

Application No: W 06 / 0891

Registration Date: 26/05/06

Town/Parish Council: Bishops Tachbrook

Expiry Date: 21/07/06

Case Officer: John Beaumont

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Wyslade Farm, Oakley Wood Road, Bishops Tachbrook, CV33 9RT

Erection of a two storey detached family dwelling with new approach drive and garage, to replace existing bungalow and garage. FOR Laura Ashley-Timms

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

SUMMARY OF REPRESENTATIONS

Parish Council: Objection on the basis that the new building is considerably larger than the existing one. It would be visible to residents whereas the existing one is not and the materials used would not be in keeping with the environment.

Neighbours: Two neighbours have objected to the application on the grounds that the proposed dwelling would intrude into views from their properties towards Chesterton Windmill. Suggestions were made as to how the scheme could be amended to make it less obtrusive.

WCC (Ecology): Bat survey required prior to the demolition of the existing dwelling.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- RAP4 - Replacement Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)
- Government guidance is contained in PPS7, sustainable development in rural areas. In respect of the replacement of buildings in the countryside it states:-
"The Government is also supportive of the replacement of suitably located, existing buildings of permanent design and construction in the countryside for economic development purposes. The replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and landscape."

PLANNING HISTORY

Planning permission was granted for the existing bungalow in 1964 as an agricultural dwelling; the agricultural occupancy condition was removed in 1993, W921322.

Planning permission for the erection of a side ground floor extension, erection of a roof extension to provide for first floor living accommodation and alterations to the elevations, was granted in 1997, W970383; this permission has now expired.

(N.B. The site adjoins former agricultural buildings. An application for the reuse of one of these as a joinery workshop and the replacement of an adjoining building by new steel structures was refused in April 2006, W060219; a fresh application for the use of the existing building as a joinery workshop is presently under consideration, W060956).

KEY ISSUES

The Site and its Location

This site is located in open countryside to the south-east of the village of Bishops Tachbrook, accessed via an unmade track which leads off Oakley Wood Road; at the junction with Oakley Wood Road are two dwellings, 35 and 37 Oakley Wood Road which look back towards the site and have views from their rear first floor windows across towards Chesterton Windmill. This access track serves a number of other dwellings and allotment gardens. Adjacent to the application site are a number of former farm buildings presently in business use; a planning application W060956 to retain the use of one of these as a joinery workshop is presently under consideration.

The application site contains a 1960's style bungalow with a low pitch felt roof. Around the bungalow a number of leylandi trees have been planted generally some 6 m and higher in height. A substantial summerhouse has been erected to the rear of the bungalow. The bungalow itself enjoys open views across the agricultural landscape to the south and east of the site. The access drive for the bungalow presently passes in front of former farm buildings to the south-west of the site. The site is visible from public footpath W114 and would be more prominent when viewed from two other footpaths to the south of the site for which applications to establish their status as definitive footpaths (WK13H2, WK13G4) have been made.

Details of the Development

The proposal entails the demolition of the existing bungalow, its garage, the felling of the associated leylandi hedges and the erection of a new replacement dwelling and garage. It is also proposed to form a new access drive to the west of the site, across the adjacent vacant land which would be incorporated into the garden of the dwelling; the existing access would be taken up and turfed over. The application site layout plan shows the areas immediately around the proposed dwelling to be laid out formally with lawns with the balance of the site to have a more informal appearance with new tree planting and wild flower meadows. The existing summerhouse is shown to be retained.

The new dwelling is shown as being contemporary in its design and appearance. It would be simple in its form being rectangular in plan, two storey, flat roofed with the ground floor largely glazed and the first floor having cedar cladding with rectangular window openings. The design would incorporate precast stone panels with grey aluminium framed windows/doors. The house would have timber decking to the sides and front with a garage and parking area to the rear. The footprint of the house would be some 20 m by 13 m with a height of some 6.7 m; the garage would be some 7.5 m by 8.5 m.

The applicants have submitted a detailed design statement in support of the application. This includes details comparing the footprints and floor areas of the original bungalow, the size of the bungalow as granted permission to be extended (this permission has now lapsed) and the proposed dwelling.

The applicant's architects have also produced a computer generated photo montage showing the view of the proposed dwelling from the main bedroom of No. 37 Oakley Wood Road.

