

**Planning Committee:** 09 December 2014

**Item Number: 10**

**Application No:** [W/14/1555](#)

**Town/Parish Council:** Warwick  
**Case Officer:** Emma Spandley  
01926 456533 emma.spandley@warwickdc.gov.uk

**Registration Date:** 22/10/14  
**Expiry Date:** 17/12/14

**98 Bridge End, Warwick, CV34 6PD**

Demolition of existing dwelling and erection of replacement dwelling  
(resubmission of W/14/0737 & W/14/1153) FOR Mr & Mrs John Grey

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This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

**RECOMMENDATION**

Planning Committee are recommended to grant planning permission subject to conditions.

**DETAILS OF THE DEVELOPMENT**

The application proposes to demolish the existing detached dwelling and to replace with another detached dwelling.

**THE SITE AND ITS LOCATION**

The application site is located within the Warwick Conservation Area. Warwick Castle is sited to the west across the River Avon, with views to Castle Park being afforded to the south. Castle Park is a Grade I Registered Park and Garden. The Council has produced a Conservation Statement for Bridge End (Area 3) which sets out the character and appearance of this part of the Conservation Area. It states that this is a largely residential area, which takes the form of a curved street fronted by terraced runs of dwellings, and later, more modern infill property generally two storeys in height. The street's special quality is characterised by its whole visual quality, rather than any individual building although Warwick Castle forms a significant and dramatic backdrop. There are some 32 listed buildings within the area.

The application property is located on the south side of Bridge End with the rear garden abutting the boundary with Castle Park. The existing property is a two storey, 1960's detached dwelling, which benefits from rooms in the roof and a single storey flat roofed double garage to the western side and is of little architectural merit.

## **PLANNING HISTORY**

W/14/0737 & W/14/1153 - Demolition of the existing house and the erection of a replacement detached dwelling, withdrawn.

## **RELEVANT POLICIES**

- The Current Local Plan
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Vehicle Parking Standards (Supplementary Planning Document)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- National Planning Policy Framework

## **SUMMARY OF REPRESENTATIONS**

**Warwick Town Council:** Strongly opposes the proposal as it will adversely impact on the conservation area, have a detrimental impact on neighbouring properties due to overdevelopment and would like to see a Tree Preservation Order made on the Oak tree to the front of the property.

**WCC Ecology:** No objections subject to conditions surrounding the timetable of works.

**Highway Authority:** No objections

**CAF:** Overdevelopment of the site; when the houses were developed in the 1950s and 1960s gaps were left between the houses with low garages to ensure views through to Castle Park beyond. The proposed property, with its step down roof, filled the site and was generally felt it was not an attractive design; out of proportion with the street scene.

**Public Response:** 11 objections have been received on the following grounds - overbearing impact on living conditions of neighbours, out of character within the street scene due to its size & massing, inappropriate design with particular reference to the porch extending beyond the building line and the large amounts of glazing proposed, the harmful impact on the setting of the listed building opposite the site, the impact on the Oak tree in the front garden and the impact on the setting of the Grade I listed Castle Park.

**Tree Preservation Officer:** No objection, subject to a tree protection condition.

## **ASSESSMENT**

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

- Principle
- Impact on character and appearance of the Conservation Area
- Impact on living conditions of neighbouring properties
- Parking and highway safety
- Trees
- Renewables

### **The Principle of the Development**

Policy UAP1 of the Warwick District Local Plan 1996-2011 states that residential development will be permitted on previously developed land and buildings within the confines of the urban area.

The application is for the replacement of a dwelling which is located within Warwick and therefore the principle of the replacement dwelling is acceptable, subject to compliance with other Local Plan policies.

### **The impact on the character and appearance of the Conservation area**

The application property is a modern infill development, which does not, in itself, make a positive contribution to the character and appearance of the Conservation Area. The principle of its demolition is therefore acceptable, subject to an appropriate scheme for its replacement.

The proposed house has been the subject of extensive negotiations between the Council's Conservation Officer and the applicant. The existing house, is two storey with rooms within the roof. The proposed house will also be two storeys with rooms within the roof but will also provide a basement level. The ridge line of the proposed house will be 1 metre higher than the existing house. However, due to the variety of house types within the street scene with a variance of ridge heights, the increase in height is considered acceptable in this context.

