

Planning Committee: 22 May 2019

Item Number: 7

Application No: [W / 18 / 2390](#)

Town/Parish Council: Ashow

Case Officer:

Lucy Hammond

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Registration Date: 11/02/19

Expiry Date: 08/04/19

Woodlands House, Ashow Road, Ashow, Kenilworth, CV8 2LE

Conversion of existing garage for horse boxes and trailers to a two bedroom dwelling
(resubmission of application W/17/1357) FOR Mr & Mrs Mc Leod

This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

RECOMMENDATION

That planning permission be refused for the reason set out at the end of this report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to convert an existing outbuilding in the curtilage of the host dwelling into a single dwelling. No further extensions are proposed to the building to facilitate the conversion; the only associated works being fenestration alterations as required and the sub-division of the existing garden to create a small garden for the new dwelling separate from the host dwelling.

THE SITE AND ITS LOCATION

Woodlands House, the host dwelling, is a large detached dwelling set within a proportionately large plot on the western road leading out of Ashow, which is a Limited Infill Village. The site is within the village boundary and is also within the West Midlands Green Belt and the Ashow Conservation Area. Woodlands House is served by two accesses off the road to the north; one is in regular use serving the main dwelling, while the other, in closer proximity to the outbuilding subject to this application is gated and not currently in use. The access punctuating the road frontage boundary however is already present.

The detached outbuilding forming the subject of the development proposals is within the curtilage of the main property, located within the north east corner of the plot close to the road. The building is a domestic outbuilding, used for garaging/storage purposes as well as historically being used for horse boxes and trailers, still in association with the host dwelling.

PLANNING HISTORY

W/17/1357 - Conversion of existing garage for horse boxes and trailers to two bedroom dwelling - Refused

W/07/0481 - Erection of new pitch roof over the existing garage – Approved

W/06/1833 - Erection of single storey porch extension to front of property and new 2 storey bay extension at rear, and single storey side extension – Approved

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Stoneleigh & Ashow Parish Council: No objection providing the Highway Authority's objection is removed

WCC Highways: No objection subject to condition

WCC Ecology: No objection subject to condition and advisory notes

ASSESSMENT

The main issues relevant to the consideration of this development are:-

- The principle of development;
- Whether the proposal constitutes appropriate development in the Green Belt;
- Visual impact / character of the area;
- Impact on heritage assets;
- Impact on neighbouring amenity;
- Highway safety, access and parking; and
- Ecology

The principle of development

The principle of development is twofold. Consideration needs to be given not only to the provision of new residential development in this area but also to whether or not the development constitutes an appropriate form of development in the Green Belt.

The principle of new dwellings in this location

Policy H1 of the Local Plan relates to the direction of new housing, stating in which circumstances housing development will be permitted. Of relevance to this particular application is bullet point (c) of the policy which states that housing will be permitted in the boundaries of Growth Villages and Limited Infill Villages, as identified in the policy and as shown on the Policies Map.

Ashow is listed as one of the Limited Infill Villages in the table setting out the Village Hierarchy. The Policies Map for Ashow identifies the application site as being within the Infill Village Boundary and is therefore suitable, in principle, to be developed.

The explanatory text to the policy states that in the case of Limited Infill Villages lying within the Green Belt (of which Ashow is one) the type and scale of development will be more restricted and includes, for example, limited infill development.

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified

Policy DS18 of the Local Plan states that the Council will apply national planning policy to proposals within the Green Belt. The NPPF, at paragraph 146, lists certain other forms of development that are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. One such example is the re-use of buildings provided that the buildings are of permanent and substantial construction.

The proposal involves the conversion of an existing building within the curtilage of the site. This is a brick built structure with a tiled roof and is therefore of permanent and substantial construction. No external works are proposed to facilitate the conversion, which would make use of the existing building in its current form without further extending or adapting it. To that end, in accordance with paragraph 146 of the NPPF, the proposal constitutes appropriate development in the Green Belt and as such the submission of very special circumstances is not required.

Conclusions on the principle of development

The application site is within the village boundary of Ashow which is classified as one of the District's Limited Infill Villages. The principle of new residential development in such a location is acceptable in accordance with Policy H1 of the Local Plan. Additionally, the proposal to re-use an existing building which is of permanent and substantial construction would neither harm the openness of the Green Belt nor would it conflict with the purposes of including land in Green Belt.

Overall, the principle of development is considered to be acceptable subject to an assessment being made of the other relevant planning considerations which are set out below.

Visual impact / character of area

Very little is proposed in the way of physical change to the building as it stands in its current condition. Fenestration alterations represent the key change to facilitate the use of the building as a dwelling which are broadly in keeping with the general character and appearance of the building. It is therefore not considered there would be any visual harm resulting from the physical appearance of the building since it would appear broadly similar to the existing structure in physical terms.

However, in respect of the character of the area, this part of the village is sporadic in development with the western road out of the village on which the site is located containing only a small number of properties, all of which are substantial in size, set within proportionately large plots. The majority of residential development within the village is in a linear row, sitting on both sides of the main road running north to south through the village which sits to the east of the application site.

The prevailing character of residential development in the locality is large detached properties in equally large plots, with reasonably spacious gaps between buildings. The plot sizes of all those properties which immediately surround the application site (11 in total, including the application site itself) have been considered and the average plot size has been calculated to be in the region of 2,200sq.m. By way of a comparison, the proposed development, which would result in the sub-division of the host dwelling's curtilage to create a smaller plot for the new dwelling, would provide a dwelling within a plot size of just 400sq.m. which is approximately 80% smaller than the average plot size in the vicinity. There is one property in the vicinity, occupying the corner position at the junction with the main road through the village, whose plot size is 675sq.m. while every other property ranges in plot size from 1000sq.m. up to over 6000sq.m.

