

Planning Committee Thursday 21 October 2021

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Wednesday 21 October 2021, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor Boad (Chairman)
Councillor Morris (Vice Chairman)

Councillor M Ashford
Councillor R Dickson
Councillor O Jacques
Councillor J Kennedy
Councillor Leigh-Hunt

Councillor C Quinney
Councillor N Tangri
Councillor J Tracey
Whitnash Residents Association Vacancy

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

Agenda Part A – General

1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. **Site Visits**

The Chairman to report the location of the planning application sites visited and the names of the Committee Members who attended.

Part B – Planning Applications

To consider the following reports from the Head of Development Services:

4. **W/ 21/0649 – The Thistle Estate, Red Lane, Burton Green, Kenilworth** (Pages 1 to 7)
Major Application
5. **W/20/0277 – Heritage House, 3 Millers Road, Warwick** (Pages 1 to 3)
6. **W/21/0856 – Tantara Lodge, Coventry Road, Stoneleigh, Coventry** (Pages 1 to 4)
7. **W/21/0939 – The Old Leper Hospital/Chapel/Master’s House, Saltisford, Warwick** (Pages 1 to 19)
8. **W/21/1230 – 26 Ladycroft, Cubbington, Royal Leamington Spa** (Pages 1 to 4)

Part C – Other matters

9. **Appeals report** (Pages 1 to 6)

Please note:

- (a) the background papers relating to reports on planning applications are open to public inspection under Section 100D of the Local Government Act 1972 and consist of all written responses to consultations made by the Local Planning Authority in connection with the planning applications referred to in the reports, the County Structure Plan Local Plans and Warwick District Council approved policy documents.
- (b) all items have a designated Case Officer and any queries concerning those items should be directed to that Officer.
- (c) in accordance with the Council’s Public Speaking Procedure, members of the public can address the Planning Committee meeting remotely by joining the remote meeting through their personal device on any of the planning applications or Tree Preservation Order reports being put before the Committee. If you wish to do so, please register online at [Speaking at Planning Committee](#) any time after the publication of this agenda, but **before 10.00am** on the working day before the day of the meeting and you will be advised of the procedure.
- (d) please note that the running order for the meeting may be different to that published above, in order to accommodate items where members of the public have registered to address the Committee.
- (e) occasionally, items are withdrawn from the agenda after it has been published. In this instance, it is not always possible to notify all parties interested in the application. However, if this does occur, a note will be placed on the agenda via the Council’s website, and where possible, the applicant and all registered speakers (where applicable) will be notified.

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ

Telephone: 01926 456114

E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports. You can e-mail the members of the Committee at planningcommittee@warwickdc.gov.uk

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456114

Planning Committee: 12 October 2021

Item Number: 4

Application No: [W 21 / 0649](#)

Town/Parish Council: Burton Green
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

Registration Date: 08/04/21
Expiry Date: 03/06/21

The Thistle Estate, Red Lane, Burton Green, Kenilworth, CV8 1PB

Demolition of existing bungalow, erection of single storey extension to and change of use of existing outbuilding to a dwelling and erection of a new garage block FOR Mr and Mrs Chohan and Bibi

This application is being presented to Planning Committee due to the number of objections and an objection from the Parish 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

The proposal seeks to demolish the existing dwelling and change the use of a large, detached outbuilding to a single dwelling. The proposal also seeks to erect a single storey extension to the outbuilding to provide a swimming pool. A detached double garage is also proposed.

THE SITE AND ITS LOCATION

The application site relates to a detached dwelling and detached outbuildings known as The Thistle Estate. The site is accessed off Red Lane, Burton Green. The site is washed over by Green Belt.

PLANNING HISTORY

W/20/1573 - Application for a Lawful Development Certificate for an existing outbuilding as shown on drawing (10) EO1 and (ALL) E01 submitted to the LPA on 05th October 2020 and 27th January 2021 - Lawful Use

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- H1 - Directing New Housing
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR3 - Parking
- DS18 - Green Belt

- H14 - Extensions to Dwellings in the Open Countryside
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- FW3 - Water Conservation
- Guidance Documents
- Parking Standards (Supplementary Planning Document- June 2018)
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Burton Green Parish Council: Object on grounds that the development is converting an outbuilding, is overdevelopment in Green Belt, little information about trees and shrubs and no reference to Neighbourhood Plan policies.

WCC Ecology: Recommend further bat activity surveys.

Councillor Illingworth: Objects on the following grounds:

- The outbuildings should not be extended
- Lack of water or drainage layouts on proposed drawings
- Lack of detail over drainage of swimming pool
- Swimming pool plant not shown on the proposed drawings
- Impact of garages on immediate neighbour
- Lack of detail over trees
- No reference to Burton Green Neighbourhood Plan

Public Response: 3 objections have been received on the following grounds:

- No neighbours notified of the development
- Negative impact on neighbours
- Would set a harmful precedent
- Overdevelopment in Green Belt

3 support comments have been received on the basis that the development will not be detrimental to the area and is of a good design.

ASSESSMENT

Principle of the Development

Policy H1 of the Warwick District Local Plan 2011-2029 establishes a settlement hierarchy and seeks to direct new residential development to the urban areas, growth villages and limited infill villages in the first instance. The application site is located outside of the Growth Village envelope of Burton Green.

