Planning Committee

Wednesday 26 April 2017

A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Wednesday 26 April 2017 at 6.00pm.

Councillor Cooke (Chairman)
Councillor Ashford (Vice Chairman)

Councillor Boad	Councillor Morris
Councillor Mrs Bunker	Councillor Naimo
Councillor Day	Councillor Mrs Stevens
Councillor Heath	Councillor Weed
Councillor Mrs Hill	

Emergency Procedure

At the commencement of the meeting the emergency procedure for the Town Hall will be displayed on screen for information.

Agenda
Part A – General

1. **Apologies and Substitutes**

(a) to receive apologies for absence from any Councillor who is unable to attend; and
(b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

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3. **Site Visits**

The Chairman to report the location of the planning application sites visited and the names of the Committee Members who attended.

Part B – Planning Applications

To consider the following reports from the Head of Development Services:

4. **W/16/1830 – 2 Manor Farm House, Lime Avenue, Lillington, Royal Leamington Spa** **(Pages 1 to 10)**

5. **W/17/0115 – 32 Combroke Grove, Hatton Park, Hatton** **(Pages 1 to 5)**

6. **W/17/0142 – The Stables, Lyon Farm, Rouncil Lane, Beausale** **(Pages 1 to 4)**

7. **W/17/0168 - Plot 8001, Tournament Fields, Stratford Road, Warwick** **(Pages 1 to 8)**
****Major Application****

8. **W/17/0203 – 1 St Marys Crescent, Royal Leamington Spa** **(Pages 1 to 5)**

9. **W/17/0260 – 8 Canon Price Road, Barford** **(Pages 1 to 6)**

10. **W/17/0269 – 8 Church Street, Warwick** **(Pages 1 to 6)**

11. **W/17/0270/LB – 8 Church Street, Warwick** **(Pages 1 to 5)**

12. **W/17/0303 – Eco House, 51 Hill Street, Warwick** **(Pages 1 to 5)**

Part C – Other matters

13. **Appeals Report** **(To follow)**

Please note:

(a) the background papers relating to reports on planning applications are open to public inspection under Section 100D of the Local Government Act 1972 and consist of all written responses to consultations made by the Local Planning Authority in connection with the planning applications referred to in the reports, the County Structure Plan Local Plans and Warwick District Council approved policy documents.

(b) all items have a designated Case Officer and any queries concerning those items should be directed to that Officer.

(c) in accordance with Council's Public Speaking Procedure, members of the public can address the Planning Committee on any of the planning applications or Tree Preservation Order reports being p4t before the Committee. If you wish to do so, please call 01926 456114 (Monday to Thursday 8:00am to 7:00pm, Friday 8:00am to 6:00pm and Saturday 9:00am to 1pm) or email committee@warwickdc.gov.uk, anytime after the publication of this agenda, but before 12 noon on the working day before the day of the meeting and you will be advised of the procedure.

(d) please note, that the running order for the meeting may be different to that published above, in order to accommodate items where members of the public - Have registered to address the Committee.

(e) occasionally items are withdrawn from the agenda after it has been published. In this instance, it is not always possible to notify all parties interested in the application. However, if this does occur, a note will be placed on the agenda via the Council's web site, and where possible, the applicant and all registered speakers (where applicable) will be notified via telephone.

Published Thursday 13 April 2017

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.
Telephone: 01926 456114
E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the Case Officer named in the reports. You can e-mail the members of the Planning Committee at planningcommittee@warwickdc.gov.uk

Details of all the Council's committees, councillors and agenda papers are available via our website www.warwickdc.gov.uk/committees

Please note that the majority of meetings are held on the first floor of the Town Hall. If you feel that this may restrict you attending this meeting, please telephone (01926) 456114 prior to the meeting, so that we can assist you and make any necessary arrangements to help you to attend the meeting.

The agenda is available in large print on request, prior to the meeting, by telephoning (01926) 456114

Planning Committee: 26 April 2017 **Item Number:** 4

Application No: W 16 / 1830

Registration Date: 08/11/16
Town/Parish Council: Leamington Spa **Expiry Date:** 03/01/17
Case Officer: Lucy Hammond
01926 456534 lucy.hammond@warwickdc.gov.uk

2 Manor Farm House, Lime Avenue, Lillington, Leamington Spa, CV32 7DB
Proposed erection of 9no. residential properties consisting of 3no. terraced town houses and 2no. apartment blocks of 3no. units each. FOR Dr Singh

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This application is being presented to Committee due to an objection from the Town Council having been received.

RECOMMENDATION

That planning permission be granted for this development, subject to the conditions and notes listed at the end of this report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of a total of nine new residential units. The proposals include the construction of 2no. blocks each containing three apartments together with a terraced row of 3no. town houses.

A modern design approach is sought using contemporary architectural features and materials. One of the apartment blocks (Block B) is proposed with a lower ridge height than the other apartment block and the town houses. An existing access is to be utilised so no new access provisions are required.

THE SITE AND ITS LOCATION

The application site is accessed off Lime Avenue, a residential road to the north of the town, near Lillington. Previous outbuildings that once occupied the site have been cleared and the site is now vacant. The developable area sits back from the road, between a car sales garage on the south east side and Lillington Bowling Club on the north west side. To the front, immediately adjacent the road, is a residential property known as No.1 Manor Farm House. Whilst entirely outside the Lillington Village Conservation Area, its boundary follows part of the south west boundary of the application site, where it adjoins the garden of No.1 Manor Farm House.

PLANNING HISTORY

None directly relevant to this development

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council - Objection

1) The height of Block B is out of keeping with the surrounding area (the amendment reducing the height is acknowledged)
2) Would wish to see confirmation that safe collection of refuse and recycling from the proposed blocks by lorries is achievable
3) Note the concerns raised by County Highways regarding visibility for vehicles exiting the site and pedestrian safety.

WCC Highways - No objections to the principle of development

WCC Archaeology - No objection subject to condition

WCC Ecology - No objection subject to condition and notes

WCC Landscape - No objections raised; comments regarding proposed landscaping that can be dealt with by condition

WDC Open Space - No objection subject to condition

WDC Contract Services - No objections raised; guidance provided regarding waste collection arrangements

Public Responses - 4 letters of objection received. Grounds on which objections are based are summarised as follows:-

- loss of light and privacy to neighbouring properties
- development would be out of character with the surrounding properties
- concern about highway safety in relation to the access and visibility
- potential noise from the apartments

1 letter of comment received noting possible highway safety and access issues

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Principle of residential development in this location
- Visual impact / character of area
- Impact on setting of conservation area
- Impact on neighbouring / residential amenity
- Access and parking / highway safety

The principle of the development

Saved policy UAP1 of the Warwick District Local Plan 1996-2011 relates to the direction of new housing and states that residential development will be permitted on previously developed land and buildings within the confines of the urban areas. The site is located within the confines of the urban area and would make use of a redundant previously developed site.

However, as the Council does not currently have a 5 year housing land supply, policy UAP1 is considered to be out of date. Emerging Local Plan policy H1 states that housing development will be permitted in a number of specified circumstances, one of which is where the site is within an Urban Area as identified on the Policies Map. The application site is in such an area and accordingly, the principle of development is considered to be acceptable. Moreover, in accordance with paragraph 14 of the NPPF, where the development plan is absent, silent, or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework take as a whole.

Overall, the provision of a residential development in this location is considered to be acceptable in principle subject to an assessment being made of the other relevant material planning considerations, which are considered below.

The visual impact on the character and appearance of the area

The building heights of the proposed blocks would be staggered. The three town houses would be the tallest buildings within the site, measuring 11m to the ridge, while Apartment Block A, proposed next to the houses, would measure 10.7m to the ridge. Apartment Block B, which would sit at the front of the site, but largely behind the existing dwelling (No 1 Manor Farm House) has been revised through the course of the application so that its ridge height is now reduced to 8.5m. The overall character and appearance of the development would be contemporary, using a combination of materials including white render, aluminium cladding, natural cedar boarding and red brick. Design features such as curved roofs and inset balconies would contribute to the modern appearance of the buildings.

Due to the position of the site which is largely set behind the existing dwelling on the road frontage and the Lillington Bowling Club, it is unlikely the new development would be read as part of the street scene since the gap between the dwelling and the adjacent garage is only sufficiently wide enough to provide the access into the rear part of the site which would be developed by this application. Only glimpsed views therefore would be available from Lime Avenue and again, due to the shape and layout of the site, such views would only extend as far as Apartment Block B.

From the rear, as viewed from within Hadrian Close, the backs of the town houses and Apartment Block A would be partially visible. Officers acknowledge that levels within the site would be altered as a result of this permission being granted, meaning that the ridge heights of the new buildings would no higher than the existing three storey development in Hadrian Close.

Notwithstanding the proposed ridge heights, officers consider this would be appropriate when read in the context of the surrounding three storey development in Hadrian Close to the rear that would sit either side of the proposed houses and Block A. Overall, officers consider the proposed new development would sit comfortably within this vacant site and be well-related to the surrounding built form in terms of scale, height and massing. Although materials are annotated on the submitted drawings, the final detail would be subject to a condition requiring samples to be submitted for approval, thus ensuring the finished development remains acceptable in visual terms.

Whilst acknowledging that concern was raised by the County Landscape team about the amount of trees cleared from the site, officers note that the site's location outside a conservation area means that trees can be removed without consent. Those remaining trees on the south west boundary where the site adjoins the neighbouring property are located in the garden of the neighbour and therefore within the conservation area. It is recommended that a condition requires the necessary tree protection measures to be implemented in respect of these trees which are to be retained, in accordance with the relevant standards and other guidance.

Overall, officers are satisfied that the proposed development would be acceptable in character and visual terms and therefore would be in accordance with saved policy DP1.

The impact on Heritage Assets (Setting of the adjacent Conservation Area)

The site sits wholly outside the Lillington Village Conservation Area, however part of the site's boundary on the south west side where it adjoins the neighbour's boundary, is adjacent the conservation area boundary. Any proposed development within this

site is therefore likely to affect the setting of the conservation area. Saved policy DAP8 requires development to respect the setting of the conservation area and important views both into and out of them. Given the limited public views into the site from Lime Avenue due to its positioning behind existing development that addresses the road, it is considered that views out of the conservation area towards the new development would be limited. However, where glimpsed views of Apartment Block B near to the site's frontage are available, officers consider that the redevelopment of this vacant site would improve the appearance of the area and in turn lead to an enhancement of its immediate context. Accordingly, the setting of the conservation area is considered by officers to be respected and no material harm would arise as a result of these proposals. It is considered therefore that the development accords with saved policy DAP8.

