

**Planning Committee:** 14 December 2005

**Item Number:** 17

**Application No:** W 05 / 1820

**Registration Date:** 08/11/05

**Town/Parish Council:** Stoneleigh

**Expiry Date:** 03/01/06

**Case Officer:** Martin Haslett

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**Sewa Hall, Hill Farm, King's Hill Lane, Stoneleigh, Coventry, CV3 6PS**

Retention of Implement store and workshop (Retrospective application) FOR Mr G Samra

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**SUMMARY OF REPRESENTATIONS**

Parish Council: no observations.

**RELEVANT POLICIES**

- (DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
- (DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
- (DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

**PLANNING HISTORY**

There have been various applications for the dwelling and the converted barn which adjoin, but the history of the rear part of the site, to which this application relates, starts in 2004. Application W04/1569 was a retrospective proposal for the erection of a storage unit for farm implements/workshop and construction of a tennis court with 3m high chain-link fencing. This proposal was refused for the following reason:

- 1 *The site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the rural character of the area will be retained, protected and wherever possible enhanced. Local Plan policy (DW) ENV1 and emerging policy DAP1 of the first deposit version of the Local Plan (1996-2011) state that development will not normally be permitted, except in very special circumstances, for the construction of new buildings, unless it fulfils specific criteria. The proposed storage unit does not satisfy any of these criteria and, in the Planning Authority's view, very special circumstances for its retention sufficient to justify departing from the development plan have not been demonstrated.*
- 2 *The application site is within a Green Belt and Special Landscape Area, where both Structure Plan and Local Plan policy seek to conserve and protect the rural landscape. It is considered that the proposed storage unit would have a detrimental impact on the rural landscape due to visual intrusion and impact on the openness of the area and would thereby be contrary to policies GD.6 and ER.4 of the Warwickshire Structure Plan and Policies (DW) ENV1 and (DW) C8 of the Warwick District Local Plan and emerging policy DAP1 and DAP3 of the first*

*deposit version of the Local Plan (1996-2011).*

A subsequent application was made for the tennis court on its own, which was granted permission earlier this year (application number W05/360). The current application is made in the hope of convincing the local planning authority that the retention of the wooden building is acceptable. The difference between the current application and the previous one is that at the time of the previous application the building was used for domestic storage, whereas now it appears to be used as a agricultural machinery repairs building.

## **KEY ISSUES**

### **The Site and its Location**

Sewa Hall is a former farmhouse fronting King's Hill Lane, which adjoins converted barns, now in separate ownership. The site is approached through a driveway which leads to the rear, where the application site is situated. Here there is an existing shed which appears to be lawful and beside it is situated the application building. There are other outbuildings and outside storage further to the rear of it.

This part of the rear can be seen across the field from King's Hill lane, although the view is somewhat obscured by hedging and trees. On the further extremity of the land there is a mobile phone mast.

### **Details of the Development**

It is proposed to retain the shed. It is constructed with a brickwork plinth, with vertical timber boarding above and a felted roof. The dimension of the building are 9.4m by 5.2m with the eaves 3m high and the ridge at 4.3m. Although described on the application forms as 'retention of implement store,' the building appears to be used currently by 'Custom Mowers and Tractors' who are involved in repairs and servicing of agricultural machinery, etc. This would probably be a B2 (general industrial) use according to the Use Classes Order, and although it may serve agricultural businesses it is not an agricultural use in itself

### **Assessment**

The issues to be considered are whether the building has an adverse impact on the countryside, in the green belt and whether the current use is acceptable in this area.

The site is situated in the green belt and special landscape area where new buildings can only be allowed in certain circumstances. An agricultural building in this location would normally be acceptable, but although that is the stated use of the building, its present use is not in that category. An industrial building is not one of the acceptable categories in the green belt and the proposal as it is presently used, is therefore unacceptable. The structure has some impact on the openness of the green belt, but since it is seen against the background of the adjoining buildings the impact on the openness is limited. Nevertheless, the use of the building itself indicates a refusal under green belt policy.

The second issue relates to the use of the building and the impact it could have on the adjoining residential properties, including the barn conversions, which are in separate ownership. The use for agricultural machinery repair is one which can

cause considerable noise, to the detriment of the amenity of the adjoining residents. As such this also makes the application unacceptable.

### **RECOMMENDATION**

- 1) REFUSE, for the refusal reasons listed below.
- 2) That ENFORCEMENT ACTION be authorised.

### **REFUSAL REASONS**

- 1 The site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the rural character of the area will be retained, protected and wherever possible enhanced. Local Plan policy (DW) ENV1 and emerging policy DAP1 of the second deposit version of the Local Plan (1996-2011) state that development will not normally be permitted, except in very special circumstances, for the construction of new buildings, unless it fulfils specific criteria. The proposed storage unit does not satisfy any of these criteria and, in the Planning Authority's view, very special circumstances for its retention sufficient to justify departing from the development plan have not been demonstrated.
  - 2 The application site is within a Green Belt and Special Landscape Area, where both Structure Plan and Local Plan policy seek to conserve and protect the rural landscape. It is considered that the proposed storage unit would have a detrimental impact on the rural landscape due to visual intrusion and impact on the openness of the area and would thereby be contrary to policies GD.6 and ER.4 of the Warwickshire Structure Plan and Policies (DW) ENV1 and (DW) C8 of the Warwick District Local Plan and emerging policy DAP1 and DAP3 of the second deposit version of the Local Plan (1996-2011).
  - 3 The application site adjoins residential properties where policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP2 of the second deposit version of the Local Plan (1996-2011) seek to resist development which would fail to harmonise with its surroundings in terms of land use. It is considered that the proposal would be detrimental to the residential amenities of the area by reason of the likely noise which the agricultural machinery business would generate, and would thereby prejudice the objectives of the policy.
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