Having regard to the organic nature of the settlement pattern within the village of Ashow it is evident that properties and their respective gardens increase in size as built development leads out of the village. The new dwelling proposed would be at odds with the prevailing character of the settlement pattern by reason of the awkward and incongruous sub-division of the host dwelling's curtilage which would result in an uncharacteristically small dwelling set within an even more uncharacteristically small plot size. Moreover, the arbitrary curtilage defined around the proposed new dwelling would share an awkward and rather uncomfortable relationship with the host dwelling by reason of a small 'L-shaped' plot being created in the top north eastern corner of the site. This in itself would not reflect the overall sense of spaciousness between dwellings along this part of the road.

Accordingly, while it is considered that there would be no visual harm in terms of the physical building itself, it is considered that there would be demonstrable harm caused to the character of the area by reason of the introduction of a property and plot size which in no way reflects the prevailing character found within the locality.

To that end the development is considered to be contrary to the provisions of Policy BE1 of the Local Plan which requires development to positively contribute to the character and quality of its environment through good layout and design, particularly by harmonising with the existing settlement in terms of physical form, patterns of movement and land use.

Impact on heritage assets

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In the exercise, with respect to any buildings or other land in a conservation area [of any functions under the planning acts]...special attention shall

be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal.

The proposal would re-use the existing building in its current form without any significant modification or further extension. Subject to appropriate materials being used in the conversion project, for example, the use of timber windows rather than uPVC, the development would not cause any undue harm to the character and appearance of the conservation area and as such the development would accord with Policy HE1 and the relevant provisions of the NPPF.

In making this assessment, regard has been had to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

Impact on neighbouring / residential amenity

It is not considered that the placement of new openings in the new dwelling would result in demonstrable harm to neighbouring properties by reason of overlooking nor is it considered that the building, which is already present on the site, would result in harmful overbearing or overshadowing impacts to neighbours.

In the previously refused scheme, it was considered that the relationship of the garden area for the proposed dwelling, to the host dwelling, was substandard, having regard to the juxtaposition between the host dwelling's substantial extension with full height glazed doors looking directly onto the proposed private garden of the new dwelling. This was deemed to be unneighbourly and unacceptable in terms of the proposed privacy levels for the new dwelling and its occupants.

However, since the previous application was considered, a new close board timber fence has been erected around the perimeter of the new garden which provides sufficient screening between the two properties, such that this is no longer considered to be an unacceptable impact sufficient to justify a refusal of permission. Accordingly, it is considered that this previous reason for refusal has been overcome and the development accords with Policy BE3 of the Local Plan.

Access and parking / Highway safety

One of the previous reasons for refusal was related to highway safety and the provision of substandard visibility splays at the access proposed to serve the new dwelling. However, since that time, circumstances on site have changed. In the first instance, the speed limit on Ashow Road has since been reduced from 60mph to 30mph and in addition to that, the applicant has undertaken and submitted a speed survey as part of this revised application. The speed survey shows low speeds at the location, which are in line with the new reduced speed limit.

Revised drawings have also been provided, demonstrating that a visibility splay appropriate for the measured speeds can be provided, along with sufficient turning and parking within the site itself.

The County Highways Officer, who has visited the site, has had regard to the previously refused scheme as well as taking into consideration what has materially changed since the last application was considered. Overall, the revised response of the Highway Authority is one of no objection, which is subject to the imposition of a condition requiring the requisite turning and parking space within the site.

The development is now considered to comply with Policy TR1 of the Local Plan which requires development to provide safe, suitable and attractive access routes for users of motor vehicles in such a way as to not cause detriment to highway safety.

Ecology

The County Ecologist initially requested a bat survey to be undertaken but on further consideration concluded that the development would not be harmful to protected species subject to the works being undertaken sensitively and in accordance with recommended conditions. Accordingly the development is considered to accord with Policy NE2 of the Local Plan.

SUMMARY / CONCLUSIONS

The principle of development is considered acceptable in respect of both the location for new housing to be created and also in terms of Green Belt. The re-use of an existing building constitutes an appropriate form of development in the Green Belt for which the submission of very special circumstances is not required.

Notwithstanding the principle of development being considered acceptable in accordance with Policy H1 of the Local Plan and paragraph 146 of the NPPF, the proposed sub-division of the host dwelling's curtilage would result in the creation of a very small dwelling within an equally small plot size which is uncharacteristic of the immediate surrounding character and would not reflect the surrounding settlement pattern within the village. Similarly, it would result in a new dwelling and its curtilage being crammed into the north eastern corner of the site which would share an awkward relationship with the host dwelling and would be at odds with the general sense of spaciousness that exists between dwellings in this part of the village.

Previous reasons for refusal related to neighbour amenity and highway safety have now been resolved and these aspects of the development are now considered to be acceptable and in accordance with the relevant provisions of the Development Plan.

No protected species or other features of ecological importance would be impacted by the development, however, in light of the above considerations related to the impact on the character of the area, it is considered that the development would fail to comply with Policy BE1 of the Local Plan. For this reason it is recommended that planning permission be refused.

REFUSAL REASONS

- 1 Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted where it positively contributes to the character and quality of its environment through good layout and design. In particular development proposals will be expected to demonstrate that they (inter alia) harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement

and land use.

The proposed sub-division of the host dwelling's curtilage would result in the creation of a very small dwelling within an equally small plot size which is uncharacteristic of the immediate surrounding character and would not reflect the surrounding settlement pattern within the village. Similarly, it would result in a new dwelling and its curtilage being crammed into the north eastern corner of the site which would share an awkward relationship with the host dwelling and would be at odds with the general sense of spaciousness that exists between dwellings in this part of the village.

In the opinion of the Local Planning Authority the development is therefore considered to be contrary to the aforementioned policy.