The impact on neighbouring / residential amenity

The closest neighbouring property likely to be impacted by the proposed development is No.1 Manor Farm House which is orientated sideways with its gable end addressing Lime Avenue. It therefore shares a side to back relationship with the proposed Apartment Block B. Adopted separation guidelines stipulate a minimum of 16m for such a relationship and the proposals would result in Block B being 18m from the gable end of the neighbour, which accords with the relevant guidance.

At the rear of the site, proposed Apartment Block A and the three town houses would continue a linear form of development, broadly in line with Nos. 30-34 Hadrian Close. There is no opportunity therefore for any breaches of the 45 degree rule as taken from the rear elevations of the properties in Hadrian Close and additionally, the ridge heights would be similar to the existing ridge heights of the neighbours, thus minimising any opportunity for overbearing or overshadowing effects. The development is therefore considered to be acceptable in this regard. No.20 Hadrian Close is the closest neighbour to the proposed town houses and this is perpendicular to the proposed position of the new dwellings. Whilst this would result in a breach of the 45 degree line as taken from the front facing windows in No.20, the point at which it crosses the proposed town houses would be 14m away, which is regarded as acceptable in terms of the likely impacts that may be had on existing properties.

Overall, it is not considered that existing amenity of neighbouring properties would be materially harmed by reason of overbearing, overshadowing or overlooking.

<u>Provision of amenity for future occupiers</u>

The proposed town houses each have their own private rear garden while the apartments would benefit from the provision of some green spaces within the development. In terms of outlook, the apartments have front and rear facing windows all serving primary rooms (living room/kitchen/bedrooms). All bedrooms are positioned at the back of Blocks A and B so these windows would look directly onto proposed green spaces at the rear of each building. Accordingly, it is considered that the proposed levels of amenity together with outlooks for future occupiers are acceptable.

Overall, officers are satisfied that the development is acceptable in accordance with saved policy DP2.

Access and parking / highway safety

An existing access off Lime Avenue already serves the site and this is proposed to be retained and utilised to serve the proposed development. The Highways Authority has raised no objection to the principle of development but noted some concern about the level of on-street parking in Lime Avenue, which may sometimes have implications on the visibility splay from the access and cause potential obstructions for vehicles leaving the site. It was therefore suggested by the Highways Authority that parking restrictions in the road may prevent indiscriminate parking within the visibility splays, however, this is not something that can be secured through the planning application process and indeed relates to land outside the application site edged red. After discussing the proposals at length with the Highways Authority, officers are now satisfied with the recommended condition and note relating to the provision of a bellmouth and the necessary works that would be covered by a S.278 agreement. Overall, it is considered that the proposals would not be detrimental to highway safety and would accord with saved policy DP6 in relation to access.

A total of 15 car parking spaces are proposed within the development, which, based on the number of units proposed and the level of accommodation these would provide, accords with the Vehicle Parking Standards SPD. Officers are therefore satisfied that the development is acceptable in accordance with saved policy DP8 in relation to parking.

Other matters

Renewable Energy
In the submitted energy statement it is suggested that the fabric first approach is deemed to be the most appropriate for the development, however, full details and calculations have yet to be submitted and it is therefore proposed to attach the standard condition requiring such details prior to the commencement of any development.

Ecological Impact
In view of the condition of this vacant site, no detailed ecological appraisals were deemed to be required from the County Ecologist, who raised no objections to the application providing appropriate conditions and notes were attached to any forthcoming permission. A combined ecological and landscaping scheme would be necessary to be secured by condition to ensure there is no net biodiversity loss. Overall, subject to the imposition of suitably worded conditions, there are no objections to the development in ecological terms and officers are satisfied the proposals are acceptable in this respect.

Archaeology
The County Archaeologist has advised that the site lies in an area of significant archaeological potential within the medieval settlement of Lillington. There is a potential for the proposals to impact on archaeological deposits but a suitable condition attached to any forthcoming permission would require a written scheme of investigation for a programme of archaeological evaluative works prior to the commencement of any development and this would ensure that appropriate mitigation is sought, where appropriate.

Open space
Policy SC13 seeks contributions from residential developments to provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs. The proposed development would not make any on-site provision for formal open space and accordingly, having been assessed by the Open Space team, a

contribution of £15,027 would be required which would be put toward the development objectives of local open spaces within approximately 500m (10 minute walk) of the development, or toward the development of nearby destination parks. The Open Space team, at the time of providing advice in response to this particular application, identified that several of these open spaces have development plans and projects in need of funding and at this time, development contributions are required at Mason Avenue Park, Midland Oak and The Holt. I therefore consider the proposal accords with SC13 and the associated SPD and is acceptable in this regard.

Refuse collection arrangements
The Contract Services team has advised that it appears as if adequate storage space would be provided on each of the properties for refuse and recycling containers. There is sufficient provision for waste collection vehicles to be able to enter the site and collect bins accordingly. However, in the event that any on-street parking were to limit the ability for such a vehicle to physically enter the site on a collection day, then the bins would need to be presented kerb side, which is what other neighbouring properties in the immediate vicinity do at present.

SUMMARY/CONCLUSION

The principle of development is considered to be acceptable having regard to the relevant saved policies of the Development Plan which are consistent with the provisions of the Framework and the emerging Local Plan. The visual impacts of the development are considered to be acceptable and the proposed appearance, finish and character of the development within this vacant site is considered to result in an enhancement to the setting of the adjacent conservation area. The proposed buildings would not result in any material harm to the amenity of existing neighbouring properties and adequate levels of amenity are proposed for the new dwellings and apartments. There would be no detriment to highway safety and other matters relating to landscaping, ecology, archaeology and open space could either be secured or suitably mitigated through the imposition of appropriately worded conditions. Overall, the proposals represent a sustainable form of development that would result in no significant or demonstrable harm. For all the above reasons, it is recommended that planning permission be approved subject to conditions.

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 3342-101 Rev.A, 3342-102 and 3342-106, and specification contained therein, submitted on 10th October 2016, 3342-105 submitted on 26th October 2016 and 3342-107 Rev.C submitted on 27th March 2017. **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 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been

submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

4 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

5 No part of the development hereby permitted shall be commenced until a combined ecological and landscaping scheme has been submitted to and agreed in writing by the Local Planning Authority in conjunction with advice from WCC Ecological Services. The scheme must include all aspects of landscaping including details of native tree planting and other biodiversity enhancements such as installation of bird and bat boxes, log pile, creation of wildflower area. The development shall thereafter be carried out in accordance the approved scheme. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.

6 No development shall take place within the application site, unless and until
a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the local planning authority,
b) the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken and a a report detailing the result f of this fieldwork shall be submitted to the local

planning authority,
c) an Archaeological Mitigation Strategy document shall be submitted to and approved in writing by the local planning authority. THis should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development and any archaeological fieldwork post-excavation analysis, publication of result and archive deposition detailed in the mitigation Strategy document shall be undertaken in accordance with the approved Mitigation Strategy document. **REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected were applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.

7 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

8 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

9 Prior to the commencement of the development hereby permitted protective measures for all retained trees including tree protective fencing and/or ground protection shall be installed in accordance with BS 5837:2012 and thereafter maintained throughout the lifespan of the

building operations. **REASON:** To protect the existing trees on the site in accordance with Policy DAP3 of the Warwick District Local Plan 1996-2011.

10 The access to the site for vehicles shall not be used unless and until a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. **REASON:** To ensure safe access to the site and in the interests of highway safety in accordance with Policies DP6 and DP8 of the Warwick District Plan 1996 – 2011.

Planning Committee: 26 April 2017 **Item Number:** **5**

Application No: W 17 / 0115

Registration Date: 26/01/17
Town/Parish Council: Hatton **Expiry Date:** 23/03/17
Case Officer: Lucy Hammond
01926 456534 lucy.hammond@warwickdc.gov.uk

32 Combroke Grove, Hatton Park, Hatton, Warwick, CV35 7TG
Erection of two storey side extension FOR Mrs A Finerty

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to replace the existing garage to the side with a two storey extension on a slightly larger footprint. The extension would be set back from the principal wall and set down from the main ridge height and would measure 2.7m x 6.9m with a dual pitched roof height of 7.5m to the ridge.

THE SITE AND ITS LOCATION

The property is located in a cul-de-sac on the Hatton Park estate. The two storey detached property makes up part of a street scene characterised by a mix of detached and terraced properties of varying architectural styles. There is a single storey garage attached to the side which is an original part of the property. The property is in the West Midlands Green Belt.

PLANNING HISTORY

W/17/0355 - Application for a Lawful Development Certificate for proposed loft conversion and rear box dormer in accordance with the proposed drawing submitted to the LPA on 28/02/2017 with the materials used in any exterior work to be of a similar appearance to those used in the construction of the exterior of the original dwellinghouse – Pending consideration.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Hatton Parish Council - Objection on the grounds of overdevelopment, not in keeping and will lead to a likely build-up of parking on the pavement/road

WCC Highways - No objection

WCC Ecology - No objection, notes recommended.

Public Response - One objection has been received from the neighbour at number 30 on grounds of loss of light to side bathroom window and garden; large four bed dwelling would adversely affect the streetscene; loss of garage will result in loss of parking space; view of trees to rear will be lost; will set a precedent for similar proposals in street.

One letter of support has been received on the basis that the proposal is sensitive and will not harm the character and appearance of the street scene; the garage has never been used for parking as it is not wide enough; the estate has similar extensions.

KEY ISSUES

Assessment

The key issues relevant to this development are:-

- Whether the proposal represents appropriate development in the Green Belt and, if not, whether there are any very special circumstances which outweigh the harm by reason of inappropriateness and any other harm identified
- Design and impact on street scene
- Impact on neighbouring amenity
- Parking and highway safety
- Renewables

Whether the proposal represents appropriate development in the Green Belt

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 of the NPPF sets out particular forms of development that are not considered inappropriate development in the Green Belt. One such example is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Saved Policy RAP2 of the Warwick District Local Plan 1996-2011 and emerging Local Plan Policy H14 go on to define 'disproportionate' as an increase of no more than 30% to the gross floor space of the original dwelling.

