**DELEGATED REPORT**

**Recommendation Made: 13 May 2009**

**Reference:- 09/00202/FUL** **Parish:- Witherley Parish Council**

**Applicant:- Mr M Ketcher**
**White Gate Farm**
**Mythe Lane**
**Atherstone**
**Warwickshire**

**Location:- White Gate Farm Mythe Lane Witherley Atherstone Leicestershire**

**Proposal:- EXTENSION AND ALTERATIONS TO REMODEL EXISTING DWELLING INCLUDING A NEW BRICK OUTER SKIN**

**Introduction:-**

This application seeks full planning permission for extensions and alterations to a farmhouse known as White Gate Farm, Mythe Lane, Witherley. It is a detached two storey dwelling located in the countryside within a farm complex. The site is set back from the road by a field and comprises of the farmhouse and farm buildings, it is accessed by a track from the lane. The site is set back from the road but is slightly elevated. There is a field hedge along the highway boundary. The nearest neighbour is a detached dwelling located on the lane which shares the original access track to the farm.

The proposal comprises a two storey rear extension, single storey conservatory, conversion of part of the attached building to domestic garage, conversion of part of the domestic garage to utility room and chimey stack to the side of the dwelling. the proposal includes the reskinning of the building with reclaimed brick as the current construction does not have a cavity wall. The front facade is rebuilt with 3 gables features and the roof has been raised by 150mm.

Amended plans have been received which make alterations to the plinth, front elevation and reduce the height of the roof in line with advice that has been given during consideration of the application.

The Design and Access Statement states that the proposal includes a new brick skin over the original brickwork and extensions to the front and rear. The proposal is intended to improve the appearance of the dwelling with gables to the front and rear elevations. The roof covering will remain the same as at present (plain clay tiles) and the brick skin is proposed to be reclaimed bricks in Old English Bond. The agent has also submitted photographs showing the poor condition of the structure in particular the foundations and the roof trusses.

History;

08/00718/FUL New access Withdrawn 17.09.08

08/00719/GDO Erection of new building Approved 20.08.08

08/00995/FUL Extns and Alts to remodel dwelling Refused 05.01.2009

09/00043/FUL Imps to access, new access and landscaping bund Approved 23.04.2009

The application approved in 1971 for the replacement farmhouse contained an agricultural tie condition and states that the 'the site lies in an area within which the LPA would not normally grant permission for residential development.' The permission was therefore only granted because of special agricultural need and the premises should accordingly only be occupied by persons connected with agriculture.

The plans show that the existing dwelling has five bedrooms.

**Consultations:-**

No comments received from;

Head of Community Services (Land Drainage)
Head of Community Services (Pollution)

Director of Community Services (Ecology) suggests watching brief

The Conservation Officer has made the following comments on the amended scheme

The current proposal is a great improvement on the original application design. The proposal is a reworking of an existing, relatively isolated, farmhouse which was constructed in approx the 1960's. This building was a simple rectangular gabled structure with simple openings and details.

The new proposal has been revised is now much simpler in appearance. The gables on the front elevation are more balanced. They are also more subdued, low key and in character with the plain simple frontages that characterise the typical traditional Leicestershire farm house. In detail the elevation could still be improved with better proportioned windows and central door which are still overellaborate and excessively wide. However it is, on balance, acceptable in design terms.

**Development Plan Policies:-**

Central Government Guidance

Planning Policy Statement 7 Sustainable Development in Rural Areas encourages the re-use of appropriately located and suitably constructed existing buildings within the countryside where this meets sustainable development objectives. In assessing such development consideration should be given to the potential impact on the countryside, landscape and wildlife; accessibility to settlements;

Local Plan

The site lies outside the settlement boundaries for Witherley as identified in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 requires high quality design which complements or enhances the surrounding area and adjacent properties in terms of mass, scale, design, density, materials and architectural features while retaining adequate amenity and privacy.

Policy RES10 deals with replacement dwellings and the criteria for dealing with such applications.

Policy NE5 states that the countryside will be protected for its own sake. However, planning permission will be granted for built and other forms of development provided that it is either: important to the local economy and cannot be provided within or adjacent to an existing settlement; is for the change of use, re-use or extension of existing buildings; and only where it does not have an adverse effect on the appearance or character of the landscape, is in keeping with the scale and character of the existing buildings and general surroundings, will not generate traffic likely to exceed the capacity of the highway network or impair road safety and is effectively screened by landscaping.

Policy T5 requires all new development to achieve the relevant highway standards and vehicle requirements contained within the County Council's highway design guidance.

The Councils Adopted Supplementary Planning Guidance on House Extensions provides a series of design standards that extensions to dwellings should achieve.

