

Planning Committee: 03 May 2005

Principal Item Number: 14

Application No: W 05 / 0190

Registration Date: 03/02/2005

Town/Parish Council: Radford Semele

Expiry Date: 31/03/2005

Case Officer: Alan Coleman

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**Fosse Farm Stables, Fosse Way, Radford Semele, Leamington Spa, CV31
1XE**

Demolition of existing detached office building, conversion of living room and garage of dwelling to office use and external alterations comprising erection of pitched roof to replace corrugated sheet roof and installation of new sliding patio doors to south elevation. FOR Mr A Stewart

SUMMARY OF REPRESENTATIONS

Parish Council: No objection but express unspecified concern regarding the continuous succession of planning applications for this area and increase in traffic entering and exiting onto a busy highway.

WCC (Highway Authority): Express concerns regarding the potential intensification in the use of the access and harm to highway safety arising from inadequate visibility splays. Request details of the anticipated daily vehicle movements and types.

WDC (Environmental Health): Have concern about potential for noise nuisance to neighbouring residents but do not object, subject to restrictions on use and hours of operation, including access by service vehicles.

Neighbours: The residents of 6, 7, 11 and 14, Cedar Tree Farm and 9 and 9A Fosseway object on the grounds that the proposed development would be unsustainable in terms of employment and traffic generation; harm to neighbouring residents' amenities from noise and disturbance generated by on-site activities (loading, unloading, etc), and; harm to highway safety arising from increase in vehicle movements.

RELEVANT POLICIES

National Statements of Planning Policy

Planning Policy Guidance Note 1: General Policies and Principles.

Planning Policy Statement 7: Sustainable Development in Rural Areas.

Planning Policy Guidance Note 13: Transport

Warwick District Local Plan 1995

(DW) ENV3 - Development Principles

(DW) EMP4 - Employment Development in the Rural Areas of the District

(DW) C3 - Criteria for the Conversion of Rural Buildings

Warwick District Local Plan 1996 - 2011 First Deposit Version

DP1 - Layout and Design
DP2 - Amenity
DP3 - Natural Environment
DP6 - Access
DP7 - Traffic Generation
RAP1 - Development within Rural Areas
RAP2 - Directing New Housing
RAP7 - Directing New Employment
RAP8 - Converting Rural Buildings
DAP5 - Trees, Woodlands and Hedgerows

PLANNING HISTORY

The authorised planning use of the site is agricultural and includes a livery business. Planning permission was granted under delegated powers on 31 March 2005 for the erection of a conservatory and installation of sliding doors to replace existing doors and windows in east elevation of the existing bungalow under application W05/0189. The property is also the subject of a corresponding application W05/0137 being reported to this 'Committee for the conversion of an existing agricultural storage building to commercial storage of clothing.

KEY ISSUES

The Site and its Location

The site comprises an area of approximately 4800 sq. m (0.48 ha) and comprises an agricultural building and L-shaped bungalow with a linked-detached living room annex and garage within a walled courtyard. Access to the site is from the Fosse Way via an unmade private road that also serves neighbouring residential properties known as 'East Cottage' and 'West Cottage' to the north of the site. A residential development of converted barns at Cedar Tree Farm adjoins the site to the west, which is also accessed from the Fosse Way via a separate entrance.

Details of the Development

The proposals contained in this and corresponding application W05/0137 relate to the conversion of the barn to a storage warehouse with associated office for the applicants clothing company that would be run from the proposed office accommodation. It is confirmed that four people would work on site comprising the two owners and two administration staff. Car parking to serve the development would be contained within the courtyard and warehouse building.

The proposed office accommodation would be housed within the linked-detached living room annex and garage, with external alterations as described above.

The detached building to be demolished has already been removed from the site.

In terms of vehicle movements it is anticipated that a transit van would attend the site twice a week on average, together with two cars privately owned by the

applicant/owners and one further car in office hours for administrative staff. The office hours would be from 9.00 am to 5.30pm from Monday to Friday. The applicant/owners would also be resident in the evenings and at weekends.

Assessment

I consider the principal issues for consideration of the application are:

1. the principle of development;
2. traffic and highway safety and;
3. residential amenity.

1. The Principle of Development

National statements of planning policy and Development Plan policies support the conversion of agricultural buildings for employment uses where these are of a small scale or of a low intensity. In my opinion, the proposed office accommodation would be ancillary to the proposed use of the warehouse and would thereby also fall within the meaning of Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended). In itself I consider the proposed office would be small scale and, and in combination with the proposed use of the warehouse building, be of a low intensity.

2. Traffic and Highway Safety

The building is currently occupied as a dwelling and, by its very nature, would continue to generate domestic traffic. In addition, the proposals would generate additional traffic from staff employed in the proposed office. Nevertheless, the case is made that, together with the proposed use of the warehouse, the proposals would be unlikely to generate either the amount or nature of traffic that the authorised agricultural and livery uses could potentially create.

This assessment has been accepted by the Highway Authority who do not object to the scheme. Whilst it is likely that future residents will travel from the site and that staff employed will travel to the site, nevertheless I accept the contention that in traffic generation/sustainability terms the fact that the applicant/owners would reside on site would also remove a significant proportion of journey-to-work movements and work-to-home-movements.

3. Design and External Appearance

In my opinion, the proposed external alterations to the building would be acceptable in these terms.

4. Residential Amenity

Taking into account the nature and scale of the proposals, the anticipated level of traffic movements that would be generated and the distance that would be maintained between the property and the neighbouring dwellings, I do not consider the proposals would cause an unacceptable degree of harm to the amenities of neighbouring residents, both in themselves and in comparison with

the authorised use of the site. However, in order to safeguard neighbouring residents' amenities, I consider it would be appropriate, necessary, reasonable and relevant to control the nature and scope of the proposed use of the premises by conditions on hours of operation and the use of the site solely by the applicant for the stated use.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 41-02, and specification contained therein, submitted on 26 January 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or Class B8 of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any other order revoking and re-enacting those orders with or without modification), the use of the premises hereby granted shall be for office purposes in connection with the applicant's clothing business. Upon the cessation of the occupation of the site by the applicant, Mr A. Stewart, the use hereby permitted shall cease.
REASON : To retain control over the future development of the site and application premises in the interest of the character, appearance and open countryside environment of the site and highway safety.
- 4 The use of the premises for the purposes hereby permitted shall be restricted to the hours of 0900 to 1730 on Mondays to Fridays and shall not be used at all on weekends or statutory Bank Holidays.
REASON : To protect the amenities of surrounding properties, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 5 No development shall take place until a schedule of all external facing materials have been submitted to and approved by the District Planning Authority. 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 (DW) ENV3 of the Warwick District Local Plan 1995.