The original house (as it was originally built) is calculated at 101.25 sq.m. The existing property has no extensions that have been built subsequent to the original construction and the proposed side extension amounts to an additional 22.6 sq.m. representing a total increase of the property by 22.3% over and above the original floor space. This amount of proposed additional floor space sits within the limits of what is deemed to be acceptable within the justification to the relevant policies and accordingly this is considered to be appropriate development in the Green Belt.

Visual impact / impact on street scene

The replacement extension, whilst being brought 1.5m further forward of the existing front wall of the garage would still be set back from the principal elevation of the property by 2m and would be set down from the main ridge line by 700mm. This is considered to be sufficiently subservient and respects the original scale and form of the main building and is considered to accord with the Residential Design Guide SPG. The street scene is mixed, with some properties having forward projecting gables and others extensions on the side and directly opposite the application site is a row of terraced properties. There is therefore no one particular prevailing characteristic that defines the street scene and as such the introduction of this two storey side extension would not be incongruous within the street scene.

Furthermore, it is not considered that the proposed extension would create a terracing effect since there would still be a gap between the extension and the boundary of around 800mm, while on the other side there is a gap of 1100mm. Moreover, the relationship between the dwelling and its neighbour to the east (No.30) which is set back some 3m from the principal elevation of the application property would further diminish any perception of a terracing effect.

Having regard to the above, officers are therefore satisfied that the proposed extension would be acceptable in terms of its visual impact on the street scene and general character of the area.

Impact on neighbouring amenity

The position of the application property in relation to the adjacent neighbour to the east (No.30) is such that it is not possible to breach any 45° line since No.30 projects further beyond the rear building line of the application property. At the front, the proposed new front wall of the extension would be in line with the front wall of No.30 again eliminating any possibility for the 45° line to be breached by the development. Officers are therefore satisfied that the extension would not result in any demonstrable harm by reason of overbearing or loss of light impacts.

The proposed extension would contain no side facing windows that could look towards No.30; to the rear would be a bedroom window and to the front, a bathroom window. As such, the proposal would be unlikely to result in any harmful overlooking.

The neighbour at No.30 has raised a number of concerns but having regard to the material planning considerations set out above, the development would not result in unacceptable or demonstrable harm. There are some points raised which are not material to planning, e.g. loss of views, and officers are satisfied that no precedent would be set by the approval of this application since every development proposal is considered on its own merits.

Officers are satisfied that the proposed extension would not result in material harm to neighbouring amenity by reason of overbearing, overlooking or overshadowing such as to justify a refusal of permission, and accordingly, the development is acceptable in this regard.

Parking and highway safety

The County Highways Authority initially raised an objection to the development based on the fact the plans did not illustrate that two parking spaces could be retained in association with the dwelling. However, upon further review of the application, consideration being given to the fact there are other properties that do not have two parking spaces, there is capacity for on-street parking and the fact there is not an identified parking problem in the vicinity, the Highways Authority was content to remove its objection advising there would be no detriment to highway safety. Officers are therefore satisfied, in accordance with 2.3.2 (i) of the Vehicle Parking Standards SPD, that there is sufficient capacity for on-street parking without detrimentally affecting the safety and convenience of other residents and occupiers. Accordingly, the development is considered to be acceptable in this regard.

Renewables

The scale of the development in this instance does not necessitate the requirement to provide 10% of the predicted energy requirement of the development through energy efficiency in accordance with saved Policy DP13 and the associated SPD.

Summary/Conclusion

The proposed extension amounts to a 22.3% increase over and above the existing floor space and as such represents an appropriate form of development within the

Green Belt. There would be no material visual harm arising from the proposals and similarly no material harm resulting to the residential amenity of neighbouring properties. No detriment would be caused to highway safety and overall, officers are satisfied that the development accords with the relevant saved policies of the Local Plan and for the above reasons it is recommended that permission be approved.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 002, 003 and 004 and specification contained therein, submitted on 23rd January 2017. **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 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

Planning Committee: 26 April 2017 **Item Number:** **6**

Application No: W 17 / 0142

Registration Date: 27/01/17

Town/Parish Council: Beausale, Haseley, Honiley & Wroxall **Expiry Date:** 24/03/17

Case Officer: Emma Spandley
01926 456539 emma.spandley@warwickdc.gov.uk

The Stables, Lyon Farm, Rouncil Lane, Beausale, Warwick, CV35 7AL

Conversion of existing garage, installation of new Velux window, alterations to existing windows and the formation of new windows and a new oak porch and canopy. FOR Mr Bates

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This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

RECOMMENDATION

Planning Committee is recommended to refuse planning permission for the reasons set out at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal is for the conversion of the remaining existing garage space into a habitable room, which will have access from the main dwelling through an existing utility room. The garage door will be removed, and be replaced with bi folding doors. The application also seeks to replace the existing casement windows and glazed door to the adjoining, already converted garage with bi folding doors.

THE SITE AND ITS LOCATION

The application property forms part of a small group of residential properties which are isolated and sited on a quiet country lane within the Green Belt. Agricultural land surrounds the property, and the applicant owns the paddock adjoining their residential curtilage to the north, and other land nearby. There are two residential properties adjoining the site, The Granary to the west and Lyon Farm Cottage to the south.

The application dwelling is a roughly T shaped barn conversion which is attached to one adjoining residence on the south side. The dwelling has an adjoining garage extension added at the time of conversion at the front, which projects towards the road. The converted barn is raised above the ground level at the front of the site so it is approached by steps and has a raised brick walled flower bed against the front elevation.

PLANNING HISTORY

W/99/1554 -Conversion of barns to 3 dwellings, erection of extensions to existing cottage, erection of detached garage for farmhouse and erection of stables for use by unit 3 - Granted 9th February 2000 - permitted development rights removed.

W/04/1780 - Erection of a new garage and conservatory; demolition of existing buildings; new site access after closure of existing - Granted.

W/11/1007 - Proposed conversion of double garage to form single garage and additional living space. Installation of new access door way into the existing utility. Installation of additional roof light. Alterations to existing raised planting beds to form access and steps to new access door way - Granted 5th March 2012.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Beausale, Haseley, Honiley & Wroxall Parish Council - Support the application

WCC Ecology - The location of the site, with its proximity to woodland, is in an area that is suitable for foraging and roosting bats. This along with a bat roost being found immediately adjacent to this site means there is increased potential for bats to be utilising the roof space. Therefore we request an initial bat survey is carried out prior to determination. We also recommend that nesting birds are considered within this report.

ASSESSMENT

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which outweigh the harm identified

The National Planning Policy Framework (NPPF) states that the essential characteristics of Green Belt are openness and permanence. The application proposes to re-tile an existing mono pitched roof to the front door with a dual pitched roof. Whilst the new roof will not create any additional floor space, it will increase the height of the porch roof. The increase in height is minimal and will not have a harmful impact on the openness of the Green Belt. The NPPF sets out exemptions to inappropriate development in the Green Belt which includes extensions which are not

disproportionate. The proposed development taken together with previous extensions does not exceed 30% as stipulated in Policy RAP2 of the Local Plan and therefore the proposal is considered to be appropriate development in the Green Belt.

The impact on the rural character and appearance of the barn conversion

The Agricultural Buildings and Conversion Supplementary Planning Guidance states that barns are an important and valuable feature of the rural landscape. The introduction of inappropriate design elements can be highly destructive to the character, historic fabric and setting of a former barn or agricultural complex.

Barns were essentially used for the storage of cereal crops, their threshing and winnowing. This function is reflected in the character of the building - large internal voids with great barn doors to allow access. With the exception of ventilation slots and the occasional pitch or owl hole, walls are characterised by their lack of openings. It is precisely these characteristics that are so important if the integrity of a barn is to be retained and not compromised by inappropriate conversion.

With regard to the installation of a roof light, with the exception of occasional pitching loft, roofs are characterised by their unbroken lines and total lack of any openings. Roof lights need to be handled carefully; modest in size, flush with roof pitch and restricted to the absolute minimum and located below the centre line of the roof in the bottom third of the roof slope.

Turning to the conversion of the garage, when a barn is converted the conversion must be contained within the curtilage of the existing buildings. The loss of the existing garage, and its conversion to living space, will reduce domestic and car storage space for the property. Permission granted under W/11/1007 allowed the conversion of one of the two garage spaces into a habitable room as this was in line with the Agricultural Buildings Conversion SPG which states dwellings are required to provide a garage space.

However, it is the choice of the applicants whether they retain garaging or not on the site. The permitted development rights have been removed to control the aesthetics and the number of buildings on the site in line with the Agricultural Buildings Conversion SPG.

Furthermore, the site lies within the Green Belt where the erection of buildings is considered inappropriate. Therefore, it is the applicant's choice if they wish to convert non habitable rooms within the property and lose the garaging and storage as permission in the future for a detached outbuilding on the site would be unlikely to be supported.

Notwithstanding the above, the conversion of the garaging space is acceptable however the external works associated with the conversion are not acceptable as they introduce alien features into a former agricultural building.

In 2011 the other garaging unit was approved to be converted. The external changes consisted of wood panelling to the lower half of the opening with glazed window above together with a modest pedestrian door, which is consistent with the Barn Conversion SPG. The application seeks to remove the existing timber side hung garage doors and the window / door combination, mentioned above, and replaces them with two bi folding doors.

Furthermore, the application seeks install a new window and new double French doors to the rear elevation where there is no opening and a conservation style roof light to the side roof profile and a new timber framed porch with a mono pitched roof.

Bi folding doors are not appropriate features on barn conversions.

The works taken together would result in material harm to the character and integrity of the application property.

Summary/Conclusion

The Agricultural Barn Conversion SPG seeks to retain the character of the barns. Their conversion is acceptable as long as non-traditional elements are not added. The property is a barn which has been converted sensitively. The application proposes to install bi folding doors and create additional openings where none existed before adding urban features which are not associated with barns. The proposed works would result in material harm to the character and appearance of the barn conversion and would be contrary to Policy RAP7 and the adopted Agricultural Buildings Conversion SPG.