With the exception of the front porch, which is single storey, the proposed house will sit on a similar building line as the existing house when facing onto the street. I note the objections regarding the scale and massing of the proposed house, and while the proposed dwelling is larger than the existing one, it is considered that it will sit comfortably within its plot and will not appear as an incongruous feature in the street scene.

The objections with regard to the impact of the design of the proposed house on the character and appearance of the Conservation Area are also noted. As stated earlier in the report, the quality of this part of the Conservation Area is characterised by its whole visual quality, rather than any individual building and it is considered that the proposed house will preserve the character and appearance of the Conservation Area.

The Council's Conservation Officer has raised no objections to the revised design, subject to conditions requiring sample materials and large scale details.

### **The impact on neighbouring properties**

The proposed house will have a larger footprint than the existing house by extending further into the rear garden. The proposed dwelling will not breach the 45 degree sight line taken from the rear or front windows of the neighbouring dwellings and it is therefore considered that the proposal will not result in material harm to the living conditions of the neighbouring properties by reason of loss of light or outlook.

The proposal will be located on a similar building line as the existing house thereby retaining the 25 metre gap between the front of No.109 Bridge End and the proposed house complying with the Council's Distance Separation SPG, which requires a minimum of 22 metres.

Whilst the objections in respect of the percentage increase in floor area over the existing dwelling, there is no policy restriction on the amount a property can be extended outside of the countryside and green belt.

It is considered that the proposed dwelling will not cause demonstrable harm to the living conditions of the neighbouring properties at nos.96 & No.100 Bridge

End or to the property on the across the road by reason of loss of light or outlook.

### **The impact on highways and parking**

The Highway Authority have raised no objections to the replacement dwelling. There is an area of sufficient size which can accommodate 2+ vehicles off road safely and the proposal therefore accords with Policy DP8 and the associated SPD. It is considered that the proposed replacement dwelling will not have an adverse impact on highway safety.

### **Renewables**

A renewables scheme has not been submitted, however, contained within a letter the applicant states that they will adopt a fabric first approach. Unfortunately this is not in accordance with the Sustainable Buildings SPD, which requires 10% of the predicted energy requirement of the proposed replacement dwelling to be produced by renewable sources. However, this can be controlled by a suitably worded condition.

### **The impact on Conservation Tree**

There is an Oak tree located within the front garden, which is proposed to be retained. The Council's Tree Officer is happy that this can be controlled by suitably worded condition. As the tree is already protected by virtue of being located within a Conservation Area, it is not considered that a TPO is required at this time.

### **SUMMARY/CONCLUSION**

The proposed replacement dwelling will not breach a 45 degree sight line taken from either of the neighbouring properties rear or front windows and is considered not to result in harm to living conditions. Bridge End is characterised by a variety of house types and styles and therefore it is considered that the design of the proposed new dwelling will not have a negative impact on the character and appearance of the Conservation Area.

### **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 drawings No.2014-1504-12; 2014-1504-21A; 2014-1504-22A; 2014-1504-23A; 2014-1504 - 24A; 2014-1504-25A; 2014-1504-SK28 & 2014-1504-26 and specification contained therein, submitted on 22nd October 2014 & drawing no. 2014-15041-29 submitted on 17th November 2014. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