However, the principle of residential development on this site has already been established with the presence of the existing residential dwelling. This proposal does not seek to introduce a further residential unit on this site but rather to demolish the existing dwelling and replace it by changing the use of the existing lawful outbuilding to a dwelling. A condition would need to be added requiring the existing dwelling to be demolished prior to the first occupation of the new one to avoid the creation of two dwellings which would be contrary to Policy H1.

The existing outbuilding is situated within the rear garden area of the existing dwelling. Policy H1 states that housing development on garden land will not be permitted unless the development reinforces, or harmonises with, the established character of the street and/or locality and respects surrounding buildings in terms of scale, height, form and massing. Whilst the outbuilding has already been constructed, it is considered necessary to assess whether the use of the outbuilding as a dwelling would harmonise with the character of the street scene and the locality.

The character of the street scene is large, detached dwellings set back from the main road, Red Lane. The majority of properties are positioned in a consistent building line along Red Lane and are set back a similar distance from the main road. The existing dwelling at the application site does not conform with this character as it is set back further into the site and away from the highway compared to the surrounding properties. However, the existing outbuilding is located in close proximity to the existing dwelling and would therefore be read in a similar context to the existing dwelling. Given the existing dwelling is set back well into the site and does not conform to the predominant character in the street scene, it is considered that to refuse the proposed dwelling on grounds that it does not harmonise with the street scene would be unreasonable.

The proposal is therefore considered to comply with Local Plan Policy H1.

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified

Paragraph 149 of the National Planning Policy Framework (NPPF) requires the construction of new buildings to be regarded as inappropriate in Green Belt, except where the extensions or alterations are not disproportionate additions over and above the size of the original building.

The supporting text of Policy H14 of the adopted Warwick District Local Plan 2011-2029 states that development which would represent an increase of more than 30% of the gross floor space of the original dwelling (excluding any detached buildings) located within the Green Belt is likely to be considered disproportionate.

The proposal seeks to convert an existing lawful outbuilding into a new dwelling and to demolish the existing dwelling. The outbuilding is a lawful building and is fully constructed and therefore an assessment of the impact of this building in the Green Belt is not necessary. The demolition of the existing dwelling would improve the openness of the Green Belt by removing a large building with a total floor area of 149 square metres. The site of the footprint of the existing dwelling would be turned into private amenity space.

The proposal also seeks to erect a detached garage to the front of the site. Whilst this would represent a new building in the Green Belt, given that the proposal will result in the demolition of a large residential building it is considered that the erection of a smaller detached outbuilding of 22 square metres in floor area, would still represent an improvement in Green Belt terms by removing over 120 square metres of built development at the site and would constitute appropriate

development in the Green Belt, through the exception of a replacement building which is in the same use (residential) and not materially larger).

The proposal also seeks to extend the proposed dwelling i.e., the existing outbuilding. The floor area of the existing building is 489.80 square metres and the extension would have a floor area of 95.78 square metres. This would represent an increase in floor area of 19.5% which is well below the Council's adopted standard of 30% for extensions to buildings in the Green Belt.

The existing outbuilding is fully constructed and to convert this building into a dwelling would not have a harmful impact on the openness of Green Belt, across the site a large area of built development will be demolished which will be an improvement in Green Belt terms. The proposals are considered to constitute appropriate development in the Green Belt and would comply with the NPPF and Local Plan Policy H14.

Design and impact on the street scene

The 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 Policy BE1 requires development to be constructed using 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. The Residential Design Guide SPD sets out steps which should 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.

The proposal seeks to extend the existing outbuilding. This extension is considered of an appropriate design and would not be visible from within the street scene. No other external alterations are proposed to the building. The building is situated to the rear of the existing dwellings along Red Lane, and like the existing dwelling, views of this building would be limited from Red Lane as the site sits at a lower level to the buildings fronting Red Lane. In any case the design of the building is considered acceptable. The proposed detached garage building is of an acceptable design and again views of this building will be limited from the street scene.

The proposal is considered to comply with Local Plan Policy BE1.

The impact on the living conditions of the occupiers of the neighbouring properties

Warwick District Local Plan Policy BE3 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 requirement 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 SPD provides a framework for Policy BE3, which stipulates the minimum requirements for distance separation between

properties and that extensions should not breach a 45° line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

The outbuilding is an existing lawful building which is single storey closest to the neighbouring properties and extending to two storeys as the land levels drop to the rear of the site. The proposal does not seek to introduce any further windows to the building and the existing windows do not afford views into the neighbouring properties. The proposed extension would be sited away from the neighbour's boundaries and would not have any impact on light or outlook to these properties given the distance of over 35 metres to the nearest dwelling. The proposed double garage would be situated towards the rear garden of the neighbouring property, Silver Birches. The outbuilding would not breach the Council's adopted 45° line from this neighbouring property. It is also noted that the outbuilding is only single storey.

Officers are satisfied that the proposal would not have a harmful impact on the amenity of neighbouring properties.

The proposed dwelling would provide outlook and light to all habitable rooms and would provide an acceptable level of amenity for future occupiers of the building.

The proposal therefore complies with Local Plan Policy BE3.