REFUSAL REASONS

1 Policy RAP7 of the Local Plan and the Agricultural Barn Conversion SPG seek to retain the original character and integrity of barns. Their conversion is acceptable as long as non-traditional elements are not added. The application property is a barn which has been converted sensitively. The application proposes to install bi folding doors and create additional openings where none existed before adding in alien and incongruous features not associated with barns which would result in material harm to the character and appearance of the barn conversion and would be contrary to the aforementioned policies.

Planning Committee: 26 April 2017 **Item Number:** 7

Application No: W 17 / 0168

Registration Date: 02/02/17
Town/Parish Council: Warwick **Expiry Date:** 04/05/17
Case Officer: Rob Young
01926 456535 rob.young@warwickdc.gov.uk

Plot 8001, Tournament Fields, Stratford Road, Warwick
Application for approval of reserved matters against outline planning permission no. W/13/0758 for the erection of a 2 storey building (B1 unit) to include offices, laboratories, workshops, Hardware in the Loop Simulation (HIL) environment, soak areas for vehicle testing, Powertrain Test Bed modules, reception, rest rooms, toilets and showers, as well as an external service yard, car parking and landscaping. FOR AVL Powertrain Ltd

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This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to APPROVE this reserved matters application, subject to conditions.

DETAILS OF THE DEVELOPMENT

This is a reserved matters submission under outline planning permission no. W13/0758 for the erection of a 2 storey building containing offices, laboratories, workshops and vehicle testing facilities (Use Class B1). The plans also include an external service yard, car parking and landscaping.

THE SITE AND ITS LOCATION

The application relates to a vacant plot of land on the Tournament Fields employment site. This plot is situated on the western edge of the development, alongside the boundary with the A46. A hotel adjoins the site to the south, while further vacant plots on Tournament Fields adjoin the site to the east and north. Tournament Fields contains a mix of offices, industrial and warehousing premises, together with a care home and ambulance station. The nearest residential properties are situated approximately 100m to the south-east of the site in The Peacocks. There are also dwellings approximately 180m to the north of the site in Hardwick Field Lane.

PLANNING HISTORY

Outline planning permission for Tournament Fields was renewed in 2013 (Ref. W13/0758). This was for "employment development for Use Classes B1, B2 and B8 purposes". The original outline permission had been granted in 1995 (Ref. W92/0291). Since the original outline permission was granted, a number of reserved matters consents have been granted for offices and industrial / warehouse units on other plots on Tournament Fields.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- UAP2 - Directing New Employment Development (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- EC1 - Directing New Employment Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- EC3 - Protecting Employment Land and Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Employment Land Development Brief - Tournament Fields, Warwick (Prepared by Severn Trent Property)

SUMMARY OF REPRESENTATIONS

Town Council: State that they cannot object because of the Parking Standards. Concerns are raised regarding parking issues on the approach road and in the immediate area.

Public response: 8 objections have been received, raising the following concerns:

- concerns about inadequate parking provision given the issues with parking on the estate, which is used as a bus route and as an access to the ambulance station;
- lack of green space;
- harmful ecological impact;
- loss of trees; and
- noise and disturbance.

One neutral comment has been received stating that they are supportive, provided that adequate parking is provided.

One letter of support has been received on the grounds that the development will create much needed jobs.

Cllr Holland (County Councillor): There is a serious problem due to insufficient on site car parking. We need more spaces on site. Also roads need lay bys in place of grass verges. Obviously more parking will mean more impervious surfaces. Ambulances are being obstructed responding to 999 calls due to street parking.

Highways England: No objection.

WCC Ecology: Make comments regarding a loss of biodiversity, but note that the principle of development has already been established by the outline permission. Recommend various conditions.

WCC Flood Risk Management: Request further drainage details.

WCC Landscape: Advise that detailed landscaping proposals are required.

WCC Highways: No objection.

WCC Archaeology: No comment.

WDC Environmental Health: No objection, subject to conditions.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- the impact on the living conditions of nearby dwellings;
- the impact on the character and appearance of the area;
- car parking and highway safety; and
- health and wellbeing.

Impact on the living conditions of nearby dwellings

The application site is situated some way from the nearest dwellings. Furthermore, it is important to bear in mind that the site has outline planning permission for all forms of employment development, including research and development, light industrial (B1), general industrial (B2) and warehousing (B8) uses. As a result, the principle of accepting these types of development in this location has already been established.

Turning to the detailed design and layout proposed in this reserved matters application, the distance from the nearest dwellings is sufficient to ensure that the proposals would not have any significant implications in terms of loss of light, loss of outlook or loss of privacy. A condition is recommended to require the submission of a noise assessment and mitigation measures if the premises are to be used at night. This addresses any potential issues raised by Environmental Health.

It has also been concluded that the proposals would have an acceptable relationship with the adjacent hotel.

Impact on the character and appearance of the area

The design of the proposed building is in keeping with other recent developments on Tournament Fields. The design meets the requirements of the Development Brief for the site. Therefore it has been concluded that the proposals would have an acceptable impact on the character and appearance of the area.

Car parking and highway safety

There has been no objection from the Highway Authority. Therefore the proposals are considered to be acceptable in terms of the impact on highway safety.

With regard to parking, the proposed provision works out at 1 space per 35 sq m. This is mid-way between the Council's Parking Standards for offices (1 space per 30 sq m) and high technology / light industry (1 space per 40 sq m). As the proposed building contains a mix of such uses, this provision is considered to be in accordance with the Parking Standards.

The comments of Cllr Holland and other objectors in relation to parking on the estate roads are noted, however, in the absence of an objection from the Highway Authority, there are no grounds for requiring parking in excess of the Council's Parking Standards.

Health and wellbeing

The proposals do not raise any significant implications for health and wellbeing.

Other matters

With regard to the comments of WCC Flood Risk Management, drainage matters were dealt with under the outline planning permission. Therefore it is not possible to reconsider this issue as part of this reserved matters application.

With regard to the comments of WCC Ecology, biodiversity and ecological impacts were dealt with under the outline planning permission. Therefore it is not possible to reconsider this issue as part of this reserved matters application.

All existing trees are proposed to be retained.

A condition is recommended to require the incorporation of on-site renewable energy production or energy efficiency measures to meet the requirements of Local Plan Policy DP13.

SUMMARY / CONCLUSION

The proposals will have an acceptable impact on the living conditions of nearby dwellings and on the character and appearance of the area. The proposals are also considered to be acceptable in terms of car parking and highway safety. Therefore it is recommended that this reserved matters application is approved.

CONDITIONS

1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) DR-1-010G, DR-1-011F, DR-1-012, DR-1-017, DR-1-020D, DR-1-021D, DR-1-130A, DR-1-131A & DR-5-650, and specification contained therein, submitted on 1 February 2017, except as required by Condition 8 below. **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.

2 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

3 Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

4 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

5 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

6 No development shall commence until details of the access road to the site from the existing roundabout on Edge Hill Drive have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the access road has been completed in strict accordance with the approved details. **REASON :** For the avoidance of doubt and to ensure an appropriate for vehicular, cycle and pedestrian access, in accordance with Policy DP6 of the Warwick District Local Plan.

7 No development shall commence until details of all ancillary buildings shown on the site layout plan (transformers, HV switch, fuel farm and gas storage modules) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the details approved under this condition. **REASON :** For the avoidance of doubt and to ensure a satisfactory standard of design and appearance for the development, in accordance with Policy DP1 of the Warwick District Local Plan.

8 Notwithstanding the details indicated on the approved plans, no development shall commence until details of boundary treatment have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details. **REASON :** To ensure a satisfactory standard of design and appearance for the development, in accordance with Policy DP1 of the Warwick District Local Plan.

9 The development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in strict accordance with the approved details and shall remain in force at all times thereafter. **REASON**: To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.

10 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root structure may extend within the site. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area,or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

11 All existing trees shall be retained and shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) removed without such consent or

dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

12 The premises hereby permitted shall not be occupied unless and until the cycle parking, car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON**: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.

13 No person shall use and no activity shall take place within the development hereby permitted before 0700 hours or after 1900 hours unless:

(a) a noise assessment (including details of noise mitigation measures if deemed appropriate) has been submitted to and approved in writing by the local planning authority; and
(b) any noise mitigation measures approved under (a) have been implemented in strict accordance with the approved details.

Any noise mitigation measures shall thereafter be retained and maintained in strict accordance with the approved details at all times that the development is used before 0700 hours or after 1900 hours.

REASON : To protect the living conditions of the nearby dwellings and hotel, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.

14 No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **REASON:** To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

Planning Committee: 26 April 2017 **Item Number:** **8**

Application No: W 17 / 0203

Registration Date: 20/02/17
Town/Parish Council: Leamington Spa **Expiry Date:** 17/04/17
Case Officer: Holika Bungre
01926 456541 Holika.Bungre@warwickdc.gov.uk

1 St Marys Crescent, Leamington Spa, CV31 1JL
Retrospective retention of brick wall 1.6m high and 215mm wide FOR Mr J Rivers

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This application is being presented to Committee due to the number of letters of support received.

RECOMMENDATION

The Planning Committee are recommended to REFUSE the application.

DETAILS OF THE DEVELOPMENT

The application seeks retrospective permission to retain a red brick wall built to the front and side boundary of the site (to both frontages), to a 1.6m height. It is said to have replaced a hedge, which can be confirmed by way of google street views dating back to July 2016. The applicant states that the main purpose of the wall is to sound proof his recording studio within the property for their work.

THE SITE AND ITS LOCATION

The application site relates to a detached villa on 1 St Mary's Crescent, situated on the corner with Radford Road. The site lies within the Royal Leamington Spa Conservation Area and is notably a corner plot with prominent views from all surrounding approaches, namely from both sides of Radford Road, St Mary's Crescent and Farley Street which is directly opposite. This part of the Conservation Area is characterised by Mid 19th Century Development, and some large villas within the vicinity of the site, and the Conservation Area appraisal states that there are some original boundary treatments but some careful reinstatements are needed.

