## COMMITTEE REPORT

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<th><strong>Application Ref.</strong></th>
<th>15/00248/FUL</th>
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<td><strong>Applicant</strong></td>
<td>Tanya Field</td>
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| **Reason for Referral to Committee** | - Support from Parish Council  
- Support from Ward Member |
| **Case Officer**     | Lucy Hammond |
| **Presenting Officer** | N/A |
| **Ward Member**      | Cllr Parry  |
| **Parish Council**   | Newbold Pacey & Ashorne |
| **Site Address**     | Greenlands, Ashorne |
| **Description of Development** | Proposed extensions to existing dwelling comprising new porch, boot room, extended garage to form car port, open canopy along single storey span to rear and new orangery. Conversion of existing attached outbuildings to form ancillary accommodation. Change of use of land to facilitate repositioning of access drive together with creation of hardstanding and turning circle to south side of dwelling. Demolition of existing barn and erection of replacement, repositioned barn. |
| **Description of Site Constraints** | - Open countryside location |
| **Summary of Recommendation** | - REFUSE |
**Description of site and surroundings**

The application site sits in an open countryside location approximately 900m to the east side of the small village of Ashorne. The site comprises a single large detached ‘T-shaped’ dwelling to the back of which is a range of attached storage outbuildings (originally stables) in a courtyard layout together with a number of outbuildings and a large barn.

There is an access drive taken off the main road in excess of 100m in length which provides vehicular access to the dwelling. Open countryside surrounds all sides of the property and boundary treatments are relatively open, made up of either timber post and rail fencing or landscaping.

There is a row of four terraced properties approximately 95m from the application dwelling which are closer to the main road and these are the only neighbouring buildings to the application site.

**Development Plan**

Paragraph 215 of the National Planning Policy Framework (NPPF) advises that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework”.

Relevant Policies in the Development Plan for this application are

- PR.1, DEV.1, DEV.2, DEV.4. COM.12 – consistent with Framework
- DEV.3, DEV.6, DEV.7, DEV.8, EF.6/7, EF.9/10, CTY.2 – some consistency but Framework is less restrictive
- STR.1, DEV.5 – inconsistent with Framework/out-of-date

**Other Material Considerations**

**Central government guidance**

- NPPF 2012 & PPG 2014
- Circular 06/05: Biodiversity and Geological Conservation

**Supplementary Planning Documents & Guidance**

- Stratford on Avon District Design Guide

**Other Documents**

- Draft Core Strategy policies
  
  - Some weight – CS.1
  - Limited weight – AS.10

Following a full Council meeting on 22.06.2015, the Council has resolved to endorse the Cabinet recommendation of 01.06.2015 to adopt some development management planning policies as set out in emerging Core Strategy (As submitted September 2014 showing subsequent proposed modifications) June 2015 on an interim basis.

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies to the NPPF policies. To date, it is officers’ opinion that draft Core Strategy carries limited weight for decision making purposes.
• Other Evidence base documents etc

Newbold Pacey & Ashorne Parish Plan (2007)
Newbold Pacey & Ashorne VDS (2001)
There can be some weight afforded to these documents

Other Legislation
• Human Rights Act 1998
• Natural Environment and Rural Communities (NERC) Act 2006
• The Conservation of Habitats and Species Regulations 2010
• Localism Act

Summary of Relevant History

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<tr>
<th>Reference Number</th>
<th>Proposal</th>
<th>Decision and date</th>
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<td>None relevant</td>
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Applicant’s Supporting Documents

List of documents:
• Planning statement (including revised update)
• Energy statement
• Bat survey report

Ward Member

Cllr Parry
Support - the proposals will enhance and preserve the character and appearance of the property (24.03.2015)

Cllr Kendall (former Wellesbourne Member, now Wellesbourne West Member following elections)
Support - this application represents the perfect reuse and refurbishment of a rural family home (24.03.2015)

(The full response is available in the application file)

Newbold Pacey & Ashorne Parish Council
Support – the house is in terminal decay and is being renovated with very modest additions (24.03.2015)

(The full response is available in the application file)

Third Party Responses

None received

Consultations

WCC Ecology
No objections; note recommended (07.04.2015)
ASSESSMENT OF THE KEY ISSUES

Principle of Development
The Council is required to make a decision in line with the Development Plan, unless material considerations indicate otherwise (Section 38(6) PCPA 2004 and Section 70(2) TCPA 1990). The National Planning Policy Framework (NPPF) is a key material planning consideration. The emerging Core Strategy is also a material consideration.