Parking & Highway Safety

The application site currently benefits from driveway parking with ample space to accommodate in excess of maximum parking requirement 3 cars for a dwelling. The site benefits from manoeuvring space to ensure that cars can enter and exit the site in forward gear. The existing access arrangements will not be altered as part of this development.

Given the existing parking and access arrangements will largely stay the same, it is considered that the proposal complies with Local Plan Policies TR1 and TR3.

Ecology

A bat survey has been provided for the site that demonstrates the existing building a low potential for bats. Given the nature of the development and that the building is to be demolished it is considered appropriate to secure bat activity surveys and any necessary mitigation measures prior to the demolition of the building. This is to be secured via condition.

Water conservation

A condition can be added to ensure compliance with Policy FW3.

Conclusion

The proposed development constitutes appropriate development in the Green Belt, will not result in harm to openness, the character and appearance of the street scene nor have a harmful impact on the amenity of neighbouring properties. The

development is therefore considered acceptable and is recommended for approval, 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(s) GTD1076-07, GTD1076-08, GTD1076-09, GTD1076-10, GTD1076-11, GTD1076-12, and specification contained therein, submitted on 08th April 2021. **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 development (including demolition) shall commence unless and until a survey for the presence of bats has been carried out by a suitably qualified surveyor and has been submitted to and approved in writing by the local planning authority. Should the presence of bats be found then no demolition shall take place until full details of measures for bat migration and conservation have been submitted to and approved by the local planning authority. These measures should include: a) inspection of existing buildings on site not more than 28 days/one calendar month prior to their demolition to determine presence or absence of roosting or hibernating bats; b) no building containing bats shall be demolished until bats have been safely excluded using measures as have been previously submitted to and approved in writing by the local planning authority; c) provision of a new bat roost/hibernacula constructed to a design and in a location previously approved in writing by the local planning authority; d) provision of new bat roost/hibernacula within new construction; e) provision of an area of buffer/habitat around the new bat roost/hibernacula, details of the buffer to be submitted to and approved in writing by the local planning authority; f) retention of hedgerows identified as being important for foraging bats within the development site, details of the location of hedges to be submitted to and approved in writing by the local planning authority; g) provision for the management in perpetuity of the buffer habitat, hedgerows used for foraging and the new bat roost/hibernacula. The works shall be implemented in strict accordance with the approved details and timing of works. **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 NE2 of the Warwick District Local Plan 2011-2029.
- 4 The new dwelling hereby permitted shall not be occupied unless and until the existing bungalow, as shown on drawing ref: GTD1076-06, submitted to the LPA on 08th April 2021, has been demolished in its entirety and all materials resulting from the demolition have been permanently removed from the site. **Reason:** To secure a sustainable form of development and

appropriate development in the Green Belt to satisfy Policies H1 and DS18 of the Warwick District Local Plan 2011-2029.

- 5 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029.
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Planning Committee: 12 October 2021

Item Number: 5

Application No: [W 21 / 0277](#)

Town/Parish Council: Warwick
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

Registration Date: 16/02/21
Expiry Date: 13/04/21

Heritage House, 3 Millers Road, Warwick, CV34 5AE

Part removal/demolition of offices and addition of roller shutter to factory to create a covered loading bay and enlarged dropped kerb and gates. Installation of external cladding. FOR Mr S Thadwal

This application is being presented to Planning Committee due to the number of objections 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

The proposal seeks to block up an existing loading bay to the side elevation and to create a new loading to the front of the site. The proposal seeks to widen the existing access to facilitate loading vehicles. Externally the building is to be clad in metal cladding.

THE SITE AND ITS LOCATION

The application site relates to an existing industrial unit within an existing industrial building that comprises of 3 units. Historically the building was one larger unit that has been subdivided into 3 smaller units. The application unit is located on the north side of Millers Road opposite residential properties. Lock Lane runs along the western boundary and serves only industrial units and is a no-through road. The existing loading bay is situated to the side of the application building and is accessed through the neighbouring site. The site also has vehicular access off Millers Road.

PLANNING HISTORY

None relevant.

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

- TR1 - Access and Choice
- TR3 - Parking
- Guidance Documents
- Parking Standards (Supplementary Planning Document- June 2018)

SUMMARY OF REPRESENTATIONS

WCC Ecology: Recommend informative notes relating to bats and nesting birds.

WCC Highways: No objection.

Public Response: 5 objections have been received raising concerns over parking pressures in the area, increase in traffic and increase in noise.

ASSESSMENT

The main issues in the consideration of this application are:

- Impact on character and appearance of the area
- Impact on living conditions
- Access, parking and highway safety

Design

The proposed loading bay is to be sited to the front of the building within the secure yard of the established industrial unit. The roof will be reduced in height over the covered loading bay. The design is considered acceptable, and the roof will remain in keeping with the existing building. The proposal also seeks to clad the existing building with profiled metal cladding which is considered appropriate for an industrial building that is read in the context of other industrial buildings. It is also noted that the industrial buildings in this area are of varying designs and styles with a range of materials including metal cladding. The building is highly visible in the street scene however in the context of this industrial, mixed use area, the proposal is not considered to be harmful.

Therefore, the design of the development is considered to comply with Local Plan Policy BE1.

