

**Application No:** [W 15 / 1766](#)

**Town/Parish Council:** Ashow

**Case Officer:** Sally Panayi

01926 456541 Sally.Panayi@warwickdc.gov.uk

**Registration Date:** 09/12/15

**Expiry Date:** 03/02/16

**Field House, Grove Lane, Ashow, Kenilworth, CV8 2LE**

Erection of single storey side extension to the main house to create a new tandem garage; Retention of resited oil tank (part retrospective application) FOR Mr Williams

-----

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

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

The application is for the erection of a garage 10.5 metres in length to the eastern side of the dwelling, attached to the flank wall of the existing garage. The tiled pitch roof over the extension is extended across from the existing garage with the ridge height at the same level. The front wall of the garage is set back by 1.5 metres from the front wall of the existing garage, with the roof extending forward to create a canopy.

The application proposal also includes the retention of an oil storage tank which has been resited from the garden to the side of the house in a position forward of the front wall of the house. Bollards are proposed to be installed around the western and southern side of the oil tank to protect it from any possible impact from vehicles on the drive.

A pair of metal entrance gates similar in design to those on the opposite side of the road formed part of the application as originally submitted. However, this element of the proposal has been omitted from the scheme following the response from County Highways.

**THE SITE AND ITS LOCATION**

The application relates to Field House a two storey detached house positioned on the north side of Grove Lane within the Ashow Conservation Area. The house is in an elevated position above the road, with a front garden area some 28 metres in depth. To the west of the application site the neighbouring property, Grovewood is a Grade II listed building which is sited some 20m forward of Field House and positioned close to the highway. To the south of the application site is The Old Rectory, a large detached house set back from the road and with two driveways, one with a gated access of a similar design as that currently proposed. The property is washed over by Green Belt.

## **PLANNING HISTORY**

- W/07/1225 - Erection of single storey rear extension and three front roof dormers - approved 05/09/07
- W/12/0524 - Erection of detached garage - withdrawn
- W/12/1597 - Erection of detached garage - refused 05/04/13
- W/15/0856 - Erection of single storey side extension - withdrawn

## **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)
- DP4 - Archaeology (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)
- HE2 - Protection of Conservation Areas (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)

### Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

## **SUMMARY OF REPRESENTATIONS**

**Stoneleigh and Ashow Parish Council:** Objection. Construction of another garage will impact on the openness of the Green Belt. The development will impact the setting of the neighbouring listed building. Concern that the removal of a number of trees will impact the street scene as the garage is in an elevated position and will be clearly visible from the lane. Concern at the surface water run-off from the driveway causing surface flooding to nearby properties.

**Cllr Pamela Redford:** Objection. Concerned on impact of proposed entrance gate to the road. Impact of run-off from the drive of Field House. Re-siting of the oil tank should be assessed by Environmental Health.

**County Ecology:** Recommend notes relating to bats and nesting birds as protected species are attached to any approval granted.

**County Archaeology:** No comments to make following assessment

**County Highways:** No Objection, subject to a condition requiring the gates at the entrance not to be hung so as to open to within 6.0 metres of the near edge of the public highway carriageway.

**Environmental Health:** Verbal comments received stating that the oil tank is acceptable in the location indicated particularly given that the plans show bollards to protect the tank from any vehicle collision.

**Public Response:** 2 objections have been received on grounds that the building of another garage will impact on the openness of the Green Belt; It will have an impact on the setting of the adjacent listed building; The removal of trees will impact on the street scene; The property has been extended on several occasions; Further extensions will result in an undesirable increase in massing; No information on ground levels, not clear how the gate will open inwards given the incline of the driveway; Concern expressed at the impact of the gated entrance on the ability to turn in this very narrow lane.

## **ASSESSMENT**

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

- Whether the proposal constitutes appropriate development in the Green Belt, and if not, whether there are any very special circumstances which outweigh the harm by reason of inappropriateness and any other harm identified.
- Design and impact on the character and appearance of the Conservation Area
- Impact on the living conditions of nearby dwellings
- Ecology
- Health and wellbeing

### Green Belt

The site is washed over by Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Paragraph 89 in the National Planning Policy Framework states with regards to extensions, that the extension or alteration of a building (inter alia) where they do not result in disproportionate additions over and above the size of the original building will not be considered as inappropriate development within the Green Belt. This exception is echoed and clarified in Policy RAP2 of the Warwick District Local Plan which states that the Council will

consider each case on its merits although as a guide, for dwellings in the Green Belt, additions (taking into account any previous extensions permitted) which represent an increase of more than 30% to the gross floorspace of the original dwelling are likely to be considered disproportionate.