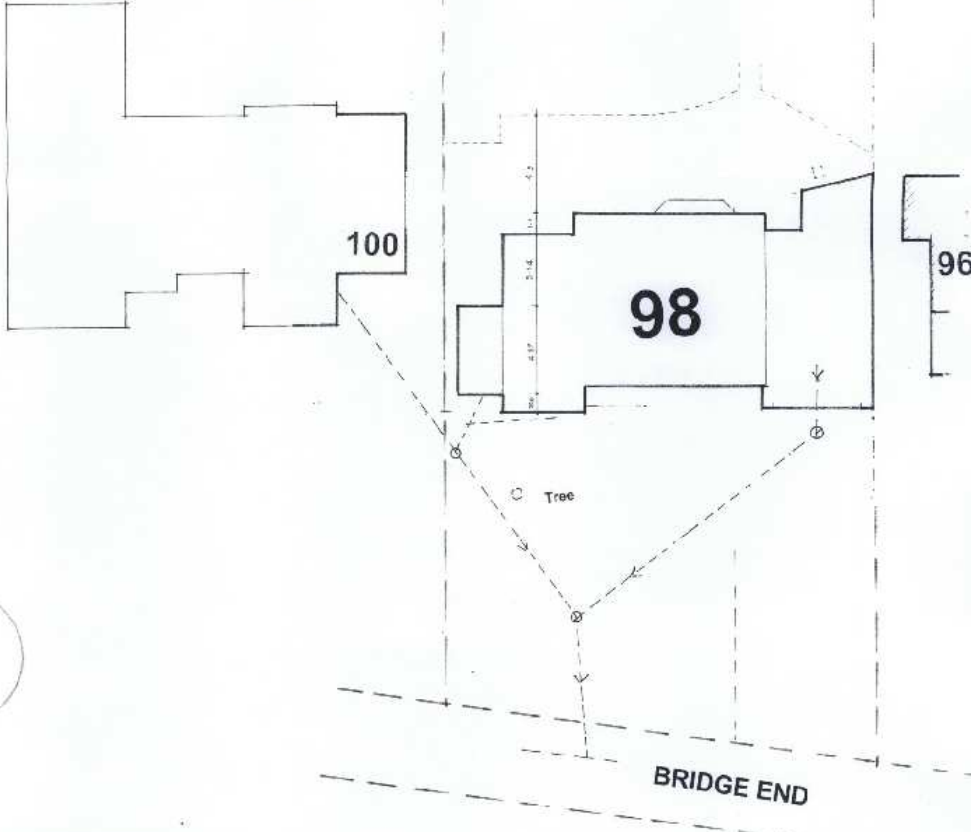
- 4 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root structure may extend within the site and which are within the Warwick District Council Warwick Conservation Area. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).  
**REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 5 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local 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 DAP8 of the Warwick District Local Plan 1996-2011.
- 6 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority.  
**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 DP1 of the Warwick District Local Plan 1996-2011.
- 7 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates;

footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 8 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding of bats within the site as set out in the document "protected species survey of 98 Bridge End, Warwick, Warwickshire" prepared by Philip Irving, dated June 2014 and received by the Local Planning Authority on 22nd October 2014. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.
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LOCATION PLAN 1 : 1250