**Appraisal:-**

Principle

The principle of extending an existing dwelling in the countryside is acceptable in respect of policy NE5 subject to the extensions being in keeping with the scale and character with the existing farmhouse and there being no adverse effect on the appearance or character of the landscape. Policy RES10 deals with replacement dwellings and the criteria for dealing with such applications. This application has been described as extensions and alterations however, when the overall effect of the proposals is considered with the amount of proposed demolition, the proposals appear as a replacement dwelling within the countryside.

The proposed extensions and alterations represent an increase in floorspace of 108 sq metres, located on the rear of the existing dwelling. The total floorspace of the existing dwelling is 750 sq metres. The proposals do not have any detriment to the nearest neighbouring property

Design

The original plans submitted with this application showed that the overall roof height was proposed to be raised from 8.6 metres to 9.7 metres, this was unacceptable, the amended plans show that the overall height of the roof will be raised by only 0.15 metres, this is because the eaves height is altered. The agent has confirmed that this is necessary to incorporate lintels above the existing doors where none exist at present. The small increase in the roof height is not considered to have any significant greater impact on the countryside. In terms of the countryside, the increased size of dwelling will have some increased impact more than the existing situation but is considered acceptable.

The amended plans show the proposed plinth removed and the gables proposed to the front of the dwelling separated and more uniform in size. In line with advice given, the windows to the front elevation have been simplified and given vertical emphasis. The design is now considered to be acceptable in that it is more in keeping with traditional and simple Leicestershire farmhouses.

The site plan shows that a curtilage to the dwelling similar to the one approved when the original planning permission was granted. The land is not laid out as formal garden at the present time but the use as residential curtilage has been established. The existing vehicular access and adequate parking is available within the curtilage of the site.

The concern in terms of previous proposals has been directed towards the design rather than the size of the proposed extensions and to ensure that the proposals were truly extensions rather than tantamount to a new dwelling in the countryside. Policy RES10 deals with replacement dwellings and the criteria for dealing with such applications. The previous application was described as extensions and alterations however, when the overall effect of the proposals was considered with the amount of proposed demolition, the proposal appeared as a replacement dwelling within the countryside and was refused.

When considering the current application, the amount of new build, and the extent of the building to be retained, it is considered that the application also cannot be supported as it does not address the previous refusal in terms of constituting a new dwelling in the countryside and would therefore be contrary to the aims of policies NE5 and RES10 together with Government PPS7. This application also includes the re-skinning of retained brickwork to provide a cavity wall construction so the dwelling will have the appearance of a new dwelling.

The agent has submitted photographs showing the poor condition of the brickwork and roof trusses, however, this only gives weight to consideration of the scheme as a replacement dwelling in the countryside and therefore is considered as described as 'remodelling' and as such, it is not considered that the small amount of the dwelling proposed to be retained is sufficient.

Ecology

The Director of Community Services (Ecology) has suggested a watching brief during construction, this is dealt with within the standard note to applicant.

Conclusion

Whilst the design of the proposal now better reflects the character of the existing dwelling, the proposed scheme is not considered to meet the criteria of policy BE1 and NE5 of the adopted Local Plan and will result in development tantamount to a new dwelling in the countryside which would be detrimental to the countryside location.

**RECOMMENDATION :- REFUSE, for the following reasons :-**

**Reasons :-**

1 The proposed extensions and alterations will result in a significant amount of demolition of the existing dwelling and substantial new building including a new brick skin over the remnants of existing brickwork to be retained which will result in a development tantamount to a substantial new dwelling in an open countryside location, having an adverse effect on the appearance and character of the landscape. The development is therefore contrary to Policy NE5 of the adopted Hinckley & Bosworth Local Plan, and Planning Policy Statement 7 (Sustainable Development in Rural Areas).

2 The approval of this proposal would set a precedent for the consideration of further applications of a similar nature, to which the Local Planning Authority would also object but which would consequently be difficult to resist.

**Notes to Applicant:-**

1 The applicant is reminded that the planning permission (3998/1971) for the present dwelling contains an agricultural occupancy tie and a condition that the planning permission for the current dwelling is for the benefit of the applicant (Mr Florendine) and does not run with the land.

2 List of plans used in the determination of this application:- Site plan, Drawings 198/00/02/A, 098/28/03/ and 198/00/SK01/B

3 An amended proposal involving more modest alterations and extensions as well as retention of more of the fabric of the existing dwelling might be considered more favourably by the Local Planning Authority. Otherwise, if the applicant considers that the dwelling is structurally unsound and incapable of being converted or renovated to provide acceptable living conditions. Documentary evidence would need to be provided to prove the case that a replacement dwelling is justified in accordance adopted policy, together with a fresh planning application described appropriately

**Contact Officer:-** Louise Forman Ext 5682