

Planning Committee: 21 September 2005

Item Number: 04

Application No: W 05 / 1057

Registration Date: 27/06/05

Town/Parish Council: Whitnash

Expiry Date: 22/08/05

Case Officer: John Beaumont

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79-81 Whitnash Road, Whitnash, Leamington Spa, CV31 2HB

Construction of replacement dwelling & extension to existing dwelling. parking and garaging FOR Mr Graham

This application was presented to the Planning Committee at the meeting on 23rd August 2005 due to an objection from the Town Council having been received. Determination of the application was deferred to enable a site visit to be undertaken. The report which follows is that presented to the Planning Committee on 23rd August 2005, updated to include additional correspondence contained in the addendum to that meeting.

SUMMARY OF REPRESENTATIONS

Town Council: Conservation Area and replacement dwelling is not in keeping with cottages in the vicinity. Suggest roof of this new replacement dwelling be thatched.

Neighbours: 3 letters of objection received on grounds of loss of privacy from new dwelling, unacceptable increase of traffic causing additional noise, disturbance and possible danger, new house would detract from character of area and setting of "Listed" building, two of these letters raised no objection to the proposed extension to the "listed" building.

WCC (Ecology): No objection subject to bat survey.

WCC (Archaeology): The ground works associated with the proposed development have the potential to disturb archaeological deposits associated with the medieval and post-medieval development of Whitnash. Whilst the development is unlikely to cause any serious archaeological damage, recommend a condition relating to a watching brief to allow observation should any items of interest be found during works.

WCC (Highways): No objection subject to access conditions.

CAAF: It was felt that the new building was still not a suitable building and was uninspiring in this location, although it was accepted that the site could take a building which would close off the corner of the Conservation Area which currently leaks out into uninteresting modern buildings. It was also felt that the extension to the house is still rather large and would probably benefit from the kitchen being incorporated into the existing dwelling thus allowing the

garage to be a detached building. Generally, it was felt a single garage would be better than a double garage.

English Heritage: In response to application W050563 for a similar application on this site the English Heritage Historic Areas Adviser after visiting the site commented as follows:-

"To take the extension to the timber-frame cottage first I considered that an extension would be acceptable in principle and that forming a low linking building to make the junction with original cottage was an appropriate way to resolve the link. There is no doubt that reducing the height of the breakfast/kitchen element, as shown on the sketch faxed to me this afternoon, would make the extension less prominent in relation to the original building and provide a more satisfactory relationship between old and new fabric.

As to the free-standing new build, again I considered that in principle a building in this position would be acceptable. There would be space for it without dominating the timber-frame cottage and this part of the site is visually degraded at present. I also noted that modern housing adjoining the site is visually prominent at present. I wonder whether the building as proposed tries a little too hard to look like a farm building which may not be appropriate in this location. In any case I would again support the amendments shown on the faxed sketch which would go further to achieving a hierarchy of buildings on the site in terms of volume and bulk in which the timber-frame house is dominant.

Thank you for seeking our advice. I hope that these comments are helpful."

In response to these comments, the applicant withdrew their application W050563 and submitted the present, amended scheme, application W051057 reflecting the amendments shown on the sketch referred to by English Heritage. A response to this application was received from English Heritage which stated:-

"Summary

The proposals are to construct a new house in the grounds of the grade II listed building and to extend the listed building with a large garage. Neither the proposed new house nor the large extension do anything to improve the setting of the listed building, nor do they offer any benefits.

English Heritage Advice

The scheme involves the extension of the main listed building, whilst converting it from two houses into one. In principle the latter is welcome, but the proposed extension is over scale in the context of the modest listed building.

The proposed construction of a new house in such close proximity to the existing building is highly undesirable in terms of its impact upon the setting of the listed house.

Recommendations

A more modest scheme for the main house could be considered. Anything beyond a small detached garage in the grounds would seem to be overdoing the amount of development which the setting of the listed building could absorb.

Next Steps

We consider that the implications of this application are so significant that we would welcome the opportunity of advising further on the revised proposals. Please let me have the necessary additional information in time for use to comment again if necessary before the application is determined."

I wrote to English Heritage to request an explanation for the conflicting advice offered on the proposals, the subject of this application and they responded, withdrawing their later comments and confirming their initial comments (made after a site visit) were the ones which should be taken into account.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

Planning permission for the erection of a detached garage on the site was granted in 1981 (W81/41). Applications for planning permission and listed building consent for the conversion of 79/81 into one cottage with an extension and the erection of one additional dwelling was withdrawn on June 2005, reference W05/0563 and W05/0564LB.