Impact on living conditions

The proposed development would not extend the footprint of the existing building and the proposed loading bay will be located within the existing building. The site already has a loading and unloading bay to the side of the building which is to be blocked up and replaced by the proposed loading bay. As the yard is already in use, the impact on adjacent residential properties will be negligible.

Access, parking and highway safety

The proposed loading bay will be sited to the front of the building which is currently laid out to parking. The site currently benefits from 29 parking spaces to the front of the site. The reduction in floor area to the ground and first floor to accommodate

the proposed loading bay will reduce the parking requirement by 1 space. The proposal will result in a loss of one parking space for the application site. Swept path analysis has been provided to demonstrate that the remaining spaces can manoeuvred adequately within the site. Whilst the parking for the application site will be reduced by 1 space, it is also noted that the blocking up of the loading bay that is accessed through the neighbouring site would lead to an increase in parking availability in the neighbouring site. Therefore, across both sites there would be no net loss of parking spaces. The Highways Authority have been consulted and have raised no concerns over parking.

The access off Millers Road is proposed to be widened to facilitate delivery vehicles and to enable cars to enter and exit the site at the same time. In addition, the access gates are to be replaced and set further into the site to ensure vehicles do not obstruct the carriageway when accessing the site. The Highways Authority have raised no concerns in this regard.

A number of local objections have been received raising concerns over increase in traffic, parking problems and noise. The proposal does not seek to increase the size of the industrial unit or the current operations at the site, but rather to relocate an existing loading bay from the side of the building to the front of building to enable the site to operate without having to access through the neighbouring site. As stated above, the proposal will not result in a loss of parking across the two sites. Officers are therefore satisfied that the proposal would not result in any parking or highway safety issues.

Summary/Conclusion

The proposals will not adversely impact on the character of the street scene or surrounding area and would not add to the existing parking pressures in the area. The proposals are therefore considered to be acceptable and in accordance with the policies listed.

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(s) 20/049/P02, and specification contained therein, submitted on 12th August 2021. **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.

Planning Committee: 13 October 2021

Item Number: 6

Application No: [W 21 / 0856](#)

Town/Parish Council: Stoneleigh

Case Officer:

Thomas Fojut

01926 456539 thomas.fojut@warwickdc.gov.uk

Registration Date: 30/03/21

Expiry Date: 25/05/21

Tantara Lodge, Coventry Road, Stoneleigh, Coventry, CV8 3DR
Retention of solar panels on front roof slope (retrospective) FOR Mr. Reay

This application is being presented to Planning Committee as the Parish Council support the proposals and the application is recommended for refusal.

RECOMMENDATION

Planning Committee are recommended to refuse planning permission.

DETAILS OF THE DEVELOPMENT

Retention of solar panels on front roof slope (retrospective)

THE SITE AND ITS LOCATION

The property is a single storey outbuilding located within the boundary of the Grade II* Registered Park and Garden of Stoneleigh Abbey. The Lodge is Grade II listed and marks the eastern approach to Stoneleigh Abbey through the Deer Park. The main dwellinghouse has been extended significantly with a modern two storey extension attached to the northern elevation of the Listed Building. The outbuilding is a modern addition.

PLANNING HISTORY

W/20/1883 - Replacement of garage doors with bi-fold doors, installation of 1no. window in the side elevation and 3no. rooflights in the front roof slope. Permission granted April 2021.

W/20/1199/LB - Erection of a three-bay detached garage and conversion of existing garage to self-contained annex. - Listed Building Consent not required September 2020.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- DS18 - Green Belt

- HE1 - Protection of Statutory Heritage Assets
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Stoneleigh and Ashow Parish Council - Supports application. No reason given.

The Gardens Trust - No objection.

Conservation and Design - Objects to proposals due to the detrimental impact on the setting of the listed building and registered park.

ASSESSMENT

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

- Impact on the setting of the Listed Building and Registered Park;
- Whether the proposal is appropriate development in the Green Belt; and
- Impact on the amenity of neighbouring uses.

Impact on the setting of the Listed Building and Registered Park

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. These duties affect the weight to be given to the factors involved.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority... shall 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."

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal.

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. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The conservation officer has raised an objection to the proposals due to the detrimental impact on the setting of the listed building and registered park. Whilst the panels have been installed on a modern building, they are located within close proximity to the gate lodge and directly impact the setting of the listed building.

Whilst there is no visibility of these from the public highway, the outbuilding is read in clear association with the listed gate lodge and the panels are highly visible from within the curtilage of the building and also from the wider Registered Park.

The panels are overtly modern additions that further detract from the character and integrity of the listed gate lodge, to which the cumulative impact of modern development has already been quite harmful to. This harm falls within the category of "less than substantial harm" for the purposes of the NPPF. The proposals do not generate public benefits sufficient to outweigh this harm. Therefore the proposals are contrary to Local Plan Policy HE1 and does not meet the requirements of the NPPF and the statutory obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Whether the proposal is appropriate development in the Green Belt

Paragraph 137 of the NPPF notes that the Government attaches great importance to Green Belts. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 147). With a number of exceptions, the construction of new buildings (including extensions) is inappropriate development (paragraph 149). Among the exceptions is "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building".

