

Planning Committee: 13 September 2016

Item Number: **8**

Application No: [W 16 / 0842](#)

Registration Date: 18/07/16

Town/Parish Council: Wasperton

Expiry Date: 12/09/16

Case Officer: Helena Obremski

01926 456531 Helena.Obremski@warwickdc.gov.uk

16 Wasperton Lane, Wasperton, Warwickshire, CV35 8EB

Proposed two storey rear and side extension FOR Mr & Mrs S Alford

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The application is for the erection of a two storey side and rear extension to be constructed from matching materials to those of the existing dwelling. The scheme has been amended to remove a flat roof element, providing a hipped roof to the side elevation and gable feature to the rear elevation. There are no proposed side facing windows.

THE SITE AND ITS LOCATION

The application property is a two storey semi-detached dwelling with driveway parking and on street unrestricted parking. The application site is positioned to the south of Wasperton Lane, and is located within the Conservation Area adjacent to open countryside.

PLANNING HISTORY

There is no relevant planning history relating to this site.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (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)
- NE2 - Protecting Designated Biodiversity and Geodiversity 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)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Barford Sherbourne & Wasperton Joint Parish Council: Objection: adverse effect on the residential amenity of neighbours, by reason of overshadowing; visual impact of the development's roofline and flat roof; effect of the development on the character of the neighbourhood; design; over-bearing, out-of-scale and out of character in its appearance; adverse effect of the development on the character and appearance of the Conservation Area.

WCC Archaeology: No objection.

WCC Ecology: No objection subject to conditions.

1 Public Response: Mycroft: Objection, flat roof is not appropriate, there will be overlooking caused from the second floor window.

ASSESSMENT

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

- Impact on the character and appearance of the area

- Impact on the living conditions of nearby dwellings
- Impact on the Conservation Area
- Impact on the open countryside
- Parking
- Energy efficiency/CO²
- Ecological impact
- Archaeological impact
- Health and wellbeing

Impact on the character and appearance of the area

The National Planning Policy Framework (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 that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 1996 - 2011 policy DP1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

As amended, the proposed design is considered to respect the original features of the property and will be constructed from appropriate, matching materials to those of the existing dwelling. Owing to the narrow width of first floor of the side extension which would be viewed from the front elevation, in design terms, in this particular case, it is not considered appropriate for the extension to be set down in accordance with the Residential Design Guide. Therefore, as the development could still be easily read as an extension and does not dominate or significantly alter the character of the application property, the design is considered to be acceptable.

The Parish Council have objected to the proposed development owing to the flat roof and visual impact which this would have. As this has been removed from the proposal, this concern is considered to have been satisfied. The Parish Council have also objected to the proposed design and impact which the proposal would have on the wider area. However, as amended the design is considered to be acceptable and would not be harmful to the street scene.

The development is therefore considered to be in accordance with Local Plan policy DP1, the Residential Design Guide and NPPF.

Impact on the living conditions of nearby dwellings

Warwick District Local Plan policy DP2 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide provides a framework for policy DP2, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

Number 15 is positioned to the eastern boundary of the application site and is the other half of this pair of semi-detached dwellings. There will be no conflict with the Council's adopted 45 degree guidance as a result of the proposed development which will be positioned on the opposite side of the application property to this neighbour. It is therefore considered that there will be no harm to the living conditions of the occupiers of Number 15 which would warrant reason for refusal of the application.

Mycroft is positioned to the south western boundary of the application site and has objected to the proposed development. The Parish Council have also expressed concern regarding the impact which the proposed development would have on neighbouring residential amenity and the potential for overshadowing. Mycroft would be positioned 14 metres from the proposed development at its closest point.

There are no first floor side facing windows proposed. There would be first floor windows and a rooflight to the rear elevation of the proposed extension, however, these are not considered to cause an increased level of overlooking or loss of privacy over and above that which is the case now to an extent which would warrant the refusal of the application. Furthermore, the rooflight could be installed without the need for planning permission to any part of the rear roofslope.

Owing to the distance separation between the properties, it is not considered that the proposed two storey rear and side extension would cause significant overshadowing which would warrant reason refusal. Therefore, it is considered that there would be no material harm to the living conditions of the occupiers of Mycroft and the development is therefore considered to comply with Local Plan policy DP2, the Residential Design guide and the NPPF.

Impact on the Conservation Area

Warwick District current Local Plan policy DAP8 requires development to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas. It goes on to state that development should respect the setting of Conservation Areas and should not impact on important views or groups of buildings from inside and outside of the boundary. Current Local Plan

policy DAP9 relating to unlisted buildings in Conservation Areas reiterates this by stipulating that alterations and extensions should be refused where they adversely affect the character, appearance or setting of a 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 132 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 134 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.

The Conservation Officer has raised concerns about the original design of the proposal because of the flat roof and the additional gable feature to the rear. The Parish Council also object to the design which they consider harms the appearance of the Conservation Area.

Although the flat roof has been removed, the Conservation Officer continues to raise concerns regarding the additional gable. The property already benefits from gables at the front and rear of the property, therefore the addition of the gable to the rear is not considered to be incongruous, rather it replaces an existing feature. Furthermore, the additional gable will not affect the wider views of the Conservation Area from public vantage points as it will be positioned on the rear of the property. Therefore, although the additional gable might be considered to unbalance the pair of dwellings at the rear, it is not considered that this would cause harm to the setting of the Conservation Area as it replicates an existing feature found on the property.

The proposed development is therefore considered to comply with Local Plan policies DAP8, DAP9 and the NPPF.

Energy efficiency/CO²

Due to the scale of the proposed development it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables or a 10% reduction in CO² production through a fabric first approach would be appropriate.

The agent has provided details to say that as the property is located within the Conservation Area, a fabric first approach rather than solar panels would be more appropriate. No calculations to prove that the required level of energy saving can be achieved have been provided, however, this information can be secured by condition.

Ecological impact

WCC Ecology have assessed the application and determined that a condition should be imposed in order to ensure that all destructive works of the roof are supervised by a qualified bat worker which will be implemented. They also recommend the addition of a nesting bird note which is acceptable.

Archaeological impact

WCC Archaeology have assessed the application and have no objection to the proposed works.

Health and wellbeing

There are no health and wellbeing issues presented by the proposed development.

CONCLUSION

The proposed development is considered to be acceptable in design terms, does not result in harm to the character of the Conservation Area or impact upon the amenities of adjacent residential properties to a degree sufficient to justify the refusal of planning permission and it is therefore recommended that planning permission be granted subject to the conditions below.

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 2016-1535-10 submitted on 6th May 2016 and 2016-1535-11A submitted on 25th August 2016, and specification contained therein. **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.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority.

If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of

any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

The development shall not be first occupied until all the works within the approved 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.

REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings and to protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP13; DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 4 The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building to be affected. All roofing material is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works will be implemented within the timescales agreed between the bat worker and the Local Authority Ecologist/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings.
REASON: To ensure that protected species are not harmed by the development.
- 5 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.