

Planning Committee: 12th December 2007 **Item Number:**

Investigation Number: ENF 244/24/07

Town/Parish Council: Lapworth

Case Officer: Martin Perry
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Catesby Cottage, Catesby Lane, Lapworth, B94 5QS
Retention of outbuilding/annex at Catesby Cottage
Property Owners Mr & Mrs C Greenway

This matter is being presented to Committee in order to request that enforcement action be authorised.

SUMMARY OF REPRESENTATIONS

In June 2007, following complaints, our investigations established that whilst planning permission had been granted for the construction of a garage, with store and study over, the buildings internal layout was not as approved and included a kitchen/dining area, bathrooms, bedrooms and some external changes to elevational details; fenestration.

RELEVANT POLICIES

- DP1 - Layout and Design, Warwick District Local Plan 1996 - 2011
- DP2 – Amenity, Warwick District Local Plan 1996 - 2011
- DAP1 – Protecting the Green Belt, Warwick District Local Plan 1996 - 2011

PLANNING HISTORY

W02/1133: Permission granted for the erection of a two storey pitched roof to sunroom a detached 2 bay car port with side store after demolition of garage.

W05/0688: Permission granted for the erection of a two storey extension.

W05/0922: Permission granted for demolition of existing garage and erection of a new garage.

W07/0079: Permission granted for erection of new garage to replace existing with store and study over.

W07/0283: Permission granted for the erection of a two storey side and single storey front extension.

W07/1591: **[16th November 2007]** Permission refused for retention of annex for uses incidental to the occupation of Catesby Cottage because layout as an independent dwelling was contrary to national and local policies.

KEY ISSUES

The Site and its Location

Catesby Cottage is in a secluded location situated within the Green Belt and Special Landscape Area. It has been subject to the addition of side and front extensions and is accessed by a long drive off Lapworth Street. It was the former outbuilding of Catesby House, which it adjoins. Catesby House has been converted into flats.

Details of the development

The development subject of this report consists of the construction of a detached building which in outward appearance is similar to the plans submitted and approved as part of application W07/0079 for a new garage with store and study over.

The interior of the building has not been laid out in accordance with the approved plans and now consists of living room, kitchen/dining room and toilet on the ground floor, two en-suite bedrooms on the first floor and external alterations.

The building does not now include provision for vehicle parking and a retrospective application to retain the development [W07/1591] was refused permission under delegated powers for the reasons indicated above.

Assessment

The site is situated within the Green Belt where national planning policy, set out in Planning Policy Guidance Note 2, *Green Belts* and the Warwick District Local Plan 1996-2011 seek to retain and protect the open rural character of the area and development is not normally permitted except in very special circumstances

The building is complete and capable of functioning entirely independently of the main dwelling and can be considered as a new dwelling, which is inappropriate development in the green belt.

Justification for Enforcement Action

The development has already taken place and the service of an Enforcement Notice will ensure that the unauthorised use ceases and does not recur at a future date.

RECOMMENDATION

That enforcement action be authorised requiring:

- [i] That the building be demolished, or
 - [ii] That the building be modified so as to comply with the structure for which planning permission was granted and used for the permitted garage, store and study purposes.
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