This application involves a number of proposals including extensions to the existing dwelling, the conversion of part of the storage outbuildings to the rear into ancillary accommodation, the slight re-positioning of the access drive to allow an improved turning and parking area in front of the dwelling and the removal and re-location of an existing barn to the rear of the dwelling to a position further east of the building just beyond the established curtilage. I have separated these elements into sub-headings below in the interests of clarity.

Extensions to the existing dwelling
Saved policy COM.12 supports the extensions and alterations of an existing dwelling which I consider is consistent with paragraphs 9 and 17 of the NPPF which seek to improve the living conditions in which people live and work and secure a good standard of amenity for existing and future occupants of land and buildings.

Re-positioning of the access drive / alterations to turning and parking area
Saved policy DEV.4 requires the provision of safe and appropriate accesses to development sites which is consistent with the NPPF’s requirement at paragraphs 32 and 35 to provide safe and secure accesses and parking layouts.

Removal and re-location of existing barn
Saved policy CTY.1 seeks to resist all forms of development in the open countryside that do not accord with development specifically mentioned elsewhere in the Local Plan. CTY.4a however has regard to the provision of buildings that are required for agricultural purposes. The barn in this application already exists on land within the ownership of the applicant near to the existing dwelling and the application seeks to relocate it slightly further east of the dwelling immediately adjacent to an existing boundary of the site where there is already a field gate from the property through into the adjacent field.

The applicant has stated that the existing hay barn is to be re-located due to its proximity to what would be the proposed ancillary accommodation and also due to foundation subsidence to the steel framed structure. It would be unbolted and moved to the new location and would then be re-used for its current purposes, which is the storage of hay for the horses that are kept in the existing stables to the north of the site, immediately west of the new proposed location of the barn.

Having regard to all of the above, I consider the principle of these elements of the development proposals is acceptable, subject to an assessment being made of all the other relevant material considerations as set out below in the remainder of this report.
Conversion of outbuildings into ancillary accommodation

In addition to the proposed extensions to the main house, (along with the other works detailed above), part of the storage outbuildings to the rear are proposed to be converted into ancillary accommodation for the applicant’s parents to move into. The submitted plans illustrate a scale of additional accommodation which, in my view, cannot be considered to be ancillary to the main dwelling as the proposal provides all the facilities required for independent living.

In addition, the scale of additional living space proposed when read against the scale and context of the existing living space, the cumulative proposed floor area when read proportionately against the floor area of the existing dwelling and the potential to separate the ‘annexe’ off from the main dwelling by reason of its own independent entrance, driveway and parking area all amount to a level of accommodation which I am not satisfied is genuinely ancillary to the use of the main dwelling. As such I am of the view that the plans proposed represent a form of development which is tantamount to the creation of a separate dwelling for the purposes of assessing the principle of development.

To that end, it is relevant to refer to the housing policies for the purposes of assessing the principle of development.

Under saved policy STR.1, new open market housing development is restricted to the main town of Stratford upon Avon and Main Rural Centres only. The principle of a settlement hierarchy is consistent with objectives contained within the Framework and the new settlement hierarchy, published as part of the evidence base for the emerging Core Strategy, is consistent with the approach taken in paragraph 55 of the NPPF.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that the relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. The authority cannot currently demonstrate a five year supply and therefore policy STR.1, which is relevant to the supply of housing, cannot be considered up to date.

Having regard to the above, the site lies in an open countryside location, 1km east of the built edge of the nearest settlement of Ashorne which is an ‘all other settlements’ location. Paragraph 55 of the NPPF seeks to avoid isolated new homes in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work,
- Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development,
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting,
- The exceptional quality or innovative nature of the design of the dwelling(s).