KEY ISSUES

The Site and its Location

The site comprises a pair of semi-detached timber framed, thatched cottages in the Conservation Area. The site is accessed via "The Doglands", a single track road off Whitnash Road. The cottages have a large fore garden which presently contains a single pre-fabricated concrete garage. The site is adjoined by other properties fronting The Doglands and the rear gardens of other properties fronting Masters Road and Palmer Road.

Details of the Development

The proposal entails the following key elements:-

- The demolition of the existing pre-fabricated concrete garage;
- The conversion of the existing two cottages into a single dwelling; this entails the formation of doorway openings at ground and first floor to link the existing accommodation;
- The erection of a single storey extension to the existing cottages to provide a breakfast/kitchen, utility room and double garage. This extension would be linked to the existing cottages by an entrance lobby.
- The erection of an "L" shaped new dwelling in the fore garden to the existing cottages, in part on the site of the existing garage. This has been designed to have the appearance of a series of linked outbuilding and would largely have the appearance of a single storey building with accommodation in the roofspace. The dwelling would provide a single garage, lounge/study, WC, kitchen/dining room, utility room on the ground floor with four bedrooms, bathroom and shower room on the first floor.
- It is proposed to provide a parking area in front of the double garage attached to the existing cottages, a parking area adjacent to the proposed dwelling and a turning area adjacent to the access of The Doglands.

Assessment

This application is a revised submission following the withdrawal of an earlier application for development on this site. The scheme was revised to take into account the then observations of English Heritage. I consider therefore that the consideration of this application raises the following issues:-

Impact on the Listed Building and the Character/Appearance of the Conservation Area:

I consider that the scheme now presented would not harm the fabric of the existing listed building and would represent a sensitive and well mannered extension to the building. The new dwelling has been reduced in size and scale from that contained in the original application, W050563, and I consider it would now relate well to the "Listed" building and would not compromise its setting. It would secure the removal of the existing prefabricated concrete garage and I consider that subject to a careful choice of materials and detailing it would not harm the character/appearance of the Conservation Area. I note the views now expressed by English Heritage raise no objection to this proposal, I am, therefore, of the opinion that this application is acceptable.

Impact on Neighbours Amenity:

I consider that the extension now proposed would not adversely affect neighbours amenity and whilst noting the objections raised to the proposed new dwelling, this has been carefully designed to reduce its affect by the use of rooflights. Clearly the erection of the building will affect the outlook of existing dwellings around this site, including the application site property itself, but I do not consider this impact would cause harm such as to justify refusal.

Highway Considerations:

The proposal entails the conversion of the existing property from two dwelling into one, and the erection of a new dwelling. There is therefore, no net change proposed in the number of dwellings on this site. Whilst recognising, therefore, the limitations of The Doglands as a means of access to the site, I consider that the proposal would be unlikely to generate a significant increase in traffic such as to justify refusal. No objection has been received from the Highway Authority and the proposal includes provision for on-site parking and vehicle turning. Subject, therefore to appropriate planning conditions, I consider that the scheme would be acceptable on highway grounds.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 04.311.2A, and specification contained therein, deposited with the District Planning Authority on 27th June 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of

doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

- 3 The new dwelling hereby permitted shall not be occupied unless and until the existing dwellings, No. 79 and 81 Whitnash Road, have been converted into, and occupied as a single dwelling. **REASON** : In the interests of highway safety to ensure that at no time more than 2 dwellings are occupied on this site, in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of rooflights, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 5 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 6 All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.
- 7 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining

land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 8 The development shall not be commenced until an access for vehicles has been provided to the site not less than 3 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway. **REASON** : In the interest of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan.
- 9 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound macadam material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON** : In the interest of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan.
- 10 Gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway. **REASON** : In the interest of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan.
- 11 The development shall not be commenced until a turning area has been provided within the site so as to enable cars to leave and re-enter the public highway in a forward gear. **REASON** : In the interest of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan.
- 12 Before any works for demolition are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON**: To ensure the protection of bats and compliance with Policy ENV27 of the Warwick District Local Plan 1995.
- 13 The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works shall have been given to the Warwickshire Museum as the nominated representative of the District Planning Authority. During the construction period the developer shall afford access at all reasonable times to representatives of the Museum and shall allow them to observe the excavations and record items of interest and finds. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to

satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.
