

Planning Committee: 06 April 2011

Item Number:

Application No: W 10 / 1392

Town/Parish Council: Shrewley

Registration Date: 18/01/11

Case Officer:

Debbie Prince

Expiry Date: 15/03/11

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Great Pinley Farm, Nunhold Road, Shrewley, Warwick, CV35 8NB

Erection of replacement outbuildings to provide ancillary accommodation to house. FOR Mrs J Green

This application is being presented to Committee due to an objection from the Parish Council having been received. This application is essentially the same as that brought before Planning Committee on 02/09/2010 with an amendment to the height of the ridge on the 1.5 storey portion of the building being reduced by 0.3m. The officers comments and recommendation are similar.

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council objects to this application as the minor reduction (200mm) in ridge height of the 2 storey part of the proposed development fails to satisfy the objections of the residents to the previous application W/10/0508. The PC does not feel that this amendment is sufficient to change the considered decision of the Planning Committee at the meeting on 2.09.10 to refuse this previous application because it failed to harmonise and had a detrimental impact upon the neighbours.

Public response: Three neighbours objected to the previous scheme on the grounds:-

No.1- Object. Loss of light and outlook from their facing bedroom windows, which are already overshadowed by the existing building. The annexe could easily be made into an independent unit by installing a kitchen. The boundary fence should be retained. Their land is 1 foot below that of the applicant so the impact of the building would be increased. Increased vehicle movements and people would infringe their living space. Security lighting on the building would intrude into the bedrooms. The presence of asbestos in the building to be demolished is also a concern. Devaluation of their property.

No.2- Object. Barn conversions should maintain the integrity of the original building; roof lights and dormer windows are not allowed or kept to a minimum. This proposal is a new build near the existing building and will be much wider, taller and longer than the existing building and does not maintain the integrity of the original building. Roof lights and solar panels would be unsightly. The pole barn which is constructed from timber posts and planks with corrugated sheets for a roof should not be taken into account as part of the existing building. No measurements are shown on the plans. The amended plans do not address any of the objections made. This appears to be a new dwelling which would be contrary to policy.

No.3/4- Object. Loss of view of farmhouse, tree and skyline. Their kitchen, hallway, landing, lounge and master bedroom face the proposal. Adverse visual impact on courtyard, and first impressions when entering the courtyard. Loss of

light to courtyard and overshadowing. Light spill from roof lights into courtyard. The building is excessively and inappropriately high and wide for this location very close to the courtyard. The building would be more than double the height it is now. A kitchen could easily be installed to make the annexe an independent unit which would be contrary to planning policies limiting new dwellings in the countryside. Reclaimed materials should be used, asbestos removed safely and any damage to the barns made good.

The same three neighbours object to the revised scheme on the same grounds but with these additional comments:-

It is not materially different to the previous scheme/the plans are identical to the previous scheme.

The building is still two storey.

The current building and its use has no adverse impact on neighbours or the surrounding area.

It would have an adverse impact on the courtyard setting of the neighbouring barns.

One neighbour states that they would not have any objection to a single storey building

The 2 storey building within the original barns complex was the original barn and has not been altered in any way, the new building would be higher than this and dominate.

One of the garages could easily be converted into another bedroom.

A single storey structure would provide the desired extra accommodation if the garaging was reduced.

Loss of light and disturbance from people traffic and security lighting would be experienced by the neighbouring barn.

WCC Ecology: As previously the submitted bat survey is acceptable and since no evidence of bats was found a bat note is recommended. Due to the existence of a pond nearby a condition requiring an ecologist to supervise ground works is recommended. Also nesting bird and badger notes. If works are delayed further then a repeat inspection could be considered necessary.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- Planning Policy Guidance 2 : Green Belts

PLANNING HISTORY

W/98/0871- Erection of a stable block.

W/94/1172- Conversion of an outbuilding to form a dwelling unit with garage and 2 car ports.

W/90/0322- Conversion of barns into 5 dwellings.

W/74/0852- Erection of bedroom extension.

1965- Extension and improvements to cottage.

W10/0508 Replacement of outbuildings to provide ancillary accommodation to house- Refused by Committee on the grounds that :-

Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 state that development will only be permitted which positively contributes to the character

and quality of the environment through good layout and design. Furthermore, development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents.

The proposal would have a serious adverse visual impact on the setting of the adjacent converted barn complex and would fail to harmonise with its surroundings. In addition there would be a serious adverse visual impact on neighbouring amenity.

The development is thereby considered to be contrary to the aforementioned policies.

KEY ISSUES

The key issues in this case are the visual impact on the courtyard and the impact on neighbouring amenity. This application is essentially the same as that brought before Planning Committee on 02/09/2010 with an amendment to the height of the ridge on the 1.5 storey portion of the building being reduced by 0.3m. The officers comments and recommendation are essentially the same .

Applicants Statement

The applicants wish to make this statement to Planning Committee:-

"At the previous Planning Committee Meeting members refused the application and went against officers **recommendation for approval** on the basis of the affect the proposal would have on the adjoining properties behind in the courtyard of converted barns.

It is clear to see from photographic evidence submitted with the application that there is already a **2-storey barn/building** within the adjacent development, which members may not have been aware of when they reached their decision and to take on board comments from the ward councillor who was aware of the current site conditions and 2-storey barn but appeared not to mention this important matter.

We hope the committee will review the new evidence in their deliberations of this application."

The Site and its Location

The application property comprises a detached two storey farmhouse and outbuildings which are set well back from the road and lie in a long L shaped plot. To the north of the farmhouse is a run of stables and a barn which are close to the northern site boundary with Great Pinley Barns, a development of residential barn conversions facing onto a central courtyard behind the outbuildings. These barns were originally part of the farm complex, and part of the front elevation of no.1 looks directly onto the side of the applicants stables.