The original house had a gross floor area of 315 square metres. The extension approved in 2007 consisted of a single storey rear conservatory, utility room and store. The single storey extension with pitched roof over, equated to an additional floor area of 58 square metres and represented an 18% increase.

In making this calculation the floorspace of the first floor accommodation above the original attached garage created as part of the 2007 approval has not been included as it did not add to the bulk or mass of that building and had no material impact on the appearance of the dwelling in the Green Belt.

The proposed garage extension would add an additional 36 square metres of gross floor space and when combined with the previous extensions, equate to a 30% increase in floor area to the original house. It is considered that the scale of the proposed additional extension is in accordance with the requirements of Policy RAP2 and the NPPF and the proposal constitutes appropriate development in the Green Belt.

#### Design and impact on the character and appearance of the Conservation Area

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. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

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.

Warwick District Council's current Local Plan policy DAP8 and emerging Local Plan policy HE2 require development to respect the setting of Conservation Areas while Emerging Local Plan policy HE2 states that alterations or extensions to unlisted buildings which adversely affect the character, appearance or setting of a Conservation Area should not be permitted.

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 adopted Local Plan 1996 - 2011 policy DP1 and emerging Local Plan 2011-2029 Policy

BE1 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 and should harmonise and enhance the existing settlement. The Council's Residential Design Guide sets out guidance to achieve good design in terms of the impact on the appearance of the local area.

The house is set back from the road by over 30 metres and while in an elevated position in relation to the road, the erection of the additional garage will result in less than substantial harm to the appearance and character of the Conservation Area in this location and would not warrant a recommendation of refusal. The position of the additional garage is over 20 metres from the rear wall of the neighbouring extended listed building, Grovewood and its detached garage. Given the distance separation and the screening provided by the vegetation on the boundary to the front of the two properties the proposed garage is not considered to result in harm to the setting of the listed building. The design of the garage extension is in accord with the requirements of the Council's Residential Design Guide and considered to be acceptable.

The position of the proposed garage has resulted in the requirement for the removal of two trees to the east of the property. An ecological assessment of the trees determined that they were not suitable for the roosting of bats. In addition the trees are not considered of such amenity value as to justify a Tree Preservation Order.

The oil tank at Field House has been relocated during the time between the Officer's site visit for the previous application in June 2015 (W/15/0856) and the Officer's site visit for this current application in November 2015. The tank was originally positioned to the side of the house and screened by a trellis fence. Planning permission is required for the oil tank in the revised location, as it is positioned forward of the principle elevation of the property and is therefore outside the limitations of permitted development. The tank has again been screened by trellis fencing and given the distance from the highway, it is not considered to have a detrimental impact on the street scene and results in less than substantial harm to the character and appearance of the Conservation Area and would not warrant a recommendation of refusal.

The proposed development is considered to comply with the Council's adopted Local Plan Policies DP1 and DAP8 and the Residential Design Guide SPG.

#### Impact on the living conditions of nearby dwellings

Warwick District adopted Local Plan Policy DP2 and emerging Local Plan Policy BE3 require 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.

The proposed additional garage is positioned 2.5 metres from the shared garden boundary with the neighbouring property at Grovewood, the Listed Building located to the east of the application site. There is a distance of over 20 metres between the front elevation of the proposed garage and the rear elevation of Grovewood and therefore there would be no loss of amenity to this neighbouring property, nor impact on the setting of that Listed building.

It is considered that the proposed development complies with adopted Local Plan Policy DP2, and the Residential Design Guide SPG.

Ecology

The trees indicated to be removed as part of the application were not considered to be suitable for potential roosting for bats. The fruit trees have already been removed. WCC Ecology have commented on this application and consider that a cautionary bat note and nesting bird note would be sufficient.