PLANNING HISTORY

None relevant

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Leamington Spa Town Council: Objection

1. Unneighbourly and out of keeping with the Conservation Area.
2. Wall is too high and has a negative impact on surrounding street scene.
3. Wall effectively provides dead frontage to a historic property in Leamington.

WDC Conservation: There is an important distinction to be made between boundary treatments on frontages, and boundary treatments around back gardens. Frontages should generally relate to the street / public realm in an open, affable way, whereas back gardens are private space and generally have 1.8 m (6 foot) walls or fences. Corner properties, like the application site, often have two frontages, and both sides should normally be treated in the same way when it comes to boundary treatment.

The Conservation Officer has concerns that walls of 1.6 m are normally associated with a private back garden. The danger of allowing walls or fences of this height is that they result in dead frontage, harmful to the street-scene and the appearance of the conservation area.

Conservation Advisory Forum: The 1.6m wall as built would be more appropriate for a private back garden rather than the public frontage of an imposing corner house; the result is harmful to the appearance of the conservation area and results in a hostile street scene on what should be a welcoming corner. It is also considered that the bricks are of an inappropriately bright colour.

The Leamington Society: Objection

- Concerned that the wall has a negative impact on the Radford Road street scene and the Conservation Area.
- There are low walls in the surrounding area.
- These high walls obscure the elevations of the main house to both roads.
- There are other more effective and less visually intrusive ways of providing sound insulation.
- Concerning the examples given to support the applicant's case within the Heritage Design and Access Statement, they do not form precedents which support this

case. This is because Photo 1 is of the property to the opposite side of St Mary's Crescent which is a boundary treatment to the rear garden which is the traditional arrangement, and Photo 2 is also a garden wall to what was likely to have been a large house which was replaced with a terrace of houses which are well set back from the road.

Public Response: 7 letters of support and 2 letters of objection.

Support:

- The new wall is an improvement, clean and tidy, and is preferred as a replacement to what was a tired and unattractive hedge.
- The wall is no higher (or slightly lower) than the previous hedge, therefore more of the villa can be seen now.
- The wall is in keeping with the surrounding area and other walls found there, and compliments the planted area at the end of the Crescent. It is also more attractive than the wall found opposite at No. 50 Radford Road and forms a good backdrop to the Crescent garden.
- The design and materials are sympathetic to the area.
- There are a number of frontage walls with a similar height along Radford Road, between St Mary's Crescent and the Willes Road junction, and along Farley Street; at St Mary's Court, 85a Radford Road, Southlands and the Kensington House/Garden House conversion on the corner of St Mary's Road, and the wall opposite to 1 St Mary's Crescent.
- Low walls in the area attract those who drink and partake in unsociable behaviour (as takes place at No. 50 Radford Road), but this wall prevents nuisance.
- Purpose of wall to screen against noise for the studio, which is of benefit to his work.

Objections:

- The brick wall is wholly out of sympathy with the surrounding buildings and the street scene, including in its impact upon the symmetry of St Mary's Crescent as viewed from the Farley street approach, where the property opposite retains its hedge.
- The wall is much too high and replaces a very low wall and hedge and considers that a 1 metre wall would be more than sufficient. It also cuts across the elevation of the property on both sides obscuring the visual integrity of what is an attractive villa, whereas its distinctive architectural features should be protected, especially within the Conservation Area.
- Feels that the wall should be rendered to fit in with the area.

Various other non-material planning comments were made.

Assessment

Design and Impact on the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

It has been widely commented by various parties (including the Conservation Officer, the Leamington Spa Town Council, The Conservation Advisory Forum, the Leamington Society and neighbour objectors) that the wall is too high, and is of a height which is characteristic of rear garden walls. It has been said therefore that it is inappropriate for them to be of this height (as front and side garden walls), and that it has a negative visual impact on the street and the Conservation Area. This is agreed to be the case in planning terms.

It is considered that the wall the subject of this application by reason of its prominent and sensitive location, height, design and materials and the screening effect that it provides to the main house will result in an area of dead frontage, which is harmful to the established character of the street scene and the appearance of the Conservation Area.

Further concerning the height of the walls and what can be found within the immediate area, various comments have been made in support and objection to the application. It has been said that there are mainly much lower walls within the immediate area. It is considered that the predominant character of the area includes front walls in the immediate street scene, where there are many examples of brick walls of an approximate maximum of 1 metre in height, and many much smaller dwarf walls, such that this wall is uncharacteristic of the area in its height.

Supporters have noted that there are some examples of higher walls within the area and other surrounding areas, however most of them are some distance away to affect the immediate context.

Letters in support of the application have commented that the wall replaces a hedge that was similar or that the wall is lower in height, and that the wall is much cleaner and tidier in appearance than the hedge which was replaced. However, it is considered that a hedge is softer in appearance than a wall which has a different character and appearance within the context of this sensitive street scene and which as set out above is considered to be uncharacteristic within the street scene and Conservation Area.

All of the above is considered to be further exacerbated by the prominent positioning of the site within the street, which can be viewed from many angles and approaches. Therefore, it is considered overall that the wall is inappropriate, screening the views of the historic property, and is a harmful and incongruous addition to the street scene and the Conservation Area, contrary to Local Plan Policy DAP8.

Impact on Neighbour Amenity

The wall does not cause any issues of loss of light, outlook or privacy. It does not breach the 45 degree rule to any of the nearest ground floor habitable room windows of No 52 Radford Road or 3 St Mary's Crescent and therefore will not harm neighbouring amenity. Due to this, despite objection from the Town Council, while the

wall may seem generally imposing in its design, it is not strictly unneighbourly and this reasoning would not sustain a refusal.

Renewables

Given the limited scale of the proposed development it is considered that a requirement to provide 10% renewables/ fabric first approach in accordance with Policy DP13 and the associated SPD would not be appropriate.

Other matters

Unfortunately the purpose for which the wall has been built and its said benefit to the applicant is not a material planning consideration and the harm caused as described above is the key defining factor within the recommendation, which holds planning weight.

Summary/Conclusion

It is concluded that the wall is an inappropriate boundary treatment to this prominent site by reason of its height, design and materials which has resulted in areas of dead frontage which is harmful to the street scene and the character of the Conservation Area.

REFUSAL REASONS

1 Policy DAP 8 of the Warwick District Local Plan 1996-2011 requires development to preserve or enhance the special architectural and historic interest of the District's Conservation Areas.

The 1.6 metre high wall hereby proposed to be retained would by reason of its prominent positioning, height and design comprise an uncharacteristic and incongruous feature within the surrounding area which would not preserve or enhance the character and appearance of the Royal Leamington Spa Conservation Area.

The development is thereby considered to be contrary to the National Planning Policy Framework and the aforementioned policy.

Planning Committee: 26 April 2017 **Item Number:** **9**

Application No: W 17 / 0260

Registration Date: 23/02/17
Town/Parish Council: Barford **Expiry Date:** 20/04/17
Case Officer: Holika Bungre
01926 456541 Holika.Bungre@warwickdc.gov.uk

8 Canon Price Road, Barford, CV35 8EQ
Erection of two storey side extension FOR Mr. Matt Ball

This application is being presented to Committee due to the number of objections and an objection from the Parish Council having been received.

RECOMMENDATION

The Planning Committee is recommended to GRANT the application.

DETAILS OF THE DEVELOPMENT

The application seeks permission for a two storey side extension to the existing property, with a gable end to match the existing gable and with matching materials. At ground floor it is proposed to extend the lounge and dining room and create a study, and at first floor it is proposed to add a further bedroom with ensuite.

THE SITE AND ITS LOCATION

The application site relates to a 4 bedroom detached dwelling located within Canon Price Road, within a relatively new housing development in Barford. The north side boundary runs along the rear boundaries of some of the gardens of properties in Hemmings Mill. The property is brick and tile construction.

PLANNING HISTORY

W/14/0693 - Land to the west of 22 Wellesbourne Road - Full planning application for the erection of 60 dwellings including associated car parking and garages, formation of a new access from Wellesbourne Road, public open space, balancing pond, landscaping, associated earthworks, demolition of No. 22 Wellesbourne Road, associated highways works, relocation of the de commissioned BT telephone box on Wellesbourne Road and other ancillary and enabling works - Granted.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Barford Village Design Statement (September 2009)
- Barford Neighbour Development Plan 2014-2029

SUMMARY OF REPRESENTATIONS

Barford Sherbourne & Wasperton Joint Parish Council: Objection on the following grounds:

1. Adverse effect on the residential amenity of neighbours, by reason of overlooking, loss of privacy and overshadowing.
2. Unacceptable overdevelopment of the site, especially as it involves loss of garden land or the open aspect of the neighbourhood.
3. Visual impact of the development.
4. Effect of the development on the character of the neighbourhood
5. Design (including bulk and massing).
6. The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity.
7. The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners

WCC Ecology: No objection, subject to bat and bird notes.

Public Response: 17 objections have been received on the following grounds:

- Further impact of loss of light upon that caused by the house which was recently built to properties and shallow gardens (directly on No.7 and on No.6, No.8 Hemmings Mill).
- The remaining side access into the applicant's own garden will impact upon the privacy of No. 7 and No.8 Hemmings Mill and their garden space including seating area.
- Proposed front window will cause overlooking to surrounding gardens and to properties No.7 and No.10 Hemmings Mill.

- Proposals do not meet with general design principles of the Barford Village Design Statement for extensions: "*Rear extensions are likely to be acceptable as long as they avoid overlooking and overshadowing neighbouring properties*."
- Further impact of loss of outlook (and over dominance) upon that caused by the house which was recently built (directly on No.7 and No.6, No.8 Hemmings Mill, and Hemmings Mill in general).
- Further impact upon the loss of open views of the Warwickshire countryside from Hemmings Mill caused by the original housing development which was built within it
- A minimal gap will be left to the boundary now where original gaps were amended in to be left between properties as part of the main housing development to minimise impact to gardens, concerning the position of new garages and houses, and this reverses the purpose behind the distances originally added.
- A suitable housing mix was approved as part of the original housing development, and the village needed more small properties at the time of the housing development (to enable the elderly to down size and young people to stay in the village), and this proposal will negatively increase the housing size for what is already a sizeable 4 bedroom house.
- The housing density approved as part of the original development was too high, unsuitable for necessary parking and this proposal will be overdevelopment and will further negatively impact on remaining open spaces in this rural housing development site.
- Concerned about the precedent that would be set if permission is granted.
- The proposals are out of scale in relation to existing neighbouring properties and do not meet with the Barford Neighbour Development Plan 2014-2029 Policy B7: "*Building alterations or extensions in the village should be sensitive to the local context in terms of...scale and structure*."
- Due to the increase in the bedrooms from 4 to 5, further parking is required and a suitable level of parking was made available according to the originally approved housing development.
- County Landscape had previously recommended that there should be a planted buffer belt on the boundaries to protect the existing houses.
- Request that members conduct a site visit.

