

Planning Committee: 06 April 2011

Item Number:

Application No: W 09 / 0620

Town/Parish Council: Shrewley

Case Officer:

Debbie Prince

01926 456555 planning_west@warwickdc.gov.uk

Registration Date: 20/07/09

Expiry Date: 14/09/09

Northleigh House, Five Ways Road, Shrewley, Warwick, CV35 7HZ

Replacement of unsafe old building (retrospective application) FOR Mr & Mrs Morgan

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

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: Objection on the following grounds -

1. The old shed has been replaced by a Tyrolean type building far exceeding in size the existing shed. It would appear that this is for the B&B business. This building is erected on the existing right of way ie. a footpath. A site visit would clarify the situation.
2. I have enclosed a photo stat copy of the Parish council's comments, from which you will gather that retrospective planning permission is not favoured by the whole of the Parish Council and that permission should not be retrospectively granted.

A change of use needs to be applied for.

Public response: No views received.

Ramblers: Has no objection as long as the replacement building does not encroach onto the line of the public footpath W65.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- Planning Policy Guidance 2 : Green Belts

PLANNING HISTORY

W/09/1165 Change of Use from Bed and Breakfast to Learner Centre for up to 15 children was granted permission by Planning Committee on 23rd November 2009, this use has now been implemented.

The applicant was contacted following this permission and asked if they wished to withdraw this application. The applicant has stated that they still wish the application to be determined and that the building would be used ancillary to the use of the main house as a Learner Centre.

KEY ISSUES

The key issue in this case is the impact of the building on the openness of the Green Belt

The Site and its Location

The application property is a large detached dwelling which has benefited from substantial extensions, and was formerly in use as a guest house and ancillary dwelling. The property stands in an isolated position on the western side of Five Ways Road, along which there are a number of small groups of dwellings and agricultural buildings. The area is within the Green Belt. A public footpath runs along the side (southern) boundary of the site near to the building, from the Five Ways Road to agricultural land beyond. The nearest residential property is 150m away.

Details of the Development

The proposal involves the retention of a replacement wooden chalet/shed measuring approximately 6.0m x 3.3m x 4.2m to ridge.

Assessment

The Parish Council are most concerned that the current building is larger than the original. However, according to the Ordnance Survey map a larger building has been plotted in this location. Furthermore, as the new building itself is not in my opinion overly large and located within the curtilage of the property I do not consider that it would have any significant detrimental impact on the openness of the Green Belt. There was also concern expressed that it was located on the line of the public footpath, which is not the case.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted shall be retained strictly in accordance with the details shown on the approved drawing(s) Elevational and floor plans unnumbered, and specification contained therein, submitted on 20th July 2009 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 2 The outbuilding shall be used for purposes incidental to the use of the main property. **REASON** : To protect the amenities of the surrounding area, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.

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:

In the opinion of the District Planning Authority, the development does not unacceptably harm the general openness or rural character of the green belt within which the property is situated, by reason of its scale, design and siting. The proposal is therefore considered to comply with the policies listed.
