

**Planning Committee:** 31 March 2010

**Item Number:** 8

**Application No:** W 10 / 0014

**Registration Date:** 06/01/10

**Town/Parish Council:**

Wasperton

**Case Officer:**

Steven Wallsgrove

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**Manor House Farm, Wasperton Road, Wasperton, Warwick, CV35 8EB**

Proposed conversion of The Granary into an independent dwelling, including erection of rear lean-to linked to kitchen (to replace detached garage) and rebuilding of rear extension (amended scheme) FOR Mr & Mrs L S Cleaver

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The recommendation is contrary to the policies of the Warwick District Local Plan 1996-2011.

**SUMMARY OF REPRESENTATIONS**

**Barford Sherbourne and Wasperton Parish Council:** No objection always provided that the conditions attached to the granting of W09/0435 apply also to this application:

"The residential accommodation hereby permitted shall only be occupied by members or relatives of the family occupying the main dwelling house, or their guests. REASON: Since there is insufficient parking and amenity space for a separate dwelling, and to help satisfy the objectives of Policies DP1 and DP2 of the Warwick District Local Plan 1966-2011

**English Heritage:** no comment

**WCC (Archaeology):** request programme of archaeological work condition.

**WCC (Ecology):** recommend pre-determination bat survey + protection of tree condition + nesting bird, amphibians, and badger notes.

**Public Response:** One resident supports the proposal.

**RELEVANT POLICIES**

- DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

The first application including this building was when the farm buildings were approved to be converted into three dwellings in 1993 (W93/0672). This building was shown on those plans as to be an ancillary bedroom and bathroom, over garaging, for the farmhouse, with an appropriate condition being imposed.

Planning permission and listed building consent were originally given for the conversion of this detached building into a self-contained dwelling in 2004 (W04/0605 and W04/0615LB).

This application was described as being for ancillary residential accommodation, but no condition restricting its use was imposed. A revised scheme was submitted the following year (W05/0044) when a condition restricting its use to members or relatives of the family occupying the main house was imposed. A further, similar, scheme was submitted in 2009 (W09/0435) when a similar condition was imposed with the reason for the condition relating to the lack of parking and amenity space for an independent dwelling.

## **KEY ISSUES**

### **The Site and its Location**

The property is a detached 'cart shed' with loft storage over at the entrance to Manor Farm, and the complex of converted farm buildings, at the far end of the village. Since it goes with the farmhouse, but is not listed independently, it is a listed 'curtilage' building. The previous consent (W09/0435) is currently being implemented, with details having been submitted for approval.

### **Details of the Development**

The proposal is to convert, and extend, the building as a self contained dwelling, the design being similar to that previously approved but with parking being provided. A small private garden area is shown behind the building. A tree report, and an energy report, were submitted with the application.

### **Assessment**

The building which is the subject of this application stands at the entrance to the former farm complex at Manor Farm and, visually, forms part of that complex. The original 1993 consent, as described above, provided for this building to be used as ancillary accommodation to the farmhouse itself. The subsequent applications, while approving its conversion, and extension, into a self contained dwelling, still referred to it as ancillary accommodation. The first of these consents, however, omitted an appropriate condition.

The present application seeks to retain the building as a separate dwelling and, therefore, this aspect needs to be considered against the relevant policies in the Local Plan, and national guidance.

The most recent national guidance is contained in PPS4: Planning for Sustainable Economic Growth where Policy EC12 covers development in rural areas and states that, while the reuse of buildings for economic development purposes will

usually be preferable, residential conversions may be more appropriate in some locations and for some types of building. The policies in the Local Plan are consistent with this advice, as well as the guidance in PPS7: Sustainable Development in Rural Areas.

The relevant Local Plan policies are RAP7 : Converting Rural Buildings and RAP1: Directing New Housing. The building satisfies RAP7, so the issue is RAP1. This states, at sub-section (d) that residential development will only be permitted if:

"it is the conversion or subdivision of appropriate rural buildings in accordance with RAP7 where all the following additional criteria are met:-

- I. the building is located within or adjacent to a village;
- II. the housing meets an identified local need; and
- III. outside of the Limited Growth Villages, the applicant can demonstrate that other uses (as identified by policies of this Plan) or a mixed use (where the residential element is subordinate to a business use) are not appropriate or viable.

In the present case the building is within the village but there is no identified local need and the applicant has not demonstrated that other uses are not appropriate or viable. He has pointed out, however, that he has now satisfied the reason given for the ancillary condition, namely insufficient parking and amenity space.

In the context of the policy, the building lies at the far end of the village, which has a narrow and twisted village road which is unsuitable for commercial vehicles, and the building is relatively small so is not appropriate for a mixed business and residential use (i.e. a live work unit) in accordance with the policy. It is considered, therefore, that there is some justification for granting consent contrary to policy, and this is strengthened by the position of the building in relation to the Grade II\* listed farmhouse and the converted farm buildings, and its relationship to the nearest dwelling, which is just across the narrow entrance to the old farmyard, the occupier of which has written in support of the proposal.

I also consider that the previous planning history of this particular building with the granting of an unrestricted permission for self contained residential accommodation in 2004 and the 2009 permission which gave the lack of independent amenity and parking space as the specific reason for restricting the occupancy of the building, support the conclusion that particular circumstances exist in this case to warrant permission being granted which do not form a precedent for departing from normal policy.

### **RECOMMENDATION**

GRANT subject to the following conditions.

### **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) 1512-02C + 1512-03B, and specification contained therein, submitted on 22 February 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 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, rainwater goods and infill boarding at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 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 unit hereby approved shall not be occupied until the septic tank, rainwater storage tanks and soakaways have been constructed in accordance with details submitted to, and approved in writing by, the District Planning Authority. **REASON:** To ensure that the works do not unreasonably affect the setting of the Scheduled Ancient Monument, or other archaeological remains, in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.
- 6 The foul and surface water drainage works to be approved under the above condition shall not be implemented until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted to, and approved by, the District Planning Authority. **REASON:** To ensure any items of archaeological interest are adequately investigated, recorded and, if necessary, protected, in order to satisfy the requirements of Policy DP4 of the Warwick District Local Plan 1996-2011.
- 7 The bricks, roof tiles, and rooflights shall be in accordance with the details submitted for approval under W09/0435 and W09/0436LB,

namely reclaimed bricks and tiles, and the 'Velux' Conservation rooflight. **REASON:** To ensure a high standard of design and materials for the alteration and extension of this Listed Building in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.

**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:

The size, siting, and relationship to the adjoining listed farmhouse and converted farm buildings are considered to constitute special justification to warrant granting planning permission contrary to policy.

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