Assessment

There are no policies relating to replacement dwellings in the Warwick District Local Plan 1995. Whilst recognising this site is not within the Green Belt, Government Guidance PPG2, Green Belts, does recognise that replacement dwellings need not be inappropriate providing that the new dwelling is not materially larger than the dwelling it replaces. Furthermore, Government Guidance PPS7, Sustainable Development in Rural Areas, as set out in the policy section above, accepts the role of replacement buildings in the countryside. This guidance is reflected in Policy RAP4 in the Revised Deposit Draft of the Warwick District Local Plan 1996-2011; although this Local Plan is presently the subject of an inquiry and this policy can be given only limited weight, it nevertheless recognises that the replacement of dwellings of poor architectural design (not adding to the rural character of the area) may be acceptable, providing that any replacement dwelling is not materially larger than the existing dwelling and have no greater impact on the character and openness of the rural area.

Given this policy context, and the fact that the existing dwelling is a modern bungalow of 1960's design with a low pitch felt roof, adjoined by leylandi trees, I consider the felling of these trees and the erection of a replacement dwelling would be acceptable in principle. I consider, therefore, that the key issues to be considered are the size and design of the proposed new dwelling and its impact on the rural character of this locality and the amenity of neighbours.

With regard to the size of replacement dwelling, the applicant's architect has submitted details comparing the relative building footprints, height and floorspace of the existing bungalow, the extensions previously permitted and the proposed new dwelling. This shows that the footprint of the new dwelling (whilst rectangular rather than irregular) would not be dissimilar to the existing building with its previously permitted extensions. The overall height of the new dwelling with its flat roof would be 6.6 m, compared to 3.7 m as existing and 6.3 m as previously permitted to be altered to have a higher pitched roof. Clearly the amount of accommodation within the new dwelling, with its simple two storey rectangular form, would be significantly larger than either the existing dwelling or

the previously permitted extensions. I do not consider its massing, however, and its impact on the openness of the area would be significantly greater and hence I consider its size acceptable.

With the felling of the existing leylandi, the new dwelling would be more visible in the landscape than the existing building. It is also proposed to reposition the site of the dwelling to take better advantage of open views out towards the south-east and so the applicants can live on-site whilst the new dwelling is constructed; the 'slab level' of the new dwelling, however, will only be higher by 0.24 m than the existing dwelling. The existing leylandi trees, however, themselves appear as alien elements in this landscape and I consider their removal would be beneficial. The design of the new dwelling, with its largely glazed ground floor and cedar clad first floor will be undoubtedly contemporary in its appearance. This area, however, has not been designated of special landscape value and I consider that this proposal with its associated landscaping would be an acceptable addition to the architecture in this locality.

The siting and design of the new dwelling would be visible from the access tracks and footpaths in this area and from windows in the upper floors of Nos. 35 and 37 Oakley Wood Road. Given the distance, however, that the new dwelling would be from the aforementioned dwellings, some 215 m at its closest point, I do not consider the impact of the new dwelling on either the amenity of neighbours or the existing rural landscape would be such as to justify refusal; the applicant's architects have submitted a photo montage to show the comparative outlook from the bedroom of No. 37 Oakley Wood Road.

In conclusion, I consider the principle of a replacement dwelling to be acceptable and that the new dwelling, albeit contemporary in its design would be a satisfactory new element within this rural landscape.

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 drawing deposited with the District Planning Authority on 26th May 2006 and specification contained therein, 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 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.

- 4 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** : The site lies in an exposed rural location and this replacement dwelling has been granted planning permission having regard to its unique design and its proposed landscaped setting. It is considered, therefore, that any future development should be carefully considered to ensure the rural amenity of this locality is not adversely affected in accordance with Policy C1 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, in particular to achieve additional screening along the northern boundary of the site, 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 The existing bungalow on this site known as Wyslade Farm shall be demolished in its entirety and the existing leylandi trees within the site shall be felled within 3 months of the first occupation of the new dwelling hereby permitted. **REASON** : This site lies within a rural area and the erection of a new dwelling has been granted solely as a replacement for the existing property known as Wyslade Farm. To comply with policies H9 and C1 in the Warwick District Local Plan.
- 7 The existing drive shall be taken up and the associated entrance features shall be demolished and the land affected shall be restored to grass and the new access drive hereby approved shall be constructed within 3 months of the first occupation of the new dwelling. **REASON** : To enhance the rural character and appearance of this locality and the amenity of future residents in the dwellings hereby permitted in accordance with policies

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 adversely impact on the character and appearance of the area and achieves an acceptable standard of design. The proposal is therefore considered to comply with the policies listed.