The proposals are no greater in gross floor area than the existing outbuilding. To add to this the solar panels would not be visible from the existing street scene and would not significantly extend the visual impression of built form, nor would it substantially alter the scale, design or character of the original outbuilding.

Taking all of the above into consideration, the proposal is considered to be appropriate development in the Green Belt.

It is therefore considered that the proposals comply with Local Plan Policy DS18 and the NPPF.

Impact on neighbouring properties

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.

There are no other dwellings in the vicinity of the site. Therefore, the proposals will not cause any harm to the amenity of neighbouring dwellings. It is considered that the development will comply with Warwick District Local Plan Policy BE3.

SUMMARY/CONCLUSION

The solar panels detract from the character and integrity of the listed gate lodge and the registered park. There are no public benefits to outweigh this harm. Therefore it is recommended that planning permission is refused.

REFUSAL REASONS

- 1 Policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In the opinion of the Local Planning Authority the proposal would cause less than substantial harm to the significance of the listed building and registered park by reason of the harm that would be caused to the setting. The panels are overtly modern additions that detract from the character and integrity of the listed gate lodge.

No public benefits have been identified to outweigh this harm.

The development is thereby considered to be contrary to the aforementioned policies.

Planning Committee: 13 October 2021

Item Number: 7

Application No: [W 21 / 0939](#)

Town/Parish Council: Warwick

Registration Date: 13/05/21

Expiry Date: 12/08/21

Case Officer:

Rebecca Compton

01926 456544 rebecca.compton@warwickdc.gov.uk

**The Old Leper Hospital/Chapel/Masters House, Saltisford, Warwick,
CV34 4TT**

Application for the conservation, repair and alteration of the existing listed Master's House to provide a two bed dwelling with contemporary building services, to include partial demolition of the south wing and the extension of a larger south wing. Proposals include the deconstruction, repair and reconstruction of unstable structural elements of the Master's House. The conservation, repair and alteration of the listed St Michael's Chapel to provide a one bed dwelling with contemporary building services. The proposal also includes the construction of a new three storey apartment block to the north of the site with 8no. one bed dwellings together with associated hard and soft landscaping and proposed access. FOR West Midlands Historic Building Trust

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report and a Section 106 Agreement to secure the necessary financial contributions/ obligations as set out in the report.

Planning Committee is also recommended to delegate authority to the Head of Development Services in consultation with the Chair of Planning Committee to finalise the terms of the Section 106 agreement.

DETAILS OF THE DEVELOPMENT

The proposal seeks to restore and convert two Grade II* listed buildings into residential use, buildings known as The Master's House and St Michael's Chapel. The development also seeks to erect an apartment building to the rear of the site, the funds of which will secure the necessary works to restore the listed buildings which have remained vacant for a number of years. The Master's House in particular is in a serious state of disrepair and is on Historic England's At Risk register. The proposal also includes hard and soft landscaping, parking area and new access through the neighbouring site off Ansell Way.

THE SITE AND ITS LOCATION

The application site consists of St Michael's Leper Hospital Scheduled Ancient Monument, Grade II* listed Master's House located centrally in the site and Grade II* St Michael's Chapel situated along the frontage adjacent to Saltisford. The site is located within flood zones 2 and 3.

PLANNING HISTORY

W/04/2128 & W/04/2132/LB - Conversion of former chapel and Master's House to offices; construction of office building to rear of site and associated car parking to all buildings – Granted

Whilst these applications were never implemented it is noted that some restoration of the Chapel has taken place.

W/21/0640/LB - Application for the conservation, repair and alteration of the existing listed Master's House to provide a two bed dwelling with contemporary building services, to include partial demolition of the south wing and the extension of a larger south wing. Proposals include the deconstruction, repair and reconstruction of unstable structural elements of the Master's House. The conservation, repair and alteration of the listed St Michael's Chapel to provide a one bed dwelling with contemporary building services. The proposal also includes the construction of a new three storey apartment block to the north of the site with 8no. one bed dwellings together with associated hard and soft landscaping and proposed access – Associated listed building consent to the current scheme

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HS1 - Healthy, Safe and Inclusive Communities
- CC2 - Planning for Renewable Energy and Low Carbon Generation
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- FW3 - Water Conservation
- FW4 - Water Supply
- HE1 - Protection of Statutory Heritage Assets
- HE4 - Archaeology
- NE1 - Green Infrastructure
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources

- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Affordable Housing (Supplementary Planning Document - June 2020)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Support the application.

Historic England: Support the application on heritage grounds.

WCC Highways: No objection but recommend better provision for cycle parking for listed buildings.

WCC Archaeology: No objection subject to condition.

WCC Ecology: Raised concerns over loss of biodiversity and impact on bats, also requested conditions for CEMP, LEMP.

WCC Landscape: Object due to impact of apartment building, lack of planting and trees and recommend detailed landscaping scheme.

LLFA: Request further information regarding surface water management.

WCC Fire and Rescue Service: No objection subject to condition requiring fire hydrant.

Environment Agency: No objection subject to condition securing finished floor levels.

WDC Waste Management: No objection.

WDC Health and Community Protection: Raised concerns over noise levels for the Chapel building, requested details of mechanical ventilation for apartment building and conditions relating to EV charging points, contaminated land and construction management plan.