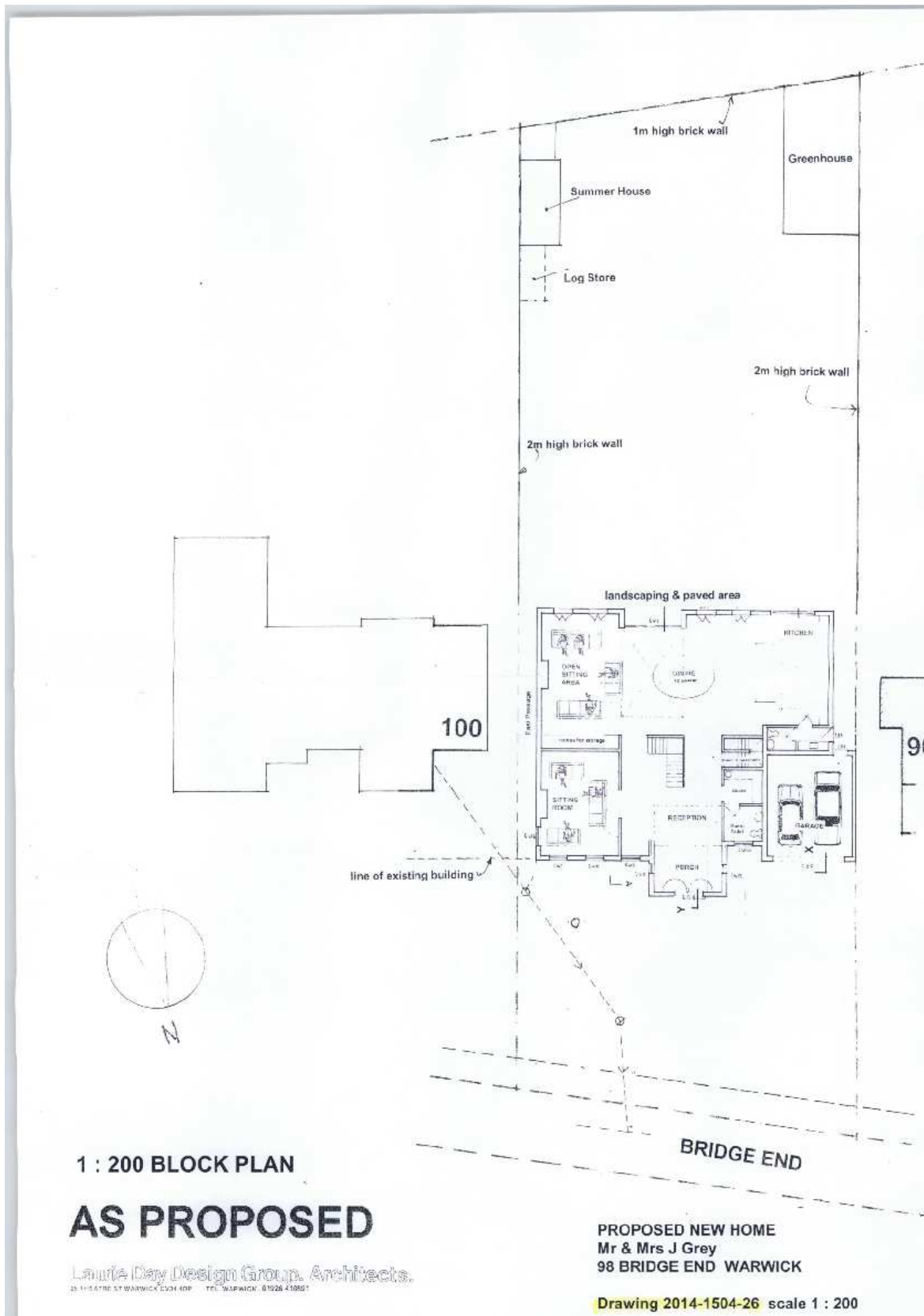
**AS EXISTING**

Laurie Day Design Group, Architects,  
 15 THEATRE ST WARWICK CV34 4DF TEL WARWICK 01825 415881

