Planning Committee: 19 July 2022 **Item Number:** 10

Application No: W 22 / 0421 LB

Registration Date: 08/03/22
Town/Parish Council: Kenilworth **Expiry Date:** 03/05/22
Case Officer: Jonathan Gentry
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23 High Street, Kenilworth, CV8 1LY
Proposed installation of replacement windows. First floor rear extension to create shower room. Proposed installation of rear bi-fold doors and canopy projection.
FOR Mr Secher

This application has been requested to be presented to Committee by Councillor Hales.

RECOMMENDATION

Members are recommended to refuse Listed Building Consent for the reasons outlined in this report.

DETAILS OF THE DEVELOPMENT

Planning permission and Listed Building Consent is sought for a selection of works to the site comprising installation of replacement windows, a first floor rear extension to create shower room and installation of rear bi-fold doors with canopy projection. The application forms a re-submission of previously withdrawn application W/21/1730.

THE SITE AND ITS LOCATION

The application site relates to a compact terraced property that forms part of a run of grade II listed buildings between No.21 – 31 High Street, to the historic north of Kenilworth. While the frontage of the property faces the High Street, the rear aspect of the site is visible from the grounds of the Grade I listed Church of St Nicholas, and the scheduled monument of Kenilworth Abbey to the south. The application site is adjoined by the neighbouring dwellings of No.21 to the east and No.25 to the west. The dwelling has previously been extended to its rear in the form of a pitched roof single storey projection that encloses much of the site's historic garden area.

PLANNING HISTORY

W/21/0664 - Internal Alterations and Rear Door Alterations with new Canopy. Replacement Windows to Front Elevation, Rear flat roof dormer – Withdrawn Invalid

W/21/1730 and W/21/1731/LB - Proposed installation of replacement windows. Proposed rear dormer extension. Proposed installation of rear bi-fold doors and proposed canopy to rear garden. Proposed first floor rear extension – Withdrawn

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- HE1 - Protection of Statutory Heritage Assets

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - Members raised no objection but noted on the sensitive location of the site in the context of the Conservation Area and visiblity from the church graveyard. Members also highlighted that the design and layout of the rear elevation appears incongruous.

WDC Conservation & Design - Object to the proposal, noting harmful visual impact of proposed works to the rear of the site.

Historic England - Refer to published advice on the setting of heritage assets, design and traditional windows.

Public Response - One public objection comment received, citing inconsistencies in submitted plan details, and amenity impacts of proposed first floor rear extension. One support comment received, stating that the alterations proposed are in keeping with the High Street and will ensure longevity of the property.

ASSESSMENT

Design and impact on the Conservation Area and Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

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.

Paragraph 199 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 202 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.

Policy KP13H of the KNDP outlines a number of design characteristics that should be upheld to retain the unique features and character of the High Street. In addition, Policy HE1 of the Warwick District Local Plan states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or if criteria listed within the policy have been satisfied. Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Conservation Officer has commented on the proposed works as follows:

The site is in an extremely sensitive location, within the Kenilworth Conservation Area and overlooking the Grade I listed Church of St Nicholas and the scheduled monument of Kenilworth Abbey to the rear. As part of a group listing with 21-31 High Street, this does not mean that the building is not individually important but rather that any alteration will have a direct impact both on the asset and on the group, which is why any proposals to these buildings need careful consideration.

The attempt to bring the dwelling back into use is welcomed but this must be done in an appropriate manner to prevent harm, both to the individual heritage asset and the wider surroundings. These would have been modest shallow cottages which have since received rear extensions. The extension to this property is already very deep and wide for the plot it inhabits. It is felt that the canopy would further overwhelm this space, pushing almost to the boundary, and should be resisted. The upper bathroom extension would also be out of keeping with the surroundings and would be an alien feature which would be highly visible from the surrounding heritage assets.

The rear wall is extremely low and the ground floor extension can be seen clearly from the grounds of Kenilworth Abbey and the Church of St Nicholas. Any fenestration to the rear elevation should be multi-pane, as though whilst large panes of glass are lightweight, the surrounding windows and doors are all small-paned timber units and large panes would be out of place.

The proposed replacement timber windows to the front elevation would be acceptable, provided these were to be single-glazed, flush casements with integral glazing bars and no trickle vents, with large scale details to be submitted for approval.

In line with the view of the Conservation Officer, Officers view that the proposed replacement timber windows to the frontage of the property are acceptable in principle, subject to the provision of additional architectural information illustrating a single glazed composition and appropriate detailing. This matter could be secured via condition.

The majority of the proposed works are positioned to the rear of the site. The dwelling already benefits from a long pitched-roof single storey extension at its

rear that extends close to the rear boundary of the site. While of brick construction, this projection is of no appreciable architectural value or significance, particularly in contrast to the main structure of the listed building. With mind to Conservation Officer comments, Officers note the visual implication of the proposed canopy and revised fenestration to the rear of this structure. Notwithstanding this, the existing visual characteristics of the extension lead to a view that these revisions would not result in notably harmful revisions to the dwelling.

In contrast, the proposed first floor extension feature would project above the existing single storey extension, directly adjoining the rear elevation and roof slope of the historic building structure. This addition has been detailed as a gable design, with a pitched roof and single off-set window. This addition has been proposed to accommodate the incorporation of a small bathroom at first floor level. While Officers agree with Conservation Officer comments supporting efforts in bringing the dwelling back into occupation, this must be very carefully balanced against preservation of the Heritage Asset, a material consideration of significant weight.

In line with Conservation Officer feedback, Officers assess that this first floor addition would form an alien and non-characteristic design feature to the rear of the listed building, notably further obscuring historic fabric and the original form of the cottage. The particularly compact proportions of the dwelling mean that despite the generally limited proportions of the extension, its visual impact against the property would be notable, cutting through the eaves of the historic building.

The harmful impact of the first-floor extension element is exacerbated through its highly visually prominent position on the rear roof slope, in full view of the landscaped graveyard surrounding the Grade I listed Church of St Nicholas.

In line with the assessment outlined above it is considered that the proposed works would harmfully degrade the special historic and architectural character of the Listed Building and the surrounding Conservation Area. It is considered that less than substantial harm would occur to the heritage asset. While the proposed extension would help facilitate future use of the property, the incorporation of an upstairs bathroom is not viewed paramount to securing its optimum viable use. As such, any public benefit derived from the scheme is limited, and not substantial as to outweigh the identified harm. With mind to this assessment, the proposal is considered to lie contrary to the aforementioned material policy considerations.

SUMMARY/CONCLUSION

For the reasons outlined above, Members are recommended to refuse Listed Building Consent for the proposed works.

REFUSAL REASONS

1 Policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the

harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In addition, Neighbourhood Plan Policy KP13H sets out a number of design characteristics that should be upheld to retain the unique features and character of the High Street.

In the opinion of the Local Planning Authority the proposal would cause less than substantial harm to the significance of the listed building and conservation area by reason of the first floor rear extension. This addition is viewed as inappropriate in terms of design and layout, failing to preserve or enhance the historic architectural features of the listed building. No public benefits have been identified to sufficiently outweigh this harm.

The development is thereby considered to be contrary to the aforementioned policy.