from any increased activity at the application site arising from the proposal.

The application is considered acceptable and in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011.

### Parking

The existing (vacant) use of the site would require 2 off street car parking spaces whilst currently, 1 is available. The current proposal would increase that requirement by 1.5 spaces (rounded up to 2) such that there would be a shortfall of 3 off street spaces.

The comments of the Parish Council are noted, however the Highway Authority comment that the mixed nature of the immediately surrounding area combined with the parking restrictions in place on one side of the road and the nature of the demand for parking in the area are not such that any shortfall in off-site provision would impact upon the use of the highway and highway safety to the extent that an objection on that ground could be sustained.

### Renewables

The Energy Statement submitted with the application states the property will be installed with an Air Source Heat Pump which will provide the 10% renewable quota.

However, no SAP calculations have been submitted which demonstrates how the Air Source Pump meets the criteria set out in the Sustainable Buildings Statement SPG. This can be controlled via a suitable worded condition.

### Summary

The proposal which seeks to enhance the level of service provision within the village is considered to be acceptable in principle and whilst the proposed extension is inappropriate in Green belt terms, as set out above, there are considered to be very special circumstances, sufficient to outweigh that harm.

It is considered that the previous reason for refusal has been overcome by way of the revisions proposed as part of this revised scheme such that there is now no objection to the proposal.

## **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).

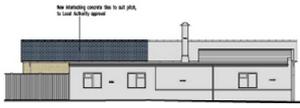
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing No.5078/10, and specification contained therein, submitted on 2nd February 2016. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
  
- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
  
- 4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO<sup>2</sup> emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's 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.
  
- 5 The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works has been given to a suitably qualified bat worker appointed by the applicant to supervise all destructive works to the roof. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England are consulted for advice and no further works shall be undertaken at the site unless and until full details of measures for bat migration and conservation have been submitted to and approved in writing by the local planning authority. The development shall then proceed in full accordance with the approved details and any required mitigation works shall be complete in full accordance with the approved details and shall not be removed or altered in any way without the prior written approval of the local planning authority. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.

- 6 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone ( whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
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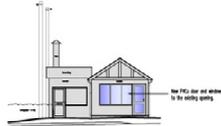


SITE LOCATION PLAN HAMELIN, COVENTRY ROAD, BAGINTON 1:1250

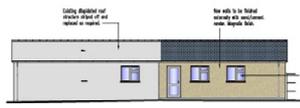




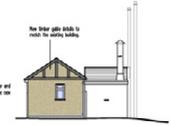
PROPOSED NORTH ELEVATION (1:50)



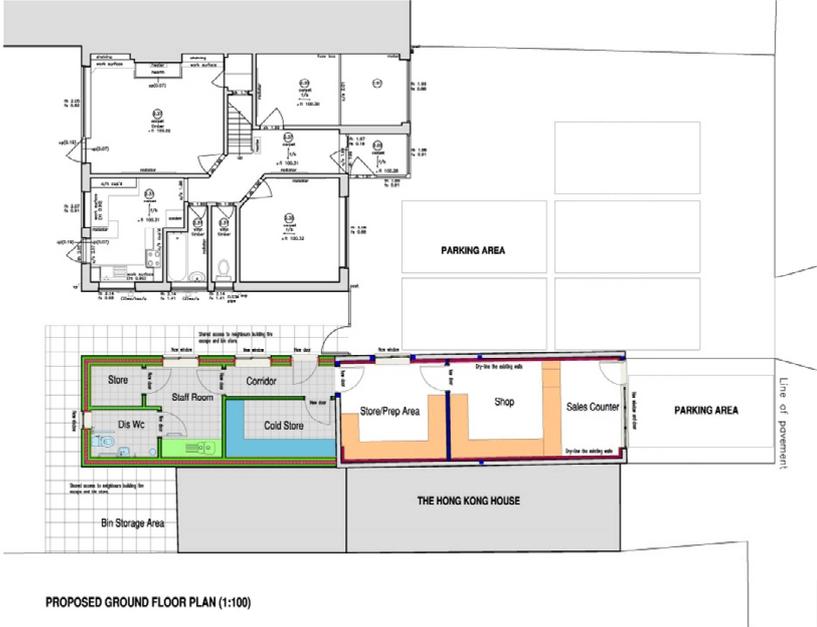
PROPOSED WEST ELEVATION (1:50)



PROPOSED SOUTH ELEVATION (1:50)



PROPOSED EAST ELEVATION (1:50)



PROPOSED GROUND FLOOR PLAN (1:100)



SITE LOCATION PLAN (1:1250)



SITE BLOCK PLAN (1:500)

**Richard S. Baily**  
 a Registered Professional Architect  
 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

PROPOSED SHOP REFURBISHMENT/  
 EXTENSION  
 HAMELIN  
 COVENTRY ROAD  
 NAGCROFTON  
 WARWICKSHIRE  
 CV8 3AP  
 PLANS AND ELEVATIONS  
 PROPOSALS  
 Scale: 1:50, 1:100 @ A1 Sheet: 14/01/16 Drawn: ML  
 Drawing No.: 5078/10