The brick built stables have a low dual pitched tiled roof, and the attached pole barn is clad with timber with a corrugated metal roof. Close to the north of the complex is the M40 motorway while to the south is Nunhold Road, and the area is within the Green Belt.

Details of the Development

It is proposed to demolish the existing domestic stables and domestic outbuildings and to erect a replacement brick built structure with tiled roof in a similar position. The proposed structure is in three parts and would comprise a

single storey store, linked to a one and a half storey central annexe, linked to two single storey garaging bays. The annexe would provide a hallway and sitting room at ground floor with internal stairs leading to a bedroom with en suite and landing in the roof space above. The first floor of the annexe would be lit by 5 roof lights facing the farm house, the two garaging bays would be open fronted and the rear and side elevations would be blank. Following negotiation during the course of the previous application, the store part of the building was altered to address the impact on no.1 by reducing the roof height so it is no higher than the existing stables, hipping the roof, and providing a 12m space between the neighbours windows and the annexe part.

The applicant states that the existing building has a leaking roof, internal walls which are no longer safe and part of the building can no longer be used. Plumbing and water are already available in the building. The proposal is to provide ancillary accommodation for their adult children and elderly parents.

Assessment

The central part of the building is intended for use as an ancillary annexe to the farmhouse and will not be capable of independent occupation since it will not have its own kitchen facilities. Neighbours are concerned that the annexe could easily be converted into a separate dwelling through the installation of a kitchen at a later date, but the current application must be considered on its own merits and any future application would be judged against current planning policy and Green Belt guidance.

The replacement of existing domestic outbuildings is a category of development which is permissible in green belt areas.

Visual impact on courtyard

The proposed building is in part a replacement for the existing stables and pole barn, and there is currently a timber fence along the northern boundary of the site with the courtyard. The proposed building would be taller than the existing structures and therefore lead to greater loss of light and overshadowing of the courtyard, whilst also having a more overbearing impact. The tallest part of the building will now have a ridge height of 6.2m (0.3m lower than the previous proposal), with an eaves height of 3.6m, but would provide the first floor accommodation within the roof space. I do not feel that this height is excessive in this setting since the barn conversion on the opposite side of the courtyard is a full two storeys in height, rather than the 1.5 storey high building proposed. In addition the distance across the courtyard is about 25m which is substantial. The Council's relevant Distance Separation Standard for the front of two storey buildings facing the side of another two storey building is 12m, and these standards are used to secure a reasonable standard of amenity and outlook for residents. I recognise that this case is somewhat different to a standard urban development, since the proposal relates to barn conversions centred around an attractive courtyard, but the distance is so great that I do not see a justification for refusal. The building will cause greater overshadowing of the courtyard since it is located on the southern side, but I do not consider this would cause unacceptable harm to the residents which overlook it.

Impact on neighbouring amenity

The barn conversions on the opposite side of the courtyard (no's 2 & 3/4) which face the proposal are over 25m from the proposal, which is well in excess of the Separation Standard for facing two storey buildings, and in this case the

proposed building is not a full two storeys in height. I therefore feel that the impact on these neighbour's light and outlook is reasonable. The barn conversion on the eastern side of the proposal (no.5) stops short of the proposal and does not have habitable room windows close to the proposal.

The single storey barn conversion on the western side (no.1) extends past the side of the proposal, so has two bedroom windows and an en suite which directly face it on the opposite side of a 1.8m high fence. These windows are 2 to 2.2m from the boundary fence, which is 1.5m from the end wall of the proposal. The amended plans show the closest part of the building no higher than the existing stables, and its siting no further south. This part of the proposed building is slightly narrower than the existing stables. The 1.5 storey central annexe is 12m from this neighbour's facing windows, which is the Distance Separation Standard which applies between two storey buildings with windows facing blank elevations. There is no standard for single storey buildings facing two storey buildings such as this case. Given that the nearest part of the proposed building will cause no greater loss of light or amenity to this neighbour, and that the tallest part will comply with the most relevant Distance Separation Standard, I consider the impact of the proposed building on this property to be acceptable.

The design and access statement submitted with the application refers to the potential installation of a wood burning stove, solar panels or ground source heat pump to provide 10% of the energy needs to the proposal through renewables. However, the applicant has since stated that they do not intend to install solar panels. Despite this statement, given the accommodation that the building proposes, I consider it essential that the scheme provides some form of renewable energy and therefore recommend a condition requiring this.

Regarding other comments made by neighbours, the impact on property valuation is not a planning matter and the removal of asbestos is covered by other legislation.

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 approved drawing(s) 1a Rev P7, 1 Rev P7, 2a Rev P6, 2 Rev P6, 3 Rev P1, and specification contained therein, submitted on 15th November 2010, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 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 DP1 of the Warwick District Local Plan 1996-2011.

- 4 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not commence unless and until two weeks' notice in writing of the start of works has been given to a suitably qualified ecologist appointed by the applicant to supervise all ground work elements of the development within the site. **REASON**: To ensure that protected species (inc. reptiles and amphibians) are not harmed by the development and compliance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 6 The garage shall be used for the housing of private vehicles or other purposes incidental to the residential use of the dwelling house. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.
- 7 This permission authorises the erection of an extension to the existing dwelling and shall not be construed as permitting the erection of a separate dwelling unit. **REASON** : Use as a separate dwelling would be contrary to green belt policy as set out in PPG2.

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 unacceptably harm the general openness or rural character of the green belt within which the property is situated, by reason of its scale, design and siting. The proposal is therefore considered to comply with the policies listed.