PROPOSED NEW HOME  
 Mr & Mrs J Grey  
 98 Bridge End Warwick

Drawing 2014-1504-12 scale 1 : 200







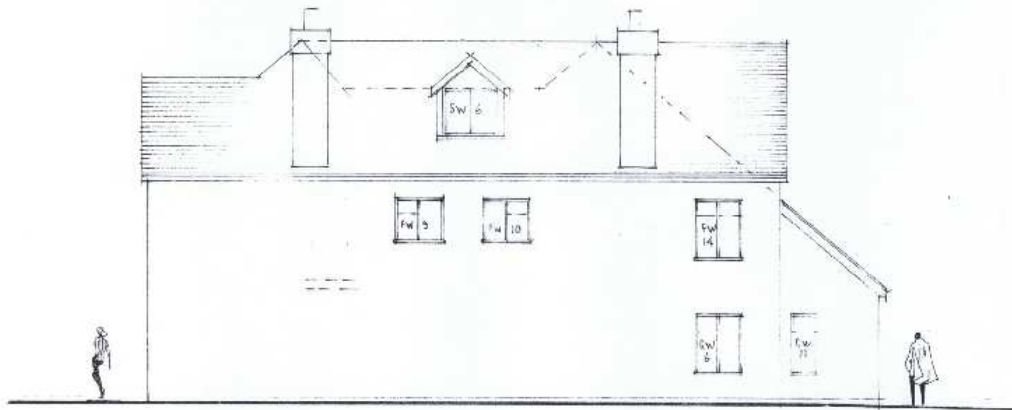
**NORTH ELEVATION**



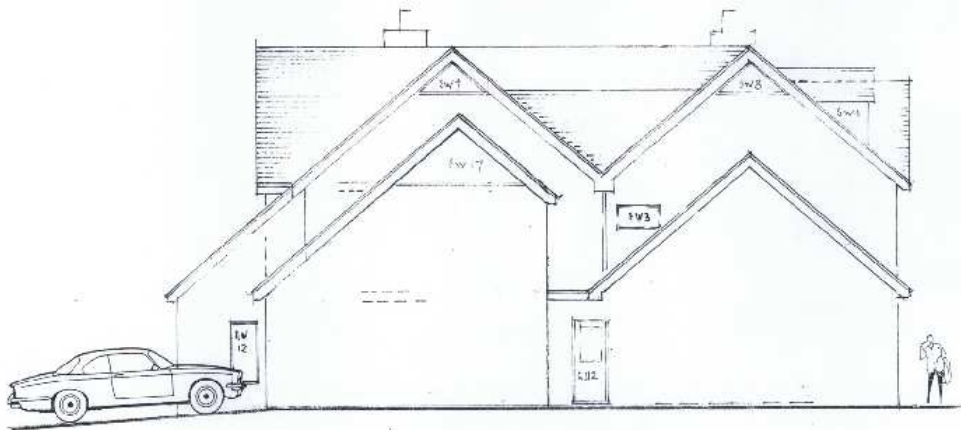
**SOUTH ELEVATION**

LEWIS Day Design Group Architects

**PROPOSED NEW HOME**  
 Mr & Mrs J Grey  
 98 BRIDGE END WARWICK  
 Drawing 2014-1504-24A scale 1 : 100  
 Amendment A 15.10.2014 amendments to window



**EAST ELEVATION**



**WEST ELEVATION**

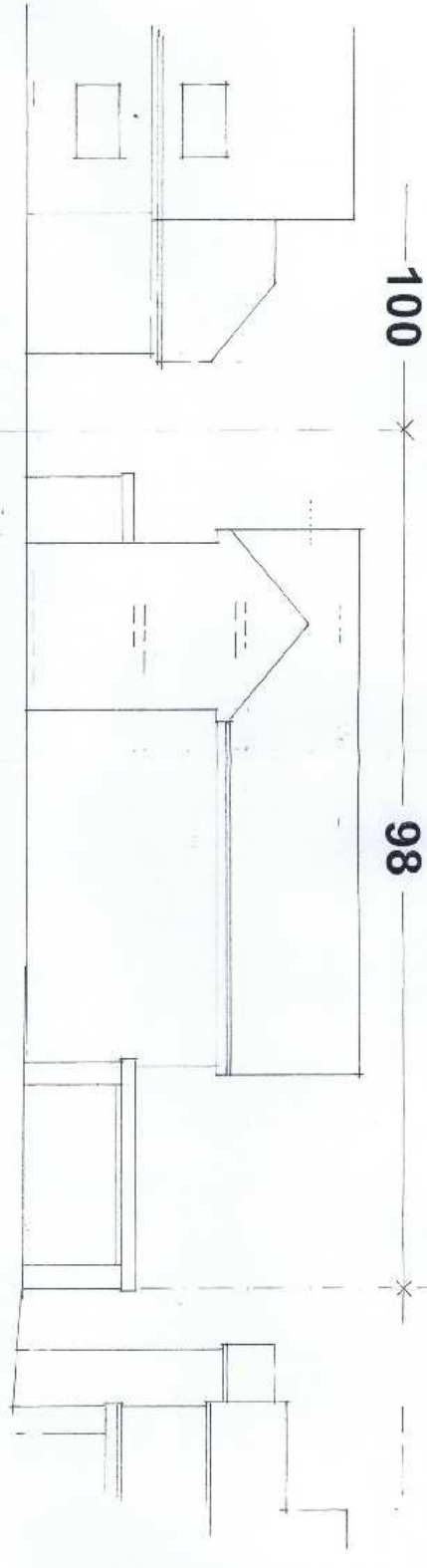
**PROPOSED NEW HOME  
Mr & Mrs J Grey  
98 BRIDGE END WARWICK**