Ancient Monuments Society: Object due to concerns over cladding to the Master's House and loss of existing lean-to element of Master's House. Also question the need for parking next to the Master's House.

Society for protection of Ancient Buildings (SPAB): Object due to concerns over cladding to the Master's House, loss of existing lean-to element of Master's House and impact of apartment block.

Conservation Area Forum (CAF): Object due to concerns over cladding to the Master's House and loss of existing lean-to element of Master's House.

WDC Conservation: No objection and commented that the timber cladding to the Master's House has been carefully considered to retain the existing frame.

Public response:

6 objections received raising concerns over the following grounds:

- Apartment building out of scale with listed buildings and surrounding area
- Impact on neighbours including overlooking, loss of privacy, loss of light
- Removal of trees lead to increase noise from railway
- Design not sensitive to historic buildings
- Overdevelopment of the site
- Loss of habitats and biodiversity
- Chapel and Master's House being converted to residential when they could be office or public use
- Risk of flooding
- Risk to archaeology
- Pressure on parking
- Light pollution
- Contravention of Council's planning brief
- Increase in pollution

ASSESSMENT

The key issues are:

- Principle of development
- Design and impact on heritage assets
- Archaeology
- Impact on the living conditions of neighbouring dwellings
- Amenity for future occupiers
- Car parking and highway safety
- Ecological impact
- Drainage and flood risk
- Landscape
- Affordable Housing
- S106 contributions
- Other matters

Principle of development

The site lies within the Urban Boundary of Warwick which is considered appropriate for new residential development. The site is considered to be a highly sustainable location being well related to public transport links, services and employment opportunities. The scheme is considered to be in accordance with Policy H1 insofar as the site is in a sustainable location, falling within one of the main urban areas of Warwick.

Design and impact on heritage assets

The site contains two Grade II* listed buildings and a Scheduled Ancient Monument. Therefore, it is necessary for the proposed works to pay special regard to the desirability of preserving the special interest of the listed buildings and their

settings in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

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.

Warwick District Local Plan Policy HE1 (protection of statutory heritage assets) states that permission 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.

Furthermore, Warwick District Local Plan Policy BE1 seeks for development to be constructed using 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.

Master's House

The existing Master's House is in a serious state of disrepair and is on Historic England's At Risk register. Whilst efforts have been made to ensure the structure is secure, it is clear that the restoration of this building and bringing the building back into a viable use is imperative to secure the future of this heritage asset.

The proposal is therefore to convert this building into a single dwelling. The proposal includes a full restoration of the building and alterations to facilitate the proposed residential use. The existing south wing is to be demolished, given this is a later addition to the building that is extremely degraded, the loss of this feature is not considered detrimental to the historic significance of the asset. In its place and on the same footprint, a new stairway wing is to be provided which will provide access between the ground and first floors to avoid disruption to the building's historic structure and joists. Whilst the building benefits from existing staircases which remain from the historic use of this site as 3 cottages, these are too narrow and too steep for modern day use. It is proposed to introduce underfloor heating to avoid the need for radiators being fitted in the historic fabric and will provide a background level of

The proposal seeks to externally insulate the building with oak cladding, the applicant has worked closely with Historic England, the Council's Conservation Team and Conservation Architects to secure the most appropriate way of conserving the existing timber framed building which is currently in a serious state of disrepair. Whilst the cladding would obscure external views of the timber frame, the cladding is considered the most appropriate way to insulate the building whilst avoiding condensation that would be detrimental to the historic timbers. Whilst concerns over the proposed cladding have been raised by various parties including The Society for the Protection of Ancient Buildings and The Ancient Monuments Society, it is considered that cladding the building would be the most appropriate method to protect the existing fragile timbers. Historic England commented that the cladding "is a response both to the repair needs of what is now a very fragile frame, and to achieving thermal insulation." It should

be noted that Historic England and the Council's Conservation Officer have raised no objection to the scheme.

The existing timber frame will be retained internally and lime plaster will be applied to the panels between the timbers to highlight the original form of the building. The applicant has also expressed that there would be opportunities for the public to visit the building to view its original fabric. The cladding will ensure the survival of the majority of this historic fabric and protects the building from further deterioration. Therefore, whilst some harm will inevitably be caused by the proposed cladding, the benefits of retaining the original timber frame together with the restoration of the building that is currently in a poor state of disrepair and securing a viable long term use for the building outweighs the harm, which is considered less than substantial.

The Conservation Officer recommends the inclusion of a condition for the provision of sample materials, which Officers consider necessary to ensure a high quality finish for this heritage asset. Large scale details of all restoration works and new windows and doors have been provided and the Conservation Officer is satisfied with the detail provided.

St Michael's Chapel

The Chapel has undergone recent restoration work including rebuilding of stone walls, new stone window and re-roofing with clay tiles. The proposal seeks to convert this building into a single dwelling. A bathroom pod will be provided at first floor level which will be set down from the main roof to avoid disruption to the historic fabric. The bedroom will have a mezzanine floor to enable the existing gable end window to be appreciated from ground and first floor. Other works include new steel framed windows and secondary glazing which have been sensitively designed to protect the appearance and historic significance of the heritage asset.