A range of other non-material planning comments have been made.

Assessment

Design and Impact on the Street Scene

The two storey side extension has been designed in accordance with the Council's adopted Residential Design Guide SPG, being set back 500mm from the front elevation and set down from the main ridge. It is therefore fully subordinate to the main house. The extension is set in by 1m from the boundary as required, even though there would be no issue of a terracing effect. All materials proposed are to match.

In terms of the Council's adopted Separation Distance Guidance SPG, the two storey blank gable end of the proposed extension is at a distance of 14 metres from the rear elevation of the two storey property which is directly opposite (No. 7 Hemmings Mill) and therefore exceeds the required minimum distance of 12 metres by 2 metres. This 12 metre guideline serves a dual purpose which is to limit potential for overdevelopment and to protect living conditions through provision of adequate outlook and privacy.

It has been commented by objectors that the proposals constitute overdevelopment of the site, are out of scale and character with the area and result in a negative visual impact, particularly as it involves loss of garden land and the open aspect of the locality. It has also been commented that the housing density approved as part of the original development was too high and this proposal will be further exceed this, negatively impacting on remaining open spaces in this wider rural site.

Whilst these objections are noted, as the proposal complies with the Residential Design Guide in terms of its subordinate design, complies with the Distance Separation standards, adopted parking standards and provides sufficient external amenity space, it is considered that the proposal would not result in an overdevelopment of the site. The proposed extension is the first and only extension to the property and is proportionate, being less than half of the width of the original property and the remaining garden land is relatively large. The extension is also appropriate in scale and massing. All of this means above means that it will have no negative impact on the property nor the wider character or openness of the area.

The principle of the increase by 1 bedroom from a 4 to a 5 bedroom house has been objected to due to the original housing mix which was approved for the needs of the village (for mainly smaller houses). However, the agreed housing mix was sought to ensure a suitable mix of small and larger housing and a 4 or 5 bed house both fall within a larger house type. In any case, an agreed housing mix does not take away the right for further subsequent extensions.

Impact on Neighbour Amenity

The proposals create no issues of loss of privacy as there are no windows proposed to the side elevation and therefore no overlooking will be caused to the rear gardens of Hemmings Mill, particularly No. 7 the garden of which it is proposed to be directly adjacent to. The new windows to the front and rear will not result in a material increase in overlooking. The first floor windows proposed to the rear will overlook the property's own garden and further at a sufficient distance to the rear are allotment gardens and therefore no overlooking will be caused to the rear.

Objections have been raised on the basis that the proposed first floor front window at first floor will cause overlooking to surrounding gardens and to the properties at Nos.7 and 10 Hemmings Mill. This window is proposed to an en suite bathroom and will be conditioned to be obscure glazed and non opening below 1.7m to ensure that no overlooking can occur and has been agreed by the applicant.

It has further been commented that the remaining side access into the applicant's own garden will impact upon the privacy of No. 7 and No.8 Hemmings Mill and their garden space including seating area. However, an existing high boundary fence exists between the side boundary of the applicant's property and the rear gardens of Hemmings Mill, and Hemmings Mill are set at a higher ground level than the subject property.

It has been raised by objectors that a larger gap than first proposed as part of the original housing development was left to minimise the impact to the properties of Hemmings Mill. It is argued that this will now be reversed and only a minimal gap will be left to the boundary. These comments are noted, however, it is noted that the previous case officer acknowledged that the resulting separation distance between No. 8 Canon Price Road and No. 7 Hemmings Mill was 6 metres above the minimum

separation distance of 12 metres. This was not something that was required to make the development acceptable in planning terms but was offered by the house builder. This does not preclude an application for an extension and the current application must be assessed on its own merits against the relevant policies.

Objections have also been raised in respect of envisaged loss of light to the properties and gardens of Hemmings Mill. However, as the proposal will be 2m under the minimum distance separation it is considered that there will be adequate light and outlook to the neighbouring properties.

Renewables

Given the scale of the proposed development it is considered that a requirement to provide 10% renewables/ fabric first approach in accordance with Policy DP13 and the associated SPD would be appropriate. This can be secured by condition.

Parking

The adopted Vehicle Parking Standards SPD require the same number of parking spaces for a 5 bed dwelling as a 4 bed dwelling (2) which are retained. The proposal is therefore acceptable in terms of parking.

Summary/Conclusion

The proposals are considered to be acceptable in principle, design, scale, proportions, is in accordance with all relevant policies and guidance and will not significantly impact on the amenity of neighbouring properties nor parking provision and therefore the application is recommended for approval.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 001, 002, 003, 004 and 005, and specification contained therein, submitted on 14th February 2017. **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 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

4 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

5 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

6 Prior to the occupation of the development hereby permitted, the en suite window in the front elevation at first floor shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **REASON** : To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

Planning Committee: 26 April 2017 **Item Number:** **10**

Application No: W 17 / 0269

Registration Date: 13/02/17
Town/Parish Council: Warwick **Expiry Date:** 10/04/17
Case Officer: Lucy Hammond
01926 456534 lucy.hammond@warwickdc.gov.uk

8 Church Street, Warwick, CV34 4AB
Change of use from shop & flat above to single dwellinghouse (Use Class C3); Demolition of existing two storey rear extension and erection of new two storey and single storey rear extensions. FOR Mr & Mrs Hawking

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This application is being presented to Committee as the Town Council supports the application and it is recommended for refusal.

RECOMMENDATION

Planning Committee are recommended to refused planning permission for this development for the reason set out at the end of this report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to change the use of the premises from a vacant shop (Class A1) at ground floor with flat above into a single dwellinghouse (Class C3). The proposals also include the demolition of an existing two storey rear extension, which is a later addition to the building from c.1960's. A new two storey rear extension is proposed together with a single storey rear extension. All these works, together with the internal works proposed to facilitate the building's use as a dwelling, are subject to a separate listed building consent application (W/17/0270/LB) which is also to be considered on this same agenda.

THE SITE AND ITS LOCATION

The application site is in Church Street in Warwick, within the designated mixed use area of the town as defined on the Proposals Map. No.8 is a two storey terraced building with accommodation in the loft space; it is white painted render and adjoins No.6 which is the same architectural form and design but cream painted render. The other side (No.10) is a larger and more imposing double fronted stone building currently in use as offices. The site is within the Warwick Conservation Area and the application building is Grade II listed.

PLANNING HISTORY

There is no recent planning history relevant to this application.

RELEVANT POLICIES

- National Planning Policy Framework

- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- TCP8 - Warwick Town Centre Mixed Use Area (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- TC11 - Warwick Town Centre Mixed Use Area (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Warwick Town Council - Support

WCC Archaeology - No objection, recommend condition

WCC Highways - No objection
WCC Ecology - Recommend bat survey is carried out

Public Response - 1 letter of comment received acknowledging the benefits in removing the modern two storey extension from the rear which would improve the amenity of the rear garden/windows of No.6.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- the principle of development
- visual impact on character of the area
- impact on Heritage Assets
- impact on neighbouring amenity
- access and highway safety

The Principle of the Development

Saved Policy TCP8 of the Warwick District Local Plan 1996-2011 states that within the mixed use area of Warwick town centre as defined on the Proposals Map, development of residential, A-class uses (shops, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways) and B1 uses will be permitted unless it results in the loss of a residential use. In this instance the application building was last in use as a shop (Class A1) at ground floor with a residential flat above, across the first and second floors. The shop has been vacant for approximately a year and the building is not currently in use. The proposal to convert the building into a single dwelling is acceptable in principle in accordance with Policy TCP8, subject to an assessment being made of the other relevant planning considerations which are set out below.

Visual impact on the character of the area

The removal of the modern two storey rear extension would improve the overall character and appearance of the building in its context. The provision of new extensions, *in principle*, could also lead to an enhancement of the general character of the area although the impacts on the relevant heritage assets, principally the listed building and the conservation area are fundamental. THese are considered in the following section of this report.

Notwithstanding the heritage considerations, the change of use of the building into a single dwelling would not result in any material harm to the street scene since the front elevation of the building as viewed in Church Street would remain largely unchanged, save for the addition of pitched roofs above the two existing dormers. In this respect, the proposals are considered to be in accordance with saved Policy DP2 in terms of the general character, appearance and visual amenity of the site and immediate surroundings.

Impact on Heritage Assets (Listed building and conservation area)

Officers have had in-depth involvement in these proposals to date and note that the *principle* of reverting the building back to a single family dwelling is fully supported in heritage terms. This building, is a historic property in a very prominent location in one of the main medieval streets in the town, and is within the immediate context of highly-graded heritage assets. The building is also within an evident state of disrepair which is why the principle of bringing this building back into use, as a single dwelling, is supported.

However, with regard to the specific impacts that would arise to the listed building itself, there are a number of objections raised to aspects of the proposals both internally and externally. The external works have been fully considered as part of the planning application, while the internal works form part of the assessment for the application for listed building consent only.

The removal of the modern 1960's extension is fully supported as it is both visually detrimental to the architectural merit of the property, and causing physical damage through disrepair. The main historic gable is also in need of repair due to clear structural cracking, which seems to be part of this work. Restoration of the historic gable is supported with sash windows and brickwork although the details of the brick and design of the window would need to be secured by condition in the event permission were to be approved.

