Planning Committee: 20 July 2021 **Item Number: 10**

Application No: W 21 / 0332

Registration Date: 11/06/21
Town/Parish Council: Warwick **Expiry Date:** 06/08/21
Case Officer: Thomas Fojut
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7 Cape Road, The Cape, Warwick, CV34 4JP
Erection of outbuilding for use as fitness studio/ home office FOR Ms E Jackson

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This application is being presented to Planning Committee as the spouse of the applicant is a WDC Councillor.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Erection of outbuilding for use as fitness studio/home office.

THE SITE AND ITS LOCATION

The application property is a three storey mid-terraced dwellinghouse located on the west side of Cape Road, Warwick. The property is located within the Warwick Conservation Area.

The west side of the road is characterised by Victorian terraced houses (including the application property) with the east side of the road comprising of commercial properties, flats and dwellings of a different property type.

PLANNING HISTORY

W/12/0952 - Erection of single storey rear extension, alterations to front dormer, construction of rear facing dormer window and construction of raised decking to the rear of the property - Granted, September 2012.

W/12/0953/CA - Proposed single storey extension to rear, internal alterations and aesthetic improvements to front dormer - Permission not required, August 2012.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- 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)

SUMMARY OF REPRESENTATIONS

Warwick Town Council - No objection.

Conservation and Design - No objection.

ASSESSMENT

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

- Design of the proposed extension and impact on the character of the street scene, including the character and appearance of the Conservation Area.
- Impact on the amenity of neighbouring uses.

Design of the proposed extension and impact on the character of the area and street scene, including the character and appearance of 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. 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.

The proposed outbuilding is to be located at the end of the rear garden and is to be a simple single pitch timber framed and timber clad structure. By reason of its form, scale, appearance and siting it is considered that it would sit comfortably in this location. The Conservation Officer raises no objection to the proposal and considers that the proposal would cause no adverse impact to the appearance and character of the conservation area.

It is considered that the proposals are in keeping with the character and appearance of the application property and Conservation Area and comply with the NPPF and Local Plan Policies HE1 and BE1.

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 states that extensions should not breach a 45-degree line taken from the nearest habitable room of a neighbouring property. This serves to protect against loss of light and outlook.

The proposal will not breach the 45-degree line from windows serving habitable rooms of adjacent properties, and as a result the proposal is 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 proposals are therefore considered not to result in any material harm to the amenity of the neighbouring dwellings.

It is considered that the development will comply with Warwick District Local Plan Policy BE3.

Summary

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 present a harmful impact upon the amenity of the neighbouring properties in relation to outlook and amenity. The proposals are in accordance with the aforementioned policies and it is therefore 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 drawing(s) 'GARDEN ROOM ELEVATIONS AND FLOOR PLAN', 'BLOCK PLAN' and specification contained therein, submitted on 22nd February 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.