Health and Wellbeing

Not applicable

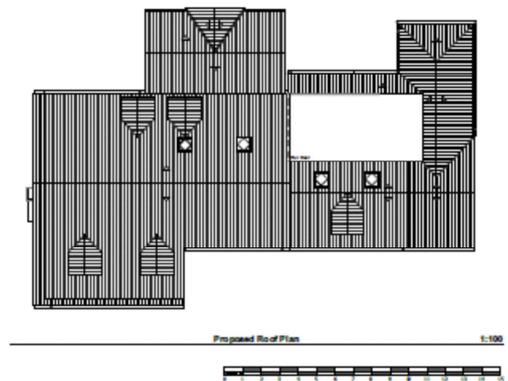
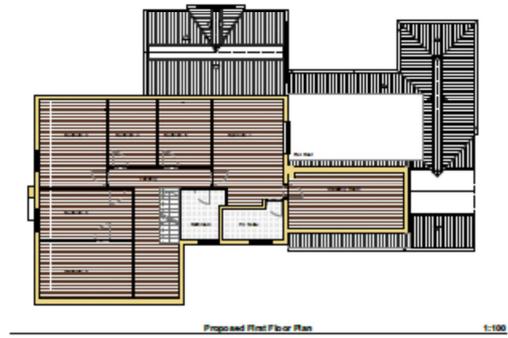
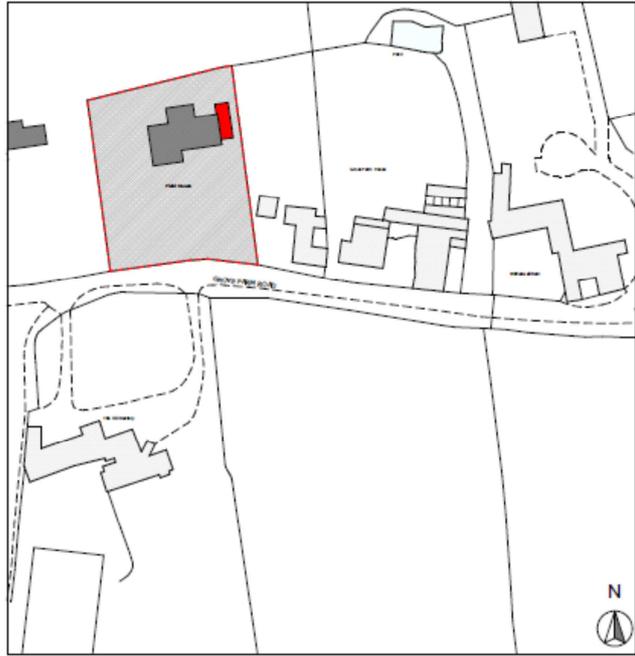
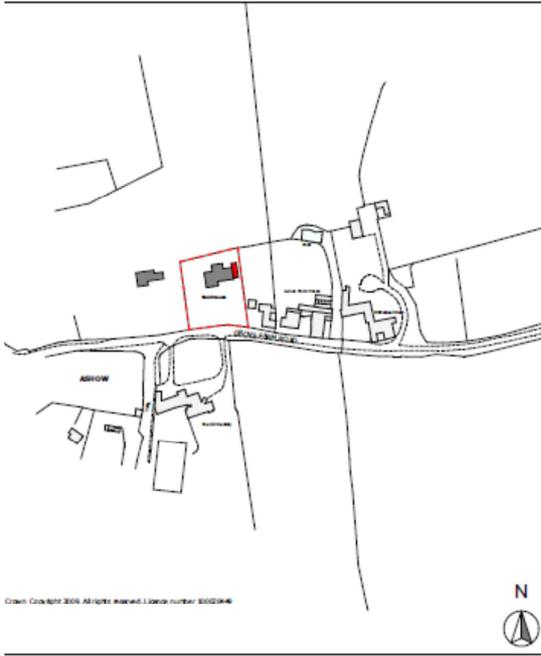
**CONCLUSION**

The proposed single storey garage extension is considered to be of an acceptable design and scale which would not adversely impact on the character and appearance of the street scene or the Conservation Area and does not have a detrimental impact on the amenity of the neighbouring properties or the setting of the neighbouring Listed Building to a degree that would warrant a recommendation of refusal. The scale of the extension is considered to be appropriate development in this Green Belt location.

**CONDITIONS**

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 1105-0501-06, 1105-0502-06, and specification contained therein, submitted on 20th January 2016. **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.
  
- 2 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.

-----



Gates Removed