However, while the removal of the modern extension is supported, the extent of the new extensions is not acceptable as submitted. Building a second gable would involve the removal of a large part of a principle elevation of the property, including the removal of architectural features such as windows. Whilst this elevation is in need of repair, it remains a key part of the historic form of the property. Furthermore, with regard to the proposed single storey lean-to extension, general conservation principles applied to development of this scale and nature mean that extensions running the full width of a property are generally resisted since this damages the terrace aesthetic, and does not work with the architectural lines of the property. While the removal of the 1960's extension and restoration of the historic gable are supported, the proposed scale of development would be preferable if it were to involve a subsidiary single storey extension to the courtyard area as has been done at the adjoining property (No.6), providing more useable space but retaining historic fabric to the rear and protecting the natural terrace rhythm.

Overall, whilst it is acknowledged that there would be an enhancement through the re-use and regeneration of the building, this needs to be balanced with an acceptable level of impact on the heritage significance of the property including both its historic and architectural merit.

It is acknowledged that the applicant has referred, in their submission, to examples of development elsewhere in the surrounding vicinity for rear extensions on listed buildings. These other cases have not been considered in detail because each development proposal must be considered on its own individual merits. Therefore, what may be considered acceptable on one particular application site may not be acceptable on another site. In particular reference to sites such as Northgate Street, it is accepted that while these have full gables to the back, it could be that the rear elevations had already been substantially damaged and removed before the regeneration scheme. Whether this is the case or not however, it is not considered to be appropriate to use other examples of development as a comparison against current development proposals because the site specific circumstances will differ from site to site, as will the special architectural and historic interest, integrity and setting of each listed building.

Having regard to the above considerations, the development is considered to be contrary to the provisions of saved policy DAP4 which states that permission will not be granted to alter or extend a listed building where those works will adversely affect its special architectural or historic interest, integrity or setting.

The proposal is considered to result in less than substantial harm to the heritage asset but this is not outweighed by any public benefits and therefore the proposal is contrary to the para 134 of the NPPF.

Impact on neighbouring amenity

The removal of the 1960's two storey extension would improve the amenity of the adjoining neighbour at No.6 through the removal of additional depth at the rear of the building. The proposed new two storey extension would be on the side of the building in closest proximity to No.10 the other side, which is a commercial premises. Having regard to the non-residential use of this adjoining building and the presence of the existing boundary wall between Nos.8 and 10 which measures approximately 3m in height it is not considered that the proposals would impact on existing amenity by reason of overbearing, overshadowing or overlooking and overall, the proposals are considered to be acceptable in accordance with saved Policy DP2.

Access and highway safety

No parking is proposed with the development; however, given the established flat on the upper floors, there would be no net gain in residential units, only an increase in the number of bedrooms. The Vehicle Parking Standards SPD requires two parking spaces to be provided for a dwelling of the proposed size. While this is not provided as part of the development the dwelling would be entitled to parking permits for the surrounding residential parking zones, including on Church Street. There is no identified parking problem in this area and there is no need to seek a Unilateral Undertaking to remove the ability to apply for permits for future occupiers. The Highways Authority has concluded that the proposal would have no detrimental impact on the surrounding highway network and for this reason officers are satisfied that the development is acceptable having regard to saved Policies DP6 and DP8.

Other Matters

Ecology

It is noted that the County Ecologist recommended a bat survey be carried out because an element of the existing building is being demolished which could have potential implications on bats. However, in a town centre location standard practice would not normally require the submission of a bat survey for householder development or proposals of this scale. In any case, protected species are covered by separate legislation, outside of the planning process and under normal circumstances, an advisory note in this regard would normally suffice. Notwithstanding the recommendation of refusal on this application, in the event Members were minded to approve the application it is recommended that a suitable note is attached to any forthcoming permission, drawing the applicant's attention to the importance of having suitable regard to the need to observe the presence of any protected species in any building proposed for demolition and/or substantial works.

Archaeology

The County Archaeologist has advised that since the site lies close to the medieval Church of St Mary's and there is evidence for a medieval cobbled road previously identified to the front of the building, there is a potential for the proposed development to disturb archaeological deposits, including structural remains of buildings, pits etc associated with the occupation of this area from at least the medieval period onwards. No objection is raised to the principle of development but in the event permission was to be forthcoming it is recommended that a condition requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation is imposed.

Open space

The proposal intensifies the residential use of the property. In accordance with Policy SC13 and the associated SPD there is a requirement to provide enhancement of existing public open spaces. This could be secured by condition if planning permission were to be granted.

SUMMARY/CONCLUSION

The principle of the change of use of the building from vacant shop and flat above into a single dwelling is considered acceptable in accordance with saved Policy TCP8 of the Warwick District Local Plan 1996-2011. There would be no harm to the amenity of the neighbouring property and no harm caused to highway safety as a result of the proposals. It is accepted that the removal of the modern two storey extension would improve the overall character of the building in its context, however, the proposed replacement extensions are not considered to be acceptable on the basis of the resulting impacts these would have on the special architectural and historic interest of the heritage asset. Accordingly it is recommended that planning permission be refused for the development for the reason set out below.

REFUSAL REASONS

1 Policy DAP4 of the Warwick District Local Plan 1996-2011 states that consent will not be granted to alter or extend a listed building where those works will adversely affect its special character or historic interest, integrity or setting.

The application building is a markedly historic property in a very prominent location in one of the main medieval streets in the town, and is within the immediate context of highly-graded heritage assets. Notwithstanding the principle of development to revert the building to a single family home being acceptable, objection is raised to the specific detail of the proposed works.

Externally, building a second gable at the rear would involve the removal of a large part of a principle elevation of the property, including the removal of architectural features such as windows. Although this elevation is in need of repair, it remains a key part of the historic form of the property. Furthermore, the proposed single storey lean-to extension would run the full width of the property which would damage the terrace aesthetic, would not work with the architectural lines of the property and would not accord with general conservation principles and good design practice.

Overall, in the opinion of the Local Planning Authority, the proposals would result in unacceptable harm to the special architectural and historic interest of the listed building and are thereby considered to be contrary to the aforementioned policy.

The proposal is considered to result in less than substantial harm to the heritage asset but this is not outweighed by any public benefits and therefore the proposal is contrary to the para 134 of the NPPF.

Planning Committee: 26 April 2017 **Item Number:** **11**

Application No: W 17 / 0270 LB

Registration Date: 13/02/17
Town/Parish Council: Warwick **Expiry Date:** 10/04/17
Case Officer: Lucy Hammond
01926 456534 lucy.hammond@warwickdc.gov.uk

8 Church Street, Warwick, CV34 4AB
Internal works to facilitate change of use from shop & flat above to single dwellinghouse; Demolition of existing two storey rear extension and erection of new two storey and single storey rear extensions. FOR Mr & Mrs Hawking

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This application is being presented to Committee as the Town Council supports the application and it is recommended for refusal.

RECOMMENDATION

Planning Committee is recommended to refuse listed building consent for the proposed development for the reason set out at the end of this report.

DETAILS OF THE DEVELOPMENT

Listed building consent is sought for internal works to facilitate the change of use of the premises from a vacant shop (Class A1) at ground floor with flat above into a single dwelling (Class C3). The proposals also include the demolition of an existing two storey rear extension, which is a later addition to the building from c.1960's. A new two storey rear extension is proposed together with a single storey rear extension. The change of use together with the proposed external works are subject to a separate planning application (W/17/0269) which is also to be considered on this same agenda.

THE SITE AND ITS LOCATION

The application site is in Church Street in Warwick, within the designated mixed use area of the town as defined on the Proposals Map. No.8 is a two storey terraced building with accommodation in the loft space; it is white painted render and adjoins No.6 which is the same architectural form and design but cream painted render. The other side (No.10) is a larger and more imposing double fronted stone building currently in use as offices. The site is within the Warwick Conservation Area and the application building is Grade II listed.

PLANNING HISTORY

There is no recent planning history relevant to this application.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council - Support

WCC Archaeology - No objection, recommend condition

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- the principle of development
- the impact on heritage assets

The Principle of the Development

Saved Policy DAP4 seeks to protect listed buildings by not granting consent to alter or extend a listed building where those works would adversely affect its special architectural or historic interest, integrity or setting. The proposed works affect both the fabric and setting of the listed building by reason of the extent of works proposed both internally and externally. However, such works are considered acceptable in principle subject to their impact on the listed building being acceptable and not arising in any material harm. This is considered in the following section of this report.

Impact on Heritage Assets (Listed building and conservation area)

Officers have had in-depth involvement in these proposals to date and officers note that the *principle* of reverting the building back to a single family dwelling is fully supported in heritage terms. This building is a historic property in a very prominent location in one of the main medieval streets in the town, and is within the immediate context of highly-graded heritage assets. The building is also within an evident state of disrepair which is why the principle of bringing this building back into use, as a single dwelling, is supported. However, with regard to the specific impacts that would arise to the listed building itself, there are a number of objections raised to aspects of the proposals both internally and externally. Taking each in turn:

External works

The removal of the modern 1960's extension is fully supported as it is both visually detrimental to the architectural merit of the property, and causing physical damage through disrepair. The main historic gable is also in need of repair due to clear structural cracking, which seems to be part of this work. Restoration of the historic gable is supported with sash windows and brickwork although the details of the brick and design of the window would need to be secured by condition in the event permission were to be approved.

However, while the removal of the modern extension is supported, the extent of the new extensions is not acceptable in its current form. Building a second gable would involve the removal of a large part of a principle elevation of the property, including the removal of architectural features such as windows. Whilst this elevation is in need of repair, it remains a key part of the historic form of the property. Furthermore, with regard to the proposed single storey lean-to extension, general conservation principles applied to development of this scale and nature mean that extensions running the full width of a property are generally resisted since this damages the terrace aesthetic, and does not work with the architectural lines of the property. While the removal of the 1960's extension and restoration of the historic gable are supported, the proposed scale of development would be preferable if it were to involve a subsidiary one-storey extension to the courtyard area as has been done at the adjoining property (No.6), providing more useable space but retaining historic fabric to the rear and protecting the natural terrace rhythm.

Internal works

The internal space, whilst deteriorated and in evident need of substantial repair, does retain some interesting features including ceiling beams on the ground-floor, and there is clear evidence for historic construction techniques and materials including exposed lath/plaster and brickwork. Originally, the floor plans suggested that a relatively extensive removal of internal fabric was proposed on the ground and first floors. However, this has since been clarified through the submission of revised floor plans showing precisely what works are proposed internally.