The Conservation Officer recommends the inclusion of a condition for the provision of sample materials, which Officers consider necessary to ensure a high quality finish for this heritage asset. Large scale details of all restoration works and new windows and doors have been provided and the Conservation Officer is satisfied with the detail provided.

Apartment building

The proposed apartment building consists of a part two storey part three storey building providing 8no. 1 bedroom apartments. The building has been carefully designed to limit any impact on the setting of the listed buildings and will be situated to the rear of the site away from the listed buildings and the scheduled ancient monument. The siting of the apartment building to the rear of the site together with the landscape improvements around the listed buildings ensure the listed buildings remain as the principal focal features of the site.

The buildings located along Saltisford are predominantly 2 storeys, the design of the building with a 2-storey element leading to a 3 storey element to the rear of the site not only integrates the building with the listed buildings and neighbouring buildings in the immediate context, but also with the wider

character of the area. The building with varying gable roofs and staggered design not only provides a more attractive design but also visually breaks up the bulk and mass of the building which better integrates with its surroundings.

The block of flats has been designed to appear as an attractive modern building rather than a pastiche form of development, whilst still referencing the listed buildings through its architectural features and characteristics, including gables and use of traditional materials such as red brick, timber and plain roof tiles.

The Conservation Officer recommends the inclusion of a condition for the provision of sample materials, which Officers consider necessary to ensure a high quality finish for the setting of the heritage assets.

Heritage Summary

Officers welcome the applicant's proposals to restore and retain the two Grade II* listed buildings on the site and proposing a viable use that will secure the long term retention and care of these buildings. The existing buildings and the site at present are in a poor state and are not reflective of a site that is of national and local historic importance. Whilst there will be some degree of harm resulting from the development, the benefits of the scheme including the restoration and retention of the listed buildings and substantial improvements to their setting are considered to far outweigh the harm.

In this case, the public benefit which will be derived by restoring the listed buildings and bringing them back into a viable use is a matter which should be given great weight and is a clear justification for permitting the scheme in its current form.

Overall, the scheme is considered to represent a high quality design in this sensitive location which will provide significant visual enhancements within the area and therefore accord with the NPPF and Local Plan Policies, BE1 and HE1.

Archaeology

Policy HE4 of the Local Plan requires an appropriate evaluation of potential archaeological remains. Where a development has the potential to have an adverse effect on archaeological remains, mitigation would be required through an appropriate form of archaeological investigation.

The proposed development lies within an area of significant archaeological potential and includes the Scheduled below ground remains of a leper hospital, chapel and cemetery founded during the 12th century. The existing Grade II* buildings are also built upon 12th Century foundations.

The site has benefited from various archaeological surveys and fieldwork historically in recent years, however the applicant acknowledges that the site is of national historical importance and as such further survey work would be required prior to any work commencing. Historic England in their formal response to the application also stressed the importance of further archaeological works which is

echoed by WCC Archaeology. Further archaeological work should be undertaken and this will be secured via condition.

Subject to condition, Officers are satisfied that the proposal is in accordance with Policy HE4 of the Local Plan.

Impact on the amenity of neighbouring residents

Warwick District Local Plan Policy BE3 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 visual intrusion.

The 'Distance Separation Guide' was adopted by the Council in 2003 to provide guidance on the necessary separation distances between new residential development (habitable to habitable rooms) to help avoid loss of privacy and over dominance to adjoining dwellings.

Several objections have been received from neighbouring residents residing in the row of terraced dwellings fronting Saltisford that are to the west of the application site and share a side and rear boundary with the application site.

The existing Grade II* listed buildings are to be retained in their current position and the proposed residential use is considered appropriate in this location and would harmonise with neighbouring residential uses. The proposed use is not considered to have a harmful impact on the amenities of neighbouring properties.

The proposed apartment building is part 2 storey part 3 storey with the tallest elements contained to the rear parts of the site away from nearby neighbouring properties. The apartment building will be situated adjacent to the rear boundaries of the private rear gardens serving the row of terraced dwellings along Saltisford. The design of the apartment building and location of windows have been carefully considered to ensure the development does not overlook into the rear gardens of the nearby residential dwellings. There would be 3 windows on the southern elevation closest to the residential properties which are proposed to be obscured glazed with restricted opening. The main windows serving habitable rooms have been contained to the rear of the building.

In addition to this, the proposed apartment building would be situated in a position in excess of the Council's 27 metre distance separation which is required between two storey and three storey buildings. The building would be situated over 35 metres from the neighbouring dwellings and on that basis officers are satisfied that the development would not have an overbearing impact or result in loss of privacy to the neighbouring row of terraced dwellings. There are no other nearby residential uses that would be impacted by the development.

The proposal would not have an unacceptable impact on the amenity of neighbouring dwellings and therefore complies with Local Plan policy BE3.

The Amenity of Future Occupiers

Warwick District Local Plan Policy BE3 requires all development to provide acceptable standards of amenity for future users or occupiers of the development.

The properties have all been designed to provide acceptable levels of amenity for future occupiers with primary rooms all served by appropriately sized windows giving appropriate levels of light and outlook. In the case of the converted buildings, all habitable rooms would benefit from adequate levels of light and outlook.

In terms of amenity space, the Residential Design Guide requires new dwellings to provide appropriate standards of amenity space. Given that the application involves the conversion of two Grade II* listed buildings, officers agree with the applicant that the amenity standards should be applied flexibly.

