

Planning Committee: 22 June 2005

Item Number: 23

Application No: W 05 / 0072

Registration Date: 30/03/2005

Town/Parish Council: Shrewley

Expiry Date: 25/05/2005

Case Officer: Sandip Sahota

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48 Shrewley Common, Shrewley, Warwick, CV35 7AW

Erection of outbuilding in rear garden for purposes incidental to the residential use of the dwelling house (retrospective application) FOR Mr S Tracey

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: Object on the grounds that *"this is a very large permanent structure not at all like a garden summer house. A structure of this size and construction could well be used as a precedent in the future for other gardens"*.

Neighbours: No representations have been received.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

PLANNING HISTORY

Planning permission was granted in 2002 (W2002/1852) for the erection of a 2 storey rear extension and roof conversion including front and rear flat roof dormers.

The Enforcement section was notified in December 2004 that a 4.6 metre high building had been erected at the bottom of the rear garden of 48 Shrewley Common and was being used in association with a builder's business. Following a site visit, the Enforcement Officer found that the building was actually being used for storage of items in association with the dwelling house. However, the ridge height was measured to be in excess of the 4 metre restriction under which it would have qualified as Permitted Development and therefore planning permission was required. A retrospective application was subsequently submitted.

KEY ISSUES

The Site and its Location

The application site relates to an end of terrace residential property situated on the north side of Shrewley Common which lies within the West Midlands Green Belt. In common with the other properties along this side of the road, it benefits from a very long rear garden, approximately 70 metres in length. The side

boundary with no. 50 is made up of a 1.8 metre high feather board fence along the first half of the garden which then reduces to a 1 metre high fence, whilst the side boundary with no. 46 is made up of a substantial hedge which is difficult to see over. The garden backs onto open countryside, with the rear boundary made up of hedge/ trees reaching a height of approximately 4.5 - 5 metres.

Details of the Development

The application proposes the retention of an outbuilding erected at the very end of the garden, approximately 60 metres away from the dwellinghouse.

Constructed from concrete blocks, a tile roof and UPVC windows, the outbuilding has a pitched roof and measures 5.7 metres wide, 5.37 metres long, 2.25 metres high to the eaves and 4.55 metres high to the ridge.

The outbuilding is to be used for purposes incidental to the residential use of the house and is currently being used for storage of items which were previously stored in the applicant's loft space prior to conversion.

Assessment

Most of the gardens along this side of the road have outbuildings in their rear gardens of various sizes and designs. Due to the distance from the dwellinghouses and the boundary treatment, it is not considered that the building has an unacceptable impact on the amenities of the adjoining neighbours. The tree cover along the rear boundary is considered to effectively screen the building from the open countryside beyond. An important consideration is the fact that if this building was 550mm lower than proposed it would constitute permitted development and would not require planning permission. Taking into account the context of the site and the likely "fallback" position, it is considered that planning permission should be granted.

REASON FOR RECOMMENDATION

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

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted strictly relates to the details shown on the approved drawings and photographs, and specification contained therein, submitted on 30 March 2005 & 3 June 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 Local Plan Policy ENV3.
- 2 The outbuilding shall be used only for purposes incidental to the residential use of the dwelling house. **REASON:** To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan.