No objections are raised to the proposed works on the ground and second floors. However, there is still an area of work proposed on the first floor that would result in the removal of a substantial portion of a main historic wall that runs through the middle of the property (separating the front from the back rooms). This wall includes evidence for a historically valuable plan form including vestiges of a chimney stack. While no objection is raised to the creation of widened/new openings on the ground and first floors, the level of reorientation and removal of historic walls is not considered to be acceptable.

Overall, whilst it is acknowledged that there would be an enhancement through the re-use and regeneration of the building, this need to be balanced with an acceptable level of impact on the heritage significance of the property including both its historic and architectural merit.

It is acknowledged that the applicant has referred, in their submission, to examples of development elsewhere in the surrounding vicinity for rear extensions on listed buildings. These other cases have not been considered in detail because each development proposal must be considered on its own individual merits. Therefore, what may be considered acceptable on one particular application site may not be acceptable on another site. In particular reference to sites such as Northgate Street, it is accepted that while these have full gables to the back, it could be that the rear elevations had already been substantially damaged and removed before the regeneration scheme. Whether this is the case or not however, it is not considered to be appropriate to use other examples of development as a comparison against current development proposals because the site specific circumstances will differ from site to site, as will the special architectural and historic interest, integrity and setting of each listed building.

Having regard to the above considerations, the development is considered to be contrary to the provisions of saved Policy DAP4 which states that permission will not be granted to alter or extend a listed building where those works will adversely affect its special architectural or historic interest, integrity or setting.

The proposal is considered to result in less than substantial harm to the heritage asset but this is not outweighed by any public benefits and therefore the proposal is contrary to the para 134 of the NPPF.

SUMMARY/CONCLUSION

The principle of the proposed works, to revert the building to a single dwelling is considered acceptable in heritage terms. However, this is subject to there being no material harm to the special architectural or historic interest, integrity or setting of the listed building. While it is accepted that the removal of the modern two storey extension would improve the overall character of the building in its context, the proposed replacement extensions are not considered to be acceptable on the basis of the resulting impacts these would have on the special architectural and historic interest of the heritage asset. Similarly an element of the internal works would involve the loss of a main and historically valuable wall which would be harmful to the fabric of the listed building and compromise its integrity.

REFUSAL REASONS

1 Policy DAP4 of the Warwick District Local Plan 1996-2011 states that consent will not be granted to alter or extend a listed building where those works will adversely affect its special character or historic interest, integrity or setting.

The application building is a markedly historic property in a very prominent location in one of the main medieval streets in the town, and is within the immediate context of highly-graded heritage assets. Notwithstanding the principle of development to revert the building to a single family home being acceptable, objection is raised to the specific detail of the proposed works.

Externally, building a second gable at the rear would involve the removal of a large part of a principle elevation of the property, including the removal of architectural features such as windows. Although this elevation is in need of repair, it remains a key part of the historic form of the property. Furthermore, the proposed single storey lean-to extension would run the full width of the property which would damage the terrace aesthetic, would not work with the architectural lines of the property and would not accord with general conservation principles and good design practice.

Internally, an area of work proposed on the first floor would result in the removal of a substantial portion of a main historic wall running through the middle of the property that includes evidence for a historically valuable plan form including vestiges of a chimney stack. This extent of loss of an intrinsically valuable feature would be deleterious to the fabric of the listed building.

Overall, in the opinion of the Local Planning Authority, the proposals would result in unacceptable harm to the special architectural and historic interest of the listed building and is thereby considered to be contrary to the aforementioned policy.

The proposal is considered to result in less than substantial harm to the heritage asset but this is not outweighed by any public benefits and therefore the proposal is contrary to the para 134 of the NPPF.

Planning Committee: 26 April 2017 **Item Number:** **12**

Application No: W 17 / 0303

Registration Date: 17/02/17
Town/Parish Council: Warwick **Expiry Date:** 14/04/17
Case Officer: Helena Obremski
01926 456531 Helena.Obremski@warwickdc.gov.uk

Eco House, 51 Hill Street, Warwick, CV34 5NX
Variation of conditions 2 (approved plans) and 4 (landscaping scheme) of previously approved application reference W/10/1237 to allow an alternative landscaping scheme to be carried out/maintained FOR Mr. Alan Hands

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This application is being presented to Committee due to an objection from the Town Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The applicant seeks planning permission for the variation of conditions 2 (approved plans) and 4 (landscaping scheme) of previously approved application reference W/10/1237 to allow for an alternative landscaping scheme to be carried out and maintained. The scheme remains largely the same as extant permission W/10/1237 and it is therefore only the landscaping element which will be considered below.

To the front of the apartments, the proposed landscape scheme provides raised flower beds which are contained by thick wooden edges. There is also some further soft landscaping in the form of low-level shrubbery between the flower beds and block paving to access the property.

To the rear, the landscape scheme has amended the parking arrangement, however, there is no alteration to the number of parking spaces. A bin store and bike store are also positioned to the rear. The soft landscaping buffer to the rear of the site between the parking area and the gardens serving the residential properties to the south of the site has been removed. However, all of the trees noted on the drawing to the edge of the site at the rear will be retained.

THE SITE AND ITS LOCATION

The application relates to a two storey property containing 6no. apartments which was granted planning permission originally in 2005, however, the permission was subsequently renewed in 2010. The application site is adjoined by residential properties to either side, with a car park to Humphries Street to the rear. The application site is situated on a turn in Hill Street, adjacent to a turning area and a footpath which runs through to Beauchamp Road.

There are two semi-detached dwellings (51a and 51b) situated to the north of the property, sharing the egress to the application site from Hill Street, with a detached

property (No 49), to the south which is situated at the end of a row of terraced properties. The car park and terrace of 5, two and three storey properties in Packwood Mews, to the west and north respectively, are set at a substantially higher level than those in Hill Street.

RELEVANT PLANNING HISTORY

W/03/0053 - application granted for the erection of a 2 storey block of 4 flats.

W/05/1210 - application granted for the erection of a two storey block of 6 apartments.

W/10/1237 - application granted for a extension to the time limit on p.p W05/1210 for the erection of two storey block of six apartments.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection, the comments from WCC Landscape and Ecological Services are supported, and original landscaping scheme should be delivered. Requests site visit from Councillors.

Cllr Edgington: Objection, the initial landscaping scheme should be delivered, and WCC Landscape comments are supported.

WCC Landscape: Objection, the original planting scheme was simple and softened the new dwelling. The proposed scheme is a clear departure from the approved scheme, and the raised beds do not soften the new dwelling into its surrounding.

Public Responses: 51a Hill Street: Objection, the initial landscaping scheme should be delivered, and WCC Landscape comments are supported.

ASSESSMENT

The main issue relevant to the consideration of this application is as follows:

- Impact on Neighbouring Amenity
- Landscaping

Impact on Neighbouring Amenity

The proposed amendments to the landscaping scheme includes the removal of a buffer strip of soft landscaping between the parking area and the residential gardens serving the properties to the south of the application site. There is still however, the bin store and bike store which are positioned to the southern boundary which means that none of the proposed parking spaces will be positioned directly next to the shared boundary. Therefore, it is considered that there would be no increased harm caused to residential amenity as a result of the proposed amendments to the landscaping scheme which would warrant refusal of the application and the proposal accords with Local Plan policy DP2.

Landscaping

There have been objections from Warwick Town Council, Councillor Edgington, a member of the public and WCC Landscape Group. They support WCC Landscapes comments that the original planting scheme was simple and softened the new dwelling; the proposed scheme is a clear departure from the approved scheme, and the raised beds do not soften the new dwelling into its surrounding.

The proposed landscaping scheme will have less soft landscaping in the form of planting to the front and rear of the main property than the previously approved scheme. It is not considered that an increased area of hard landscaping to the rear would be detrimental to the street scene as it cannot be viewed from public vantage points. The number of car parking spaces remains the same and there is also a bin and bike store which can easily be accessed by the residents of the flats.

Whilst there is a reduced amount of soft landscaping proposed to the front of the property, the applicant nevertheless proposes to install raised flower beds and shrubbery. The wider context of the site is that it is sat within an urban area, and there are a mixture of styles of property within the street scene. There are some grassy areas within the street scene, but other than this, there is little soft landscaping. The existing terrace properties sit hard on to the pavement and the two properties positioned to the north of the site which have larger plots have little in the way of vegetation. The application site is not in a particularly prominent location and it is considered onerous to expect the applicant to provide more soft landscaping than that which is proposed, given the character of the area and fact that other similar sized properties next to the property have hard-landscaped driveways.

Some of the proposed landscaping scheme has already been commenced on site, and a site visit was made by the case officer. Whilst the concerns raised are acknowledged, it was considered by the case officer that the planting to the front of the main property provides relief and visual interest, and the proposed soft landscaping sits comfortably against the context of this modern dwelling, which is acceptable within the street scene. The proposal is considered to comply with adopted Local Plan policy DP1.

CONCLUSION

The proposed variation of conditions 2 (approved plans) and 4 (landscaping scheme) to allow for an amended landscaping scheme is considered to be acceptable and would cause no harm to the street scene. The application should therefore be approved.

CONDITIONS

1 Notwithstanding the details required by condition 4, the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 2006/III/2 Rev A and 2006III/3 submitted on 15th July 2005, and specification contained therein. **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.

2 The development hereby permitted shall be constructed from the agreed sample external facing materials which were submitted to the local planning authority on 25th April 2014 (Brick - Hanson Village Sunglow; Render- Weber Pral M 016 Ivory; Slate - Cembrit Jutland fibre -cement slate). **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

3 The development hereby permitted shall be carried out in accordance with the approved landscaping scheme detailed in drawing number 10 submitted to the local authority on 17th February 2017. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. **REASON**: To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

4 The development hereby permitted shall be carried out in accordance with the approved details of boundary treatment which were submitted to District Planning Authority 17th February 2017. **REASON**: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

5 The development hereby permitted shall not be brought into use until the proposed means of access has been constructed in strict compliance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

6 The development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first 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 or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

7 The car park hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in accordance with details which have previously been approved by the District Planning Authority. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.

8 The development hereby permitted shall not be brought into use unless there is available vehicular turning space within the site so that vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

9 The ground floor windows in the southern and northern elevations of the property hereby permitted shall be obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.