**Drawing 2014-1504-23A scale 1 : 100**  
Amendment A 16.10.2014  
amendments to Kitchen.mof

**Laurie Day Design Group Architects.**  
21 BRATECOT WAY, BRATECOT, WARWICK, CV35 9EF

100

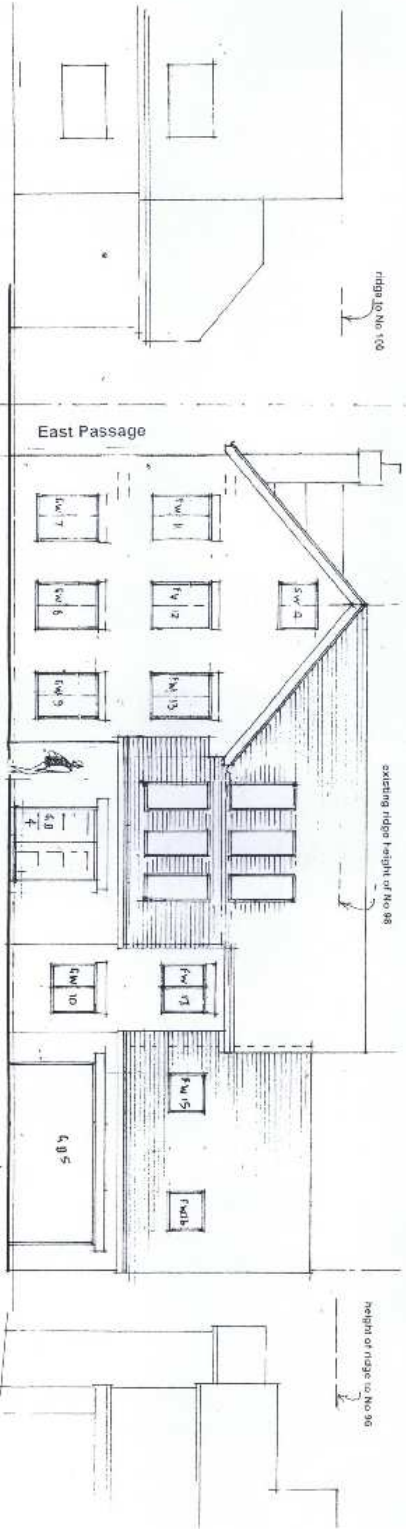
98



**STREET SCENE AS EXISTING**

Warwickshire District  
 18 NOV 2014  
 Learnington  
 PROPOSED NEW HOME  
 Mr & Mrs J Gray  
 98 Bridge End Warwick

