

Application No:W12 / 1196

Town/Parish Council: Lapworth

Case Officer: Emma Spandley

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Registration Date:07/11/12

Expiry Date:02/01/13

Meadow Hill Farm, Lapworth Street, Bushwood, Lawsonford, Henley-in-Arden, B95 5ES

Retrospective changes to elevations FOR MrWood

This application is being presented to Committee in order to request that enforcement action be taken.

RECOMMENDATION

To refuse planning permission and to authorise appropriate enforcement action directed at the roof alterations and fenestration details on the outbuildings and to reinstate the former outbuildings appearance back to the appearance, prior to the unauthorised works being carried out, with a compliance period of 3 months.

DETAILS OF THE DEVELOPMENT

Due to the complicated nature of the application it is important to explain the planning history of the site first in order to be able to identify the specific details of the case.

Planning application W/08/3511 was granted for the change of use of the existing agricultural buildings to be used as part of the existing house and the erection of a two storey rear extension, granted 9th July 2008.

In 2009 a planning application was submitted (W/09/0898) for a replacement dwelling, this was refused on 7th September 2009, due to the size and the structural stability of the existing house. This was subsequently allowed on appeal on 15th March 2010.

A further application was submitted in 2009 (W/09/1249) for the addition of a new brick skin to the front elevation. This was granted on 24th November 2009. This application did not show the previously approved two storey rear extension or the conversion of the outbuildings and proposed to construct a brick skin to the rear elevation of the property including part of the existing outbuildings under permitted development.

W/12/0705 application for a Lawful Development Certificate for the construction of a 3 car garage within the residential curtilage; granted 17th August 2012.

The applicant has commenced both the 2008 & 2009 permission concurrently for the two storey rear extension, the conversion and the brick skin with significant alterations to the buildings and this means that neither of the permissions relate to the approved drawings. The changes include:

A single storey extension has been added to the side elevation of the two storey rear extension. The fenestration detail in the two storey extension has been modified.

The brick skin to the rear of the outbuildings required planning permission

The ridge line of the roof of the outbuilding immediately attached to the existing dwelling has been raised and now is viewed as a seamless link between the existing house and the outbuildings. On the same outbuilding the eaves have been raised to the rear and the window and door configuration are not as approved in either the 2008 and 2009 permission.

The approved dormer window within the rear elevation of the attached outbuildings has been increased in size and now extends past the eaves of the building. A velux window has also been added to this roof plane.

On the two storey projecting part of the original outbuildings the roof has been altered to create a gable end from a hipped roof. Patio doors and a juliette balcony has been added at first floor level in the resultant gable end and patio doors have been added at ground floor level.

On the next single storey section of the existing outbuildings a window position has been altered. A window within the side and front elevation of this section of outbuildings has also been added. A window and door were shown within the 2008 permission however as built, the door has been omitted and a larger window included.

A chimney stack has been added to the side of the existing house instead of an internal chimney and the window and door configuration is different to that approved in either the 2008 or 2009 permission.

The issue with regards to the timing of the implementation of the 2008 and 2009 planning permission is a technical matter, along with some several minor works. However, the unauthorised works to the outbuildings which involves:

- The ridge line of the roof of the outbuilding immediately attached to the existing dwelling being raised which is now viewed as a seamless link between the existing house and the outbuildings. On the same outbuilding the eaves have been raised to the rear.
- The approved dormer window within the rear elevation of the attached outbuildings as been increased in size and now extends past the eaves of the building.
- The roof of the two storey projecting part of the original outbuilding, being altered to create a gable end from a hipped roof.
- Patio doors have been added at ground and first floor, with a juliette balcony at first floor.

These elements are considered unacceptable as combined they tantamount to a very domesticated appearance to the existing outbuilding.

THE SITE AND ITS LOCATION

The application property is sited near the top of the hill rising from the village of Lowsonsford about 150m to the south. The property is set back a short distance from the road in a visually prominent location with the Green Belt. To the rear is a small garden, with agricultural land beyond.

PLANNING HISTORY

As above.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council: No objection.

Assessment

The main issues in consideration of this application is whether the works that have been implemented are acceptable in the Green Belt.

The National Planning Policy Framework 2012, paragraph 90 states that certain forms of development are not inappropriate within the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction.

Local Policy RAP7 states proposals to re-use and adapt existing rural buildings will be permitted where: a) the building is of permanent and substantial construction; b) the condition of the building and its nature and situation makes it suitable for re-use/adaptation; c) the proposed use can be accommodated without extensive re-building or alteration to the external appearance of the building; d) the proposal retains and respects the special qualities and features of listed or other traditional buildings; e) the appearance and setting of the building following conversion protects, and where possible enhances, the character and appearance of the countryside; and f) the proposed use would not give rise to legitimate planning objections which would otherwise outweigh the benefits of re-use or adaptation.

The conversion of the former agricultural buildings into residential was approved under W/08/0351 together with a two storey rear extension to the existing house.

The conversion of the buildings included little external alterations to the front elevation with the inclusion of a window to the ground floor and roof lights in the outbuilding joined to the existing property. The ridge, eaves and roof pitches all remained the same and retain the agricultural appearance of the buildings.

Under permission W/09/1249 permission was granted to brick skin the existing property and the first two outbuildings to the front elevation.

The entire front elevation has been brick skinned with the difference in footprint making all the structures now appear as one uniformed development.

However the main changes relate to the rear of the property. It is considered that the changes detailed above which have occurred to the existing outbuildings are unacceptable as it tantamount's to a very domesticated appearance to the existing outbuildings. This is in conflict with Policy RAP7 as the buildings appearance does not resemble the original rural character, which justified why planning permission was granted for the conversion of the building in the first instance. In terms of the visual impact on the Green Belt the changes effectively appear as a large scale domestic extension to the property which conflict with Green Belt policies.

Summary/Conclusion

It is considered the changes to the outbuildings create an appearance, which has radically altered the former agricultural buildings visual composition, by introducing overly domesticated features which have create a visually incongruous structure within the landscape, bearing little or no resemblance to an agricultural building and thus defeating the aims of re-using rural buildings, and the aims of the NPPF to ensure that conversions preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

REFUSAL REASONS

The changes to the outbuildings create an appearance, which has radically altered the former agricultural buildings visual composition, by introducing overly domesticated features which have create a visually incongruous structure within the landscape, bearing little or no resemblance to an agricultural building and thus defeating the aims of re-using rural buildings contrary to Policy RAP7 of the Warwick District Local Plan 1996-2011 and the aims of the NPPF to ensure that conversions preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.