For the reasons set out above, I consider the proposals are tantamount to a self contained dwelling in the open countryside. Having regard to the special circumstances set out in paragraph 55, the additional accommodation is not proposed for a rural worker, it does not represent enabling development or the optimum use of a heritage asset and it is not of the exceptional quality or innovative design stipulated by paragraph 55. Although the buildings are used for domestic storage purposes their original use as stables is redundant, thus the
proposals would involve the re-use of redundant/disused buildings as set out in paragraph 55. However, given the current visual appearance of the buildings in question and the remote location and limited public views, I do not consider the development would lead to a particular enhancement of the immediate setting. Additionally, the proposal resulting in the additional living accommodation would be likely to introduce domestic paraphernalia, which together with the parking of vehicles outside the building would not, in my view, enhance the setting of the rural building.

Overall, I therefore do not consider that any of the above criteria set out in paragraph 55 are applicable to this proposal and given the isolated location of the building, away from services and facilities associated with the nearest settlements, which would lead to a reliance on the private car to access facilities for day to day living, I conclude that the principle of development is unacceptable having regard to the provisions of the NPPF.

I shall now go on to assess other considerations which are relevant to the determination of this application and whether or not there would be any additional harm resulting from the development.

Impact on the landscape and character of the area

Due to the remote location of the application dwelling and the set back of the dwelling from the main road, I do not consider that the proposals would have any unacceptable impact on the character of the surrounding open countryside or rural landscape.

There is a public footpath approximately 150m to the east of the site, from which some public views could be obtained of the application dwelling. The proposed extensions, each taken in isolation, are reasonably modest in scale, but, when taken together with the proposed conversion of the outbuildings into additional ancillary accommodation, would cumulatively extend the footprint of the existing dwelling quite substantially. However, this is a large dwelling set in a large plot, amid an open countryside location.

The dwelling at present is in a poor state of repair and is in need of refurbishment both externally and internally. I consider the proposed extensions would greatly improve the overall character and appearance of the dwelling which in turn would be a visual improvement to the immediate setting and character of the surroundings.

The proposed relocated position to the back of the site would be slightly more visible as viewed from the public footpath to the east than it is in its current location. While the principle of the barn has not been satisfactorily justified, I consider, subject to a condition requiring details of the final appearance of the structure, that this would not cause any additional visual harm to the overall character of the area.

The access drive would be re-aligned slightly to the east of its current position where it would run immediately alongside the existing site boundary. Some new access gates are proposed along the drive, to be set back from the main road by approximately 40m. These are unlikely to be easily visible from public view as viewed from the main road but in any event, I consider that their height, at just under 2m, would allow them to be erected under permitted development in any case.
Overall, I consider the development as a whole is acceptable in visual terms and therefore accords with paragraphs 56-59 of the NPPF and saved policies PR.1 and DEV.1.

**Design** *(Conversion of stables to additional accommodation)*

The stable buildings already benefit from a number of existing openings on all elevations, which, in the event permission were forthcoming for their conversion, would be suitable to retain and re-use for proposed windows and doors to the accommodation. The submitted plans indicate that the majority of the existing openings would be retained and re-used to serve the new accommodation. Elevation 2 which faces the internal courtyard at the rear, shows a proposed flat roof canopy supported by timber posts but enclosed by glazing panels along the length of it, behind which would sit all the original openings on the existing external wall of the stables. The proposed glazing would therefore allow views through to the original wall behind and I consider this is an appropriate feature which would not harmfully detract from the original form and character of the building.

Having regard to the above, I am of the opinion that notwithstanding the principle of converting these outbuildings, I consider that in design and visual terms this part of the development would be visually in keeping with the existing form and character of the building and I therefore consider that the proposed changes accord with the Council’s District Design Guide which advises the general design principles in converting rural buildings.

Overall, I therefore consider this specific element of the proposals complies with paragraphs 56-59 of the NPPF and saved policies PR.1, DEV.1 and CTY.2.

**Impact on residential amenity**

In view of the property’s remote location and in the absence of any neighbouring properties in the immediate vicinity I am satisfied that the cumulative nature of the proposed development would not have any harmful impacts on residential amenity. I therefore consider the development accords with paragraph 17 of the NPPF and saved policy DEV.1.

