

Planning Committee: 18 July 2017

Item Number: 9

Application No: [W 17 / 0925 LB](#)

Town/Parish Council: Warwick
Case Officer: Emma Spandley
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Registration Date: 18/05/17
Expiry Date: 13/07/17

19 Mill Street, Warwick, CV34 4HB

Removal of two internal walls at ground floor and the installation of 3no. conservation roof lights (retrospective application). FOR Mrs Middlebrook

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Listed building consent is sought for the removal of two internal walls and the installation of 3no conservation style roof lights. The works have already been completed.

The rear extension, which has also been completed, does not form part of this application.

THE SITE AND ITS LOCATION

The application property is located within Mill Street to the south of Warwick Town Centre and forms part of the circle of extra-mural roads in Warwick. At its west end it formerly crossed the Avon via a stone bridge, called the Great Bridge. Today the old bridge is in ruins and the river is crossed via Castle Bridge. At this time Mill Street became a dead end, having previously been a main road. Having escaped the fire of 1694, Mill Street retains many of its vernacular buildings. No.17 & No.19 Mill Street (East Side) are listed together and all the listed buildings in Mill Street (both sides) form a group. The site is situated within the Warwick Conservation Area.

PLANNING HISTORY

5242 - Demolition of scullery and erection of kitchen and bathroom - Granted 10th January 1967;

W/82/0466 - Erection of a single storey rear kitchen extension and internal alterations to form cloakroom on ground floor and bathroom on 1st floor - Granted 30th June 1982;

W/82/0634 - Installation of dormer windows to rear to form additional W.C. and store room - Granted 9th August 1982;

W/89/0363/0364/LB - Erection of a rear conservatory - Granted 16th May 1989;

W/00/1660/LB - Internal alterations to provide shower room - Granted 24th January 2001;

W/17/0111/LB - Erection of a single storey rear extension; removal of two internal walls at ground floor and the insertion of 3no. conservation roof lights (retrospective application) - Refused 20th March 2017, and

W/17/0110 - Erection of a single storey rear extension - Refused 20th March 2017.

The two 2017 applications above were refused for the following reasons:

"Policy DAP4 of the Warwick District Local Plan 1996 – 2011 & Policy HE1 of the Draft Local Plan 2011 – 2029, both state that consent will not be granted to alter or extend a Listed Building where those works will adversely affect its special architectural or historic interest, integrity or setting. The overall objectives of these policies are broadly consistent with the NPPF.

The increased depth & bulk of the extension has resulted in a significantly increased mass which when viewed with the dimensions of the original building is out of proportion to the detriment of the character of this Grade II Listed Building. The proposal has introduced large oak beams where the internal wall has been demolished and to the rear elevation of the extension, which when viewed together with the bi folding doors across the full width at the rear, means the extension appears incongruous and out of character with the appearance of the listed building.

The harm to the character and appearance of the listed building and the conservation area would be less than substantial. However, the NPPF sets out that any harm to a designated heritage asset requires clear and convincing justification and where the harm would be less than substantial it should be weighed against any public benefits. In this case the principal public benefit for the domestic extension would be the renovation of a Grade II Listed Building, if the scheme was otherwise acceptable, but it follows from the preceding paragraph that the extension would not be acceptable in other important respects.

The proposal will cause less than substantial harm in terms of paragraph 134 of the NPPF. In this case the principal public benefit, would be the renovation of a Grade II Listed Building, if the scheme was otherwise acceptable, but the public benefits are not considered to outweigh the harm to the Grade II Listed Building.

Therefore, it is concluded that the public benefits would not be sufficient to outweigh the harm it would cause to the designated heritage assets."

As part of the assessment of the above applications (W/17/0111/LB & W/17/0110) the internal alterations and the insertion of the 3no Conservation

style roof lights were assessed as being acceptable, therefore these elements did not form part of the reason for refusal above. Hence, the current application has been submitted to cover these elements only.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object to this retrospective application on the grounds that it does not meet the historic requirements for this area of Warwick. It is not in the context of the area. After further clarification the Town Council object to the roof lights because light can be seen through the roof lights above tree level.

Warwick Society: Object on the following grounds:-

- The work carried out harms the significance of the listed building
- It does not conserve or enhance the listed building
- It does not conserve the conservation area
- It is visible in views from the tower of the Castle and, in winter, from Castle Park.
- None of the neighbouring houses throughout the whole row visible either side of the rear of no.19, have any such roof light windows. The roofscape of the group, uneven in shape and broken up by numerous chimneys, uniformly remains red-tiled. None of the other slopes has been broken into by roof lights, instead they present a uniform texture, and this, set against the variations in ridge lines, heights and slopes, contributes strongly to the significance of the group.
- The application includes no Heritage Impact Assessment, which is necessary, given its impact on such significant heritage assets; nor does the drawing of the proposal suggest that any proper consideration has been given to its impact.

Public Response: 2 objections have been received on grounds that the Velux roof lights are out of keeping with the historic nature of the street.

ASSESSMENT

Sections 16 (2) and 66 (1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* require the decision maker to have special regard to the desirability of preserving the building or its setting, or any features of special

architectural or historic interest which it possesses. Section 72 (1) refers to the special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Policy DAP4 of the adopted Local Plan states that consent will not be granted to alter or extend Listed Buildings where those works will adversely affect its special architectural or historic interest, integrity or setting. Policy DAP8 states that development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas.

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 wall between the original conservatory structure and the kitchen extension approved in 1982, did not form part of the historic fabric of the building and therefore its removal is not considered to harm the integrity of the listed building.

The removal of the wall between the dining room extension which was approved in 1967 and the kitchen extension approved in 1982 also did not form part of the historical fabric of the building and therefore its removal is not considered to harm the integrity of the listed building.

The roof lights are within the roof slope of the extension granted in 1967 and therefore they are have not been installed within the main part of the building which is of historic and architectural importance. Nevertheless, the rooflights installed are conservation style which of the lowest profile and the most appropriate for a listed building. It is considered that as the roof lights are not inserted within the original 17th Century roof slope there is no material harm to the special historic or architectural importance of the Listed Building.

The objections received are noted, however, given the above it is considered that the works comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing no. W19/01A, and specification contained therein, submitted on 6th July 2017. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.
