**Planning Committee:** 2 March 2022 **Item Number:** 9

**Application No:** W 21 / 1846

**Registration Date:** 04/10/21
**Town/Parish Council:** Barford **Expiry Date:** 29/11/21
**Case Officer:** Thomas Fojut
01926 456539 thomas.fojut@warwickdc.gov.uk

**27 Keytes Lane, Barford, Warwick, CV35 8EP**
Conversion of existing garage. Erection of proposed garden shed and partial demolition of existing wall FOR Harrison Projects Ltd

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This application is being presented to Planning Committee as Barford, Sherbourne and Wasperton Joint Parish Council object to the proposal.

## RECOMMENDATION

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

## DETAILS OF THE DEVELOPMENT

This application proposes the conversion of an existing garage, the erection of a proposed garden shed and partial demolition of an existing wall.

## THE SITE AND ITS LOCATION

The application property is a two storey semi-detached dwellinghouse located on the north side of Keytes Lane, Barford. The property is located within Barford Conservation Area and immediately south of the River Avon.

Dwellings within the street comprise of detached, semi-detached and terraced properties from various periods. The majority of properties within the street contain either large landscaped front gardens, hard surfacing for off-street parking or a combination of the two.

## PLANNING HISTORY

W/15/1888 - Erection of replacement garage. Granted January 2016.

W/06/0476 - Erection of storage shed. Granted May 2006.

W/04/1665 - Replacement of a garage and replacement of existing boundary fence with a brick wall. Granted November 2004.

W/03/1492 - Erection of an extension to rear of property. Granted November 2003.

## RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- HE1 - Protection of Statutory Heritage Assets

Guidance Documents

- Residential Design Guide (Supplementary Planning Document- May 2018)

Barford Neighbourhood Plan 2014-2029

- B6 - Heritage Assets
- B7 - General Design Principles
- B8 - Biodiversity and Design Principles

## SUMMARY OF REPRESENTATIONS

**Barford, Sherbourne and Wasperton Joint Parish Council -** Objects to the proposals on the following grounds:

- The visual impact of the development;
- The effect upon the character of the neighbourhood;
- The adverse effect on the character and appearance of the Conservation Area;
- The proposed felling of an ancient yew tree and the loss of a heritage brick wall.

**WCC Ecology -** Recommend notes relating to bats, nesting birds and hedgehogs are attached to any approval granted.

**Conservation and Design** - No objection.

**Tree Officer** - No objection. Recommends a condition for tree protection measures is adopted and implemented.

## ASSESSMENT

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

- Design and impact on the character and appearance of the street scene and wider Conservation Area;
- Impact on the amenity of neighbouring uses;
- Ecology;

- Trees.

Design and impact on the character and appearance of the street scene and wider 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. Paragraph 193 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 195 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 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.

Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design.

Barford, Sherbourne and Wasperton Joint Parish Council object to the design of the proposals as indicated above.

The Conservation Officer has no objection to the scheme and does not consider that the proposal is harmful to the appearance and character of the Conservation Area. They consider the natural sloping topography of the land results in a very minimal visual impact and the general form of the garage is retained, with the small exception of a roof lantern.

The above comments have been noted and officers agree that the proposals are acceptable complying with the relevant policies and do not harm the character or appearance of the Conservation Area.

It is considered that the proposals are in keeping with the rest of the property, are an appropriate scale for the dwellinghouse and are not considered to appear at odds with the street scene. The development is therefore considered to accord with the guidance set out in the Council's Residential Design Guide SPD, the NPPF and Policies BE1 and HE1 of the Warwick District Local Plan.

Impact on the amenity of neighbouring uses

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and includes the 45 degree line and minimum separation distance guidance to protect against loss of light, outlook and privacy.
It is considered that the proposals will not breach the 45-degree line taken from windows serving habitable rooms of adjacent properties, and as a result the proposals are considered acceptable in terms of impact on light and outlook. Overall it is not considered the scheme would result in material harm through overlooking or loss of privacy to neighbours. The proposed extension is therefore considered not to result in any material harm to the amenity of the neighbouring dwellings accords with Policy BE3 of the Local Plan and the Residential Design Guide SPD.

Ecology

The Ecology Department at Warwickshire County Council have recommended that notes relating to bats, nesting birds and hedgehogs are attached to any approval granted.

Trees

One of the concerns of Barford, Sherbourne and Wasperton Joint Parish Council relates to the proposed felling of an ancient yew tree.

The Tree Officer has no objection to the proposals subject to a condition for tree protection measures, which has been included in the recommendation.

The objection comment above is noted and officers are in agreement with the Tree Officer that the proposals are acceptable as a tree protection measure will be included to ensure the protection of trees within the site.

**Conclusion**

The development proposals are considered to be in keeping with the character and appearance of the property and the surrounding conservation area. In addition, the proposals are not considered to cause harm to heritage assets. Moreover, the proposals are not considered to present a harmful impact upon the amenity of the neighbouring properties. The proposal is considered to be in accordance with the policies listed and it is therefore recommended for approval.

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 drawing(s) 21/BAR/01 and specification contained therein,

submitted on 4th October 2021. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 Prior to the commencement of the development hereby approved the tree protection measures recommended in the Tree Report reference 4256-CWS-01 dated 5 January 2022 prepared by Cotswold Wildlife Surveys Ltd shall be adopted and implemented in a timely fashion. The development thereafter shall be implemented in strict accordance with the approved details, and the approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

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