Drawing 2014-1504-29 scale 1 : 100



**STREET SCENE AS PROPOSED**

Laura Day Design Group Architects  
 15 BRIDGE END WARWICK CV34 5JF

ridge to No 100

existing ridge height of No 98

height of ridge to No 96

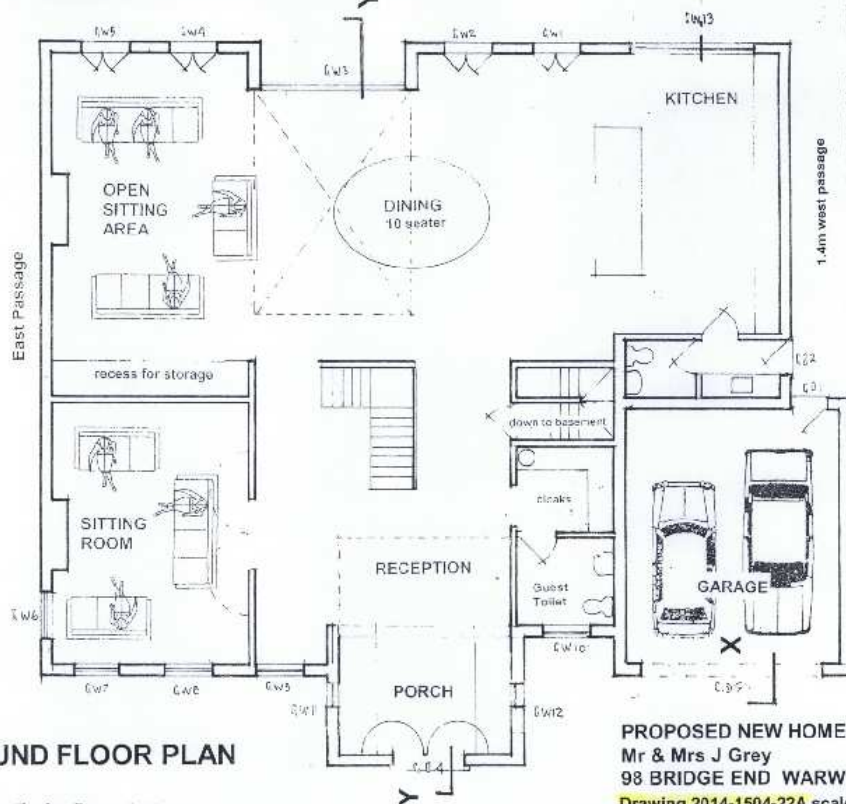
East Passage

SW 4  
 NW 12  
 NW 13  
 NW 7  
 NW 8  
 NW 9

SW 5  
 NW 11  
 NW 10  
 SW 6



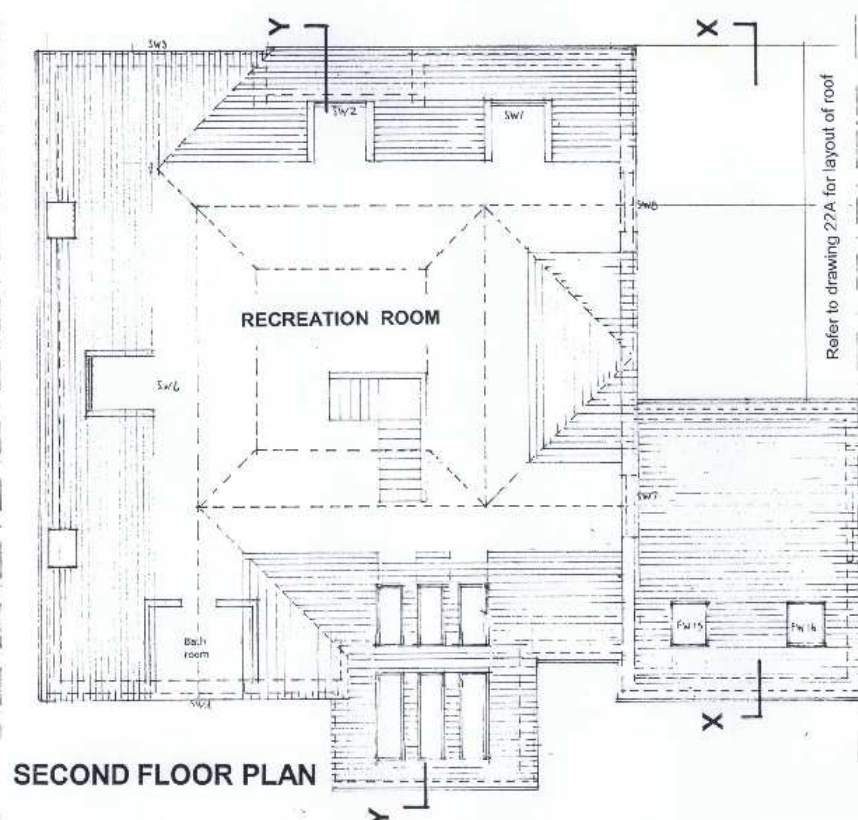
**FIRST FLOOR PLAN**



**GROUND FLOOR PLAN**

Leanne Day Design Group Architects  
100 BRIDGE END WARWICK CV35 9EF

**PROPOSED NEW HOME**  
 Mr & Mrs J Grey  
 98 BRIDGE END WARWICK  
 Drawing 2014-1504-22A scale 1 : 100  
 Amendment A 16.10.2014  
 amendments to Kitchen roof



**SECOND FLOOR PLAN**



**BASEMENT PLAN**

Laura Day Design Concept Architects

**PROPOSED NEW HOME**  
**Mr & Mrs J Grey**  
**98 BRIDGE END WARWICK**

Drawing 2014-1504-21A scale 1 : 100  
 Amendment A 18.10.2014  
 amendments to Kitchen ref