

**Planning Committee:** 28 February 2023

**Item Number: 11**

**Application No:** [W 22 / 1889](#)

**Town/Parish Council:** Barford

**Case Officer:**

Matthew Godfrey

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**Registration Date:** 05/12/22

**Expiry Date:** 30/01/23

**Green Acres, 34 Bridge Street, Barford, Warwick, CV35 8EH**

Raise existing roof to enable loft conversion with new dormer windows. Single storey rear extension with swimming pool. Two storey extension to side. New render finish with timber cladding. New detached garage to frontage. FOR Mr & Mrs Locker

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This application is being presented to Committee due to a recent refusal at a committee meeting (15/11/2022).

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the erection of a single-storey rear extension, a two-storey side extension, a detached garage to frontage, a raise to the existing roof to enable loft conversion with new dormer windows and a new render finish with timber cladding.

**THE SITE AND ITS LOCATION**

The application site is a bungalow located on the East side of Bridge Street in Barford Conservation Area. The streetscene comprises a mixture of quaint terraced cottages, dormer bungalows and large two-storey detached dwellings all finished in red brick, painted brick, or render.

**PLANNING HISTORY**

W/09/1474 - Erection of timber fence to the boundary of property fronting the highway (Retrospective Application) – Refused.

W/10/0362 - Re-submission of application (W09/1474) for the retrospective permission for a new 1.6m high timber fence to the boundary of property fronting the highway – Refused.

W/21/1790 - Proposed first floor loft conversion, associated roof replacement including the installation of roof dormers. Proposed erection of two storey rear extension. Proposed erection of single storey rear extension to existing garage to include erection of greenhouse to the side elevation. Proposed erection of

detached garage to frontage – Recommendation: Grant. Planning Committee: Refused.

## **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
- NE3 - Biodiversity
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- 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** - No objection.

**WDC Conservation** - No objection.

**WCC Ecology** - No objection. Recommended condition and notes attached.

**Public Representations** - One objection on the basis the proposal causes a loss of amenity to the neighbour and trees may be adversely affected.

## **ASSESSMENT**

### Impact on the heritage asset

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.

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.

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. Neighbourhood Plan Policy B6 includes similar provisions.

Firstly, the proposal includes a raising of the ridge height of the dwelling. This will not result in a dwelling that is substantially or unacceptably taller than the other dwellings in the immediate streetscene. Weight must also be given to the fact that this dwelling is set back from the road and the raising of the ridge will not result in a dwelling that appears significantly out of character, especially due to the variety already present in this part of the street scene. Furthermore, the proposed render will not appear incongruous in the immediate street scene given that render is a feature on surrounding properties.

Secondly, the proposed detached garage and log store is of a primarily timber construction, set not forward of the general Bridge Street building line and set below the road level which will minimise its visual impact on the conservation area.

Finally, the pool building in the rear garden is also considered acceptable given that the views of this will be limited and it is proposed to use good quality materials. In addition, the form and scale will not appear incongruous in the locality given its subservience in relation to the original dwelling. It should be noted that a similarly sized building to enclose a swimming pool could be erected directly behind the dwelling (not beyond the side elevation of the original dwelling) without the need for planning permission.

The Conservation Officer has been consulted and has raised no objection with the principle of the development given that the proposal is not viewed to result in any harm to the conservation area.

Overall, the proposed development is considered to meet the aims and objectives of the NPPF and complies with Policy HE1 of the Local Plan and the Residential Design Guide.

#### 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. Furthermore, the District Council has also adopted Supplementary Planning Guidance on 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.

The swimming pool extension would breach the 45-degree line from the nearest window in the rear of No.8 Carter Drive. However, the breach would occur at a

distance greater than 8m from the window (10m distance between window and proposal). As a result, there is no conflict with the 45 Degree Guideline.

The extensions would extend alongside the rear garden of No. 8. However, the structures would be set in from the boundary, and the swimming pool building would have a pitched roof sloping down towards the boundary, so any potential overbearing effect is mitigated. Furthermore, the closest window in No. 8 is one of two windows serving that room: the other being in the front elevation and unaffected by the proposed extensions, so there will be sufficient light serving this room. Therefore, it has been concluded that the proposals would not cause unacceptable loss of light or loss of outlook for No. 8.

In terms of privacy, the windows in the elevation adjacent to No. 8 are at ground floor level and serve a shower room and utility. Therefore, they would not cause unacceptable overlooking. The rear dormer windows are 12m from the boundary and 22m from the windows in the side elevation of No. 8 and consequently would not cause unacceptable overlooking.

It should be noted that this application is a resubmission of previous scheme which was recommended to be granted, but ultimately refused at planning committee because the proposals were considered to be harmful to the amenities of the adjacent dwelling. This scheme has been revised to address these concerns regarding neighbour amenity, which includes the swimming pool extension being set back approximately 7m in length and 1.5m in height to reduce any potential loss to neighbour amenity.

In summary, the proposed extensions and garage are far enough away from other neighbours to ensure that they do not cause unacceptable loss of light, outlook or privacy. Therefore, it is considered that local plan policy BE3 is complied with.

### Ecology

Policy NE2 of the Local Plan seeks to protect designated biodiversity assets and protected species, ensuring they are not adversely impacted by development proposals. The proposed development is considered to be in accordance with Policy NE2 of the Local Plan.

The County Ecologist has recommended a condition for the provision of one bat, and two bird boxes alongside bat and bird notes.

### Public Objection

One objection on the basis the proposal causes a loss of amenity to the neighbour and trees located on the common boundary may be adversely affected. Given the breach to the 45-degree line from the nearest window of No.8 Carter Drive occurs at a distance deemed acceptable in line with the 45-degree line SPD, the proposal would not breach Policy BE3. Furthermore, the internal room arrangements will not result in any overlooking or loss of privacy. Lastly, this resubmission involves the set back of the swimming pool extension by 7m in length and 1.5m in height to mitigate any potential loss of amenity.

Regarding the matter of the potential adverse impact on trees, this was not cited as an issue in the previous refusal. There is no Tree Preservation Order (TPO) on the trees in question, which are in a rear garden. However, they have protection by virtue of being within the conservation area. Nevertheless, the proposals are considered to be far enough away from the trees to ensure no adverse impact.

### **Summary**

The proposals do not result in unacceptable impact on the streetscene, amenity of neighbouring occupiers nor do they unacceptably impact protected species. The proposal is considered to satisfy the criteria of Local Plan Policies HE1, BE3 and NE2 and Neighbourhood Plan Policies B6 and B8. It is recommended planning permission is granted subject to conditions.

### **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 4115-02U, 4115-03K, and specification contained therein, submitted on 30/11/2022. **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 No part of the development hereby permitted shall be commenced until a scheme for the provision of 1 bat box and 2 bird boxes to be erected on buildings within the site has been submitted and approved in writing by the Local Planning Authority. This shall include details of box type, location, and timing of works. The development shall not be occupied until the boxes have been installed in strict accordance with the approved details. Thereafter the boxes shall be retained and maintained in perpetuity. **REASON:** To ensure net gains in biodiversity and mitigation for protected species, in accordance with Local Plan Policy NE2, the NPPF and ODPM Circular 2005/06.
- 4 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.