

**Planning Committee:** 21 February 2006

**Item Number:** 06

**Application No:** W 05 / 2070

**Registration Date:** 21/12/05

**Town/Parish Council:** Baddesley Clinton

**Expiry Date:** 15/02/06

**Case Officer:** Debbie Prince

01926 456555 [planning\\_west@warwickdc.gov.uk](mailto:planning_west@warwickdc.gov.uk)

**Old Keepers Lodge, Haywood Lane, Baddesley Clinton, Solihull, B93 0DG**  
Erection of a new dwelling after demolition of existing FOR Mr & Mrs C Agnew

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

### **SUMMARY OF REPRESENTATIONS**

**Baddesley Clinton Parish Council** raises objection on the following grounds:-  
The proposal is completely out of character with its Green Belt Location. It is in a particularly sensitive rural area, within ancient woodland(Haywood and in close proximity to an historic church and important National Trust property.  
-The design and appearance of the proposed application are at odds with the nearby architecture, something more in the vernacular would be more appropriate.

This response is made in relation to the additional plans received by the Parish Council on 21st January 2006.

The Parish Council have considered the presentation document in support of the application for a replacement dwelling at Old Keepers Lodge. Whilst it is a nice glossy presentation, it is no more than that. There is nothing in the document which alters the unanimous and exceptionally strongly held views of the parish council that this proposal is totally unsuitable for its location in the Green Belt and Special Landscape area.

It is claimed in the presentation document that it would "create a high quality proposal which has been designed to be in keeping with the site and to fit into this landscape and which makes a positive bond with Baddesley Clinton and its rich history. The Parish Council believe this proposal is the antithesis of the statement made.

The parish Council are of the view that the design utterly fails to harmonise with its surroundings. The location is in close proximity to an ancient woodland and buildings of historical importance. It is an area which has importance not only to those living nearby but is an amenity area used by many riders, walkers and ramblers visiting the area and Baddesley Clinton Hall. If the proposal were allowed it would cause significant harm to its Green Belt Location and the Parish Council urge that permission be refused.

**Neighbours-** No views received.

**WCC Ecology** request bat protection measures.

### **RELEVANT POLICIES**

- (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)
- DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 Revised Deposit Version)

## **PLANNING HISTORY**

The existing property has been much extended, together with numerous extended outbuildings. It was originally a game keepers cottage, with large eave overhangs, giving the property a unique character. However, because of the extensions, the dwelling is not of a listable quality. The Council's Conservation Architect who has investigated the property confirmed this with English Heritage when the original outline application was submitted in 2002.

Permission was then granted in January 2003 for outline planning permission to replace the dwelling with what could be described as a modern interpretation of the "keepers lodge" , in broad accordance with indicative plans submitted as part of the application. The extension to time allowed for implementing this permission was granted on the 16th January 2006 which gives them until 2009 to submit reserved matters.

## **KEY ISSUES**

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

The property is in a remote location to the south of the village of Baddesley Clinton. There are no immediate neighbouring properties, apart from other randomly located dwellings along Haywood Lane, all of different periods and sizes. The site is set away from the road, up a long drive which is also a bridle way, with the backdrop of Hay Wood to the east.

### **Details of the Development**

It is proposed to demolish the existing " keepers lodge" and replace it with a modern contemporary designed dwelling and a detached garage and carport with home office accommodation above in a similar style. The new dwelling would be located on a level site to the north of the existing property with Haywood an Ancient Woodland to the east. This would also be on the footprint of the illustrative scheme granted outline consent.

The property would be two storey with a flat roof (roof height of 6.1m) and the garage block is similar (roof height of 5.3m).The design of the ground floor uses masonry ,whereas at first floor the facade would be timber clad. Both floors have large, near full height windows. The front elevation facing Haywood Lane is articulated and split so that the first floor is set back and this area used as a balcony. The central part of the house contains an entrance door and behind this the dining hall with an atrium.

### **Assessment**

The replacement of the existing buildings has been agreed in principle. The location of the proposed dwelling would mean that it would be less visible from Haywood

Lane and neighbouring properties than the existing dwelling. The property would also be located further away from the bridle way.

PPG2 guidance states that replacement dwellings should not be materially larger than the dwelling it replaces. The outline scheme previously permitted represented a 42% increase in floor area ,however, the footprint of the property was only a 3% increase over the existing buildings on the site. This scheme would involve a dwelling of floor area 426.2sq m and a volume of 1156 cu m which represents a 0.6% reduction in floor area and a 12.5% reduction in volume from that previously granted. Therefore, I consider that the proposal is not higher, larger or greater in size than the approved indicative design.

The design of the property is wholly contemporary, but it is evident that it has incorporated features and influences from the surrounding area, woodland and the National Trust property at Baddesley Clinton. Moreover, by the clever use of materials and the articulation of the design, I consider that the proposed property, although very modern would compliment its surroundings and blend in successfully with its dramatic backdrop of Haywood.

It is proposed to remove permitted development rights regarding the painting of the dwelling, together with rights to extend the dwelling in order to protect its sensitive setting in the future.

### **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 1279/31F,1279/41A,1279/40C,1279/39F,1279/37F and specification contained therein, submitted on 21st December 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed ground levels of the development, including the finished floor levels of the dwelling have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development

shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 5 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 6 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this dwelling which occupies a sensitive green belt location.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : To retain control over the of design and appearance for this dwelling which occupies a sensitive green belt location.
- 8 No lighting shall be fixed to the external walls or roof of the building hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

### **INFORMATIVES**

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

The proposed replacement dwelling is not materially larger than the existing dwelling and does not result in a greater impact on the character and openness of the rural area. The proposal is therefore considered to comply with the policies listed.

