

Planning Committee: 13 March 2024

Item Number: 5

Application No: [W 23 / 1221](#)

Town/Parish Council: Barford

Case Officer:

James Moulding

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Registration Date: 14/10/23

Expiry Date: 13/01/24

26 Wellesbourne Road, Barford, Warwick, CV35 8EL

Double storey side and rear extensions FOR Mr and Mrs Aujla

This application is being presented to Committee as more than 5 support comments have been received for the application and it is recommended for refusal.

RECOMMENDATION

It is recommended Planning Committee refuse planning permission for this application for the reasons set out in this report.

DETAILS OF THE DEVELOPMENT

Double storey side and rear extensions.

THE SITE AND ITS LOCATION

The application site relates to a detached property in the Barford Conservation Area.

PLANNING HISTORY

W/22/0483 - Erection of two storey front, side and rear extension and single storey rear extension - Granted

W/23/0094 - Variation of Condition 2 (approved plans) of planning permission ref: W/22/0483 (Erection of two storey front, side and rear extension and single storey rear extension) to remove the one metre set back from the boundary line and extending the first floor side extension all the way up to this boundary - Refused

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets

- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Barford Neighbourhood Plan 2014-2029
- B6 - Heritage Assets
- B7 - General Design Principles
- B8 - Biodiversity and Design Principles

SUMMARY OF REPRESENTATIONS

Barford, Sherbourne, & Wasperton Joint Parish Council: Objection, proposal would result in a building appearance which is over-bearing and out of scale when compared to other buildings in the vicinity.

WCC Ecology: Recommended condition for biodiversity enhancements, as per W/22/0483.

Conservation: Objection. Proposal felt to overly increase massing of an already large structure and pushes too close to the boundary. The application property is also in a sensitive location on one of the major routes into the village and would result in an adverse effect upon the overall character of the conservation area. Maintained original objection to use of blue brick.

Public Response: 2 objections and 7 support comments raising both material and non-material planning considerations (summarised below):

Objections:

- Overdevelopment in relation to surrounding properties.
- Precedent to extend other properties in the street which would result in an urban development rather than the existing rural one.
- Conservation area was moved in the last review to include this line of properties to give greater protections to the conservation area and the Grade II* Barford House.
- Box dormers at rear contravene the Residential Design Guide SPD.
- Loss of privacy to rear.

Support:

- Development would enhance the area.
- Development would improve the current property.
- Development would be beneficial for the village.
- Development would improve the visual look of the property.
- Development would bring a good variation of designs to the street.

ASSESSMENT

BE1 Design & HE1 Impact on Heritage Asset

The NPPF (2023) places an increased emphasis on the importance of achieving good quality design as a key aspect of sustainable development. Paragraph 135 states that planning decisions should ensure that developments are visually

attractive as a result of good architecture, layout and appropriate external facing materials. Development is expected to function well and add to the overall quality of the area by appearing sympathetic to the local character and history.

Local Plan Policy BE1 echoes paragraph 135 of the NPPF and states that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Proposals are expected to demonstrate that they harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use. Proposals are also expected to reinforce or enhance the established urban character of streets and reflect, respect and reinforce local architectural distinctiveness. The Council's adopted Residential Design Guide SPD provides guidance to help make the assessment of good design under Policy BE1.

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 72 of the Planning (Listed Buildings and Conservation Areas) 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.

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. This is supported by Policy HE1 of the Warwick District Local Plan 2011-2029 which 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 that harm or loss.

Neighbourhood Plan Policy B6 states that all new development in the Conservation Area and/or within the setting of a listed building will be expected to preserve and wherever possible enhance the positive attributes of the heritage asset. Development will not be permitted where it has a detrimental impact on the character of the Conservation Area.

Neighbourhood Plan Policy B7 states that all development proposals are required to demonstrate how they have taken into account the development's impact on local distinctiveness and should show clearly how the general character, scale, mass, and layout fits in with the character of the surrounding area.

The proposed development would result in the first floor side extension extending up to the neighbouring boundary. The other aspects of this scheme have already been approved under W/22/0483. The proposed change would contravene the Residential Design Guide SPD which requires a minimum separation distance of one metre from a common boundary in order to limit the terracing effect and to preserve the character of the street scene. While the distance to the neighbouring property has been argued as reasoning against the implementation of the one metre boundary separation, it is viewed that the likelihood of neighbouring development should not overrule the application of the guidance.

An objection has been raised to the character and scale of the development in the street scene. The street scene does not contain any other development which sees a two storey structure adjoining a common boundary and plots contain a degree of openness around properties. The conservation officer also raises an objection on this issue with regards to the massing adjacent to the shared boundary. It is viewed that this would have a negative impact on the conservation area as the conservation officer notes that unlisted buildings often contribute significantly to the special architectural or historic importance of conservation areas. It is considered that this massing at the boundary would be uncharacteristic of the street scene and conservation area.

A further objection has been raised to the impact on the setting of the Grade II* listed building of Barford House which would have indirect views of the proposed development. As this has not been raised as an issue of concern by the conservation officer it is the view of the Local Planning Authority that this impact would be limited and would not in itself generate a reason for refusal.

It is considered that the proposal contravenes Local Plan Policy BE1, HE1, the Residential Design Guide SPD and Neighbourhood Plan Policies B6 and B7. It is not considered to be demonstrated that public benefits would outweigh this harm.

In making this assessment, I have had regard to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

BE3 Neighbouring Amenity

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents. Furthermore, the Residential Design Guide Supplementary Planning Document includes the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect.

An objection has been raised regarding the impact of the proposed dormers on neighbouring privacy. It is noted that this is present on the currently approved plans under W/22/0483. As there would be no breach of the 45 degree line it is considered that the application would not create an unacceptable impact on neighbouring dwellings.

It is considered that the proposal complies with Local Plan Policy BE3.

Summary

The proposals are considered to have an unacceptable impact on the character and quality of the street scene and Conservation Area through the proposed layout and scale of the development. The proposals would have an acceptable impact on the living conditions of neighbouring dwellings. The proposals therefore contravene Local Plan Policies BE1, HE1, the Residential Design Guide SPD, and Neighbourhood Plan Policies B6 and B7. It is recommended this application is refused.

REFUSAL REASONS

- 1 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 the environment through good layout and design. Furthermore the Residential Design Guide SPD provides a detailed framework which should be followed in order to achieve good design. This stipulates that first floor side extensions should be set in a minimum of 1m from the side boundary. In addition, Neighbourhood Plan Policy B7 requires that applications take into account the general character, scale, mass, and layout of the site.

The NPPF places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design.

The street scene is characterised by the regular spacing of properties, with the spaces between the properties forming an important feature in defining the character of the area. In the opinion of the Local Planning Authority, by reason of the proximity of the first floor extension to the side boundary (in conflict with the requirements of the Residential Design Guide SPD), the proposal would lead to the creation of a terracing effect and be harmful to the character of the area.

The proposal is thereby considered to be contrary to the aforementioned policies.

- 2 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, Local Plan Policy HE1 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 that harm or loss. Neighbourhood Plan Policy B6 states that development will not be permitted where it has a detrimental impact on the Conservation Area.

In the opinion of the Local Planning Authority the proposal would cause less than substantial harm to the significance of the conservation area by reason of overly increasing the massing of an already large structure which would push too close to the boundary which would be uncharacteristic of the Conservation Area. No public benefits have been identified to outweigh this harm.

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