

Application No: [W 22 / 0411](#)

Town/Parish Council: Kenilworth
Case Officer: George Whitehouse
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Registration Date: 07/03/22
Expiry Date: 02/05/22

Hope Barn, Dalehouse Lane, Kenilworth, CV8 2JZ

Resubmission of previously refused application - W/21/0149 Erection of single storey extension FOR Mr L Tibbatts

This application is being presented to Committee as 5 or more public representations of support have been lodged and the application has been called in to Committee by Councillor Hales.

RECOMMENDATION

That planning permission be refused for the reason set out at the end of this report.

DETAILS OF THE DEVELOPMENT

This application is the resubmission of a previously refused application - W/21/0149 for a Single Storey Rear Extension, which would be comprised of a modern extension linked to the dwelling with a lightweight glazed link.

The proposals have not been substantially amended when compared with the previously refused application.

THE SITE AND ITS LOCATION

Hope Barn is a traditional agricultural barn which was converted to residential use in 1993. The property is within 50m of the proposed HS2 line and the bund and associated boundary for HS2 are close to the bottom of the garden.

PLANNING HISTORY

W/92/0193: Granted for: Conversion and extension of barns and stables to form 4 dwellings, provision of garage and alterations to access.

W/19/0476: Withdrawn: Erection of single storey extension.

W/21/0149: Refused at committee for: erection of single storey extension. The proposed extension was considered to disrupt the simple form of the converted barn by reason of its scale and design thereby detracting from the original rural character and appearance of the building.

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- DS18 - Green Belt
- H14 - Extensions to Dwellings in the Open Countryside
- BE4 - Converting Rural Buildings
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE4 - Landscape

Guidance Documents

- Residential Design Guide (Supplementary Planning Document- May 2018)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)
- KP13 - General Design Principles

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Support the application

Conservation Officer: Objection on the basis the proposals result in harm to the agricultural characteristics of the barn.

Ward Councillor Hales: Supports the application

Public Response: 12 Letters of support for the development citing the design and the impact of HS2 on the dwellinghouse

Design and Impact upon the Character of the Barn Conversion and its surroundings

Paragraph 127 of the National Planning Policy Framework (NPPF) requires that all development adds to the overall quality of the area and reflects the identity of local surroundings and materials, and responds to local character. This is echoed in Local Plan Policy BE1 which requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design. Furthermore, Local Plan Policy H14 requires all development in the Green Belt to respect the character of the original dwelling by retaining its visual dominance and not substantially alter the scale, design and character of the original dwelling. The purpose of this policy is to ensure that extensions to dwellings do not have an adverse impact on the surrounding open countryside and are of an appropriate design and scale for their location.

Policy BE4 of the Warwick District Local Plan 2011-2029 sets out a number of criteria for the conversion of existing rural buildings within the District and the policy specifically refers to the need for the proposed use to be accommodated without extensive rebuilding or alteration to the external appearance of the building, and for the appearance and setting of the building following conversion to protect and where possible, enhance the character and appearance of the countryside.

The Council has adopted Design Guidance for Agricultural Buildings and their Conversion as Supplementary Planning Guidance which seeks to protect the character and integrity of buildings such as barns. Permitted development rights were removed as part of the permission for the conversion of the barn in order that the Local Planning Authority could retain control over future alterations and extensions to ensure only appropriate works were carried out.

Rural barns are characterised by their simple appearance and fenestration and the Council's Design Guidance is clear that barn conversions should remain as "barn-like" as possible. Domestic or residential features are inappropriate and harmful additions to barns and their settings, not in keeping with their character.

Although the design ethos is clear by making the extension appear as visually distinct with a modern glazed link, the Conservation Officer has concerns that the proposed extension to the existing barn would have an adverse impact on its integrity and setting. The extension is considered to be inappropriate, the modern extension would appear out of place in the rural setting, would detract from the traditional rural character of the barn and would disrupt the traditional layout of the barn.

The Council have also recently had an appeal dismissed on this basis in respect of a similar case. Both this application and the dismissed appeal concern extensions to a traditional former barn (Appeal Decision APP/T3725/D/22/3291560 decision date 26/04/2022).

In the opinion of the Local Planning Authority, the proposed extension disrupts the simple form of the converted barn by reason of its scale and design and this detracts from the original rural character and appearance of the building.

It is considered that Local Plan Policy BE1, BE4 and H14 are not complied with.

Ecology

The county ecologist has recommended a pre-commencement condition and notes relating to protected species to be attached to any approval.

This is an appropriate approach in order to safeguard protected species in accordance with local plan policy NE2

Summary

The proposal is not considered to meet the requirements of Local Plan Policies BE1, BE4 and H14, nor follow the Guidance for Barn Conversions SPG and is therefore recommended for refusal.

REFUSAL REASONS

- 1 Policy BE4 of the Warwick District Local Plan 2011-2029 sets out a number of criteria for the conversion of existing rural buildings within the District and the policy specifically refers to the need for the proposed use to be accommodated without extensive rebuilding or alteration to the external appearance of the building, and for the appearance and setting of the building following conversion to protect and where possible, enhance the character and appearance of the countryside. The explanation to the policy states that where proposals include extending rural buildings as part of their conversion, these will not be approved unless it can be demonstrated that the extension is essential for the retention of the building.

The District Council has also approved Supplementary Planning Guidance on barn conversions, and permitted development rights for subsequent extensions are removed in order to ensure that the character and appearance of the converted buildings and their setting within the wider countryside are respected and protected.

In addition, Para. 4.96 of Policy H14 states that, in the case of barn conversions in the open countryside, the Council is extremely unlikely to grant approval for any extensions. Such conversions are only usually permitted where they can be undertaken with minimum disruption to the integrity of the original building. Any extension, however sensitively implemented, would harm this integrity.

The application site comprises a converted former agricultural building that has largely retained its original agricultural character. In the opinion of the Local Planning Authority, the proposed extension disrupts the simple form of the converted barn by reason of its scale and design and this detracts from the original rural character and appearance of the building, thereby prejudicing the objectives of the aforementioned policies. If permitted, this type of extension could act as a precedent for extensions to other converted barns which would be difficult to resist, thereby cumulatively eroding the rural character of the countryside.