**Highways Matters**

One additional dwelling would lead to a small increase in the number of vehicle trips being made to and from the site albeit this would be limited. The development includes the provision of formalised parking within an area of hardstanding to the front of the dwelling as well as a turning circle and a secure garage/car port area to be associated with the main dwelling. I am therefore satisfied that the proposals related to the access and drive area acceptable in terms of highway safety and raise no objection in this respect.

I consider the development accords with paragraphs 32, 35 and 39 of the NPPF and saved policy DEV.4.

**Other matters**

**Residential amenity**

Paragraph 57 of the NPPF states that it is important to plan positively for the achievement of high quality development including provision of private spaces. Policy DEV.3 seeks to ensure that sufficient amenity space is available for the future occupants of the dwellings. While the submitted plans are meant to
illustrate ancillary accommodation only, on the basis that they are tantamount to a self-contained dwelling I have had regard to the level of proposed amenity for what could be a separate dwelling and consider that the size of the garden is appropriate to the size of the dwelling. I therefore consider that the proposal is acceptable having regard to Paragraph 57 of the NPPF, Policy DEV.3 of the Local Plan Review.

Ecology
The County Council Ecologist is satisfied with the overall level of survey work carried out at the site and confirmed no evidence of bat activity in the storage outbuildings and while birds may previously have used the buildings this is unlikely in more recent periods of time given the buildings are disused for equestrian purposes. The proposed car port provides the perfect alternative location for nesting birds and as such I do not consider the proposals would result in any harm to protected species. As such the development is acceptable in this respect and complies with paragraph 118 of the NPPF and policies EF.6 and EF.7.

In reaching this conclusion I have also given careful consideration to the standing advice put forward by English Nature and the Natural Environment and Rural Communities (NERC) Act 2006.

Wheelie Bins and water butts
As is a standard requirement of all new dwellings within the District, in the event permission were forthcoming for this development I would propose to add a condition to secure wheelie bins and a water butt.

Conclusions
Assessing the application against the relevant development plan policies of this Council, I consider that the development would generally accord with those policies.

Assessing the planning balance, I consider that the benefits from the scheme would be:

- No harm to the visual amenities of the area or neighbouring amenity
- No impacts on highway safety or ecological issues
- The other elements of the proposals (i.e. domestic extensions, alterations to drive and parking area and re-location of existing barn) are acceptable and cause no material harm

With regards to the potential harm arising from the development, I consider that:

- The harm by reason of the new dwelling’s remote location, away from any services and facilities for day to day living, would result in a form of wholly unsustainable development which cannot be mitigated or controlled satisfactorily through planning conditions

The ‘golden thread’ running through the NPPF is the presumption in favour of sustainable development. It gives three dimensions to sustainable development: social, economic and environmental. These should not be assessed in isolation, because they are mutually dependent. On this basis, I have concluded that the proposal is not sustainable development. I therefore recommend permission is refused.
Recommendation

Whilst officers have made a recommendation on the basis of the Development Plan and other material considerations it is for the Committee to weigh and balance these in coming to a decision.

It is therefore recommended that the application be REFUSED for the following reason:

1. The development proposal for the conversion of an existing annexe building to form one new dwelling would be located outside the village of Harbury and thus would be remote from an appropriate range of facilities and services for day to day living. The distance and connectivity to the village centre, where such facilities and services are located would necessitate reliance upon the private car. In the opinion of the Local Planning Authority, the dwelling would therefore not be located where it would enhance or maintain the vitality of a larger settlement with services and it would not enhance or maintain the vitality of rural communities. Neither would the development meet any of the exceptions set out in paragraph 55 of the NPPF. The development is therefore considered to be contrary to the provisions of paragraph 55 of the NPPF. Having regard to the NPPF, including paragraph 14, the Local Planning Authority is of the opinion that the proposal does not constitute sustainable development and the adverse impacts of its location away from a larger settlement would significantly and demonstrably outweigh any benefits of the development.

Notes

1. NPPF 186+187

ROBERT WEEKS
HEAD OF ENVIRONMENT AND PLANNING