Development of apartments requires 10m² per bedroom across the site, the two listed buildings as 1 bedroomed units are required to provide 40m² each. The Residential Design Guide permits amenity space for flats and apartments to be provided in a communal and consolidated area whilst dwellings should benefit from private amenity space that is not overlooked from the public realm.

Across the site there would be ample outdoor amenity space provided in excess of the requirements of the SPD, however, the Chapel will not benefit from a dedicated area of private amenity space as from a heritage point of view it is considered favourable to retain an openness to the front of the site to reflect the historic character of the site which would have been open gardens. In retaining the area to the rear of the Chapel as open space, it provides a more attractive space that would enhance the site from the street scene and enables an attractive pedestrian access across the site from Saltisford. Therefore, whilst the Chapel would not benefit from a dedicated area of private amenity space, the overall benefit of retaining the area as open from a heritage and landscape point of view would outweigh the harm. Therefore, the level of amenity space provided across the scheme is acceptable.

The application site is located next to two noise sources, with the railway line to the north of the site and the main road Saltisford to the south of the site. A noise survey has been provided which adequately demonstrates that the apartments and the Master's House would not be subject to excessive levels of noise.

Environmental Health have requested a scheme for mechanical ventilation for the apartments to ensure they have adequate levels of ventilation; this will be secured via condition. For the Master's House, the noise survey adequately demonstrates that the building would be able to have open windows for natural ventilation whilst ensuring the occupants of the buildings are not impacted by excessive levels of noise. Environmental Health have requested further noise survey work for the Chapel building which is adjacent to the main road, the results of this survey will be reported to members as a late item. It should be noted that the applicant has taken all reasonable measures to ensure the occupants of the building have an acceptable level of amenity and have worked closely with Historic England and the

Council's Conservation Team to propose glazing that would be highly efficient in terms of noise whilst not impacting on the historic significance of the building.

Giving regard to the historic importance of this site, Officers are satisfied that the amenity of future occupiers is acceptable having regard to Policy BE3.

Car parking and highway safety

Local Plan Policy TR3 states that development proposals will be expected to comply with the requirements of the Vehicle Parking Standards SPD. Parking must be provided which does not result in on-street car parking detrimental to highway safety.

Members of the public have objected to the proposal because of additional traffic entering and exiting a busy road and whether sufficient parking will be provided.

The required level of parking does not meet the standard set out in the Council's Parking Standards SPD with 7 spaces provided against 10 which would normally be required for a scheme of this type. The SPD notes that there are two reasons why a scheme may not demonstrate these standards; (1) the applicant can reasonably justify either higher or lower parking provision than set out in the standard based on available evidence and/or (2) it is not reasonably possible to achieve the parking standards. As regards (2) conservation impact is stated as one such reason.

Opportunities for car parking on the site are significantly constrained by the need to preserve the setting of the listed buildings, and accordingly all spaces are located to the rear of the Master's House. It would be possible to meet the parking standards in full however this would require roads and parking areas immediately in front of, and alongside, the two listed buildings, which would detrimentally impact their setting.

Furthermore, section 2.4 of the SPD states that schemes with an under provision of parking may be considered acceptable where the applicant can demonstrate specific circumstances, one of those being where a site is located within an area that is high accessible. The application site is situated approximately 100m from Warwick Town Centre and so is within a highly accessible location which is within walking distance of key amenities and public transport links and therefore is considered to comply with the SPD.

The Highway Authority have confirmed that they have no objection to the proposed development. Therefore, it has been concluded that the proposals would have an acceptable impact on highway safety and is in accordance with Local Plan Policies TR1 and TR3.

Ecological impact

Policy NE2 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The County Ecologist has assessed the submitted ecological survey work and originally objected to the application on the grounds of biodiversity loss and impact on an existing Brown Long Eared bat roost. The applicant will be providing a detailed landscaping scheme which will detail on site mitigation measures for biodiversity loss. In addition to this the applicant is proposing to make a financial contribution to address any biodiversity loss through an offsetting scheme will be secured via a s106 agreement. Given the presence of the Scheduled below ground remains and the constraints of two listed buildings, it would not be possible to provide on-site mitigation as the only means to address biodiversity loss.

To address the loss of the existing bat roost, the applicant has suggested that the inner roof void above the apartments would provide adequate space to accommodate a replacement bat roost. This would be subject to the detailed design of the roof space. This will be secured via condition.

Officers consider that subject to the imposition of conditions and a s106 agreement, the proposal is considered to be in accordance with Local Plan policy NE2.

Drainage and flood risk

The application site is located within Flood Zone 2 and 3. Given the archaeological significance of this site the applicant is proposing to provide a detailed drainage strategy for surface water flooding through planning conditions. The purpose of this is to enable further archaeological surveys to take place to understand the location of below ground remains which will inform the most appropriate location for flood mitigation. The Local Lead Flood Authority are satisfied with this approach subject to further assurances that flooding can be addressed on the site. The applicant is currently working with officers to address these concerns and the results of which will be reported to members as a late item along with proposed conditions.

It should be noted that The Environment Agency have raised no objection subject to finished floor levels being as stated, this will be secured via condition.

Landscape

The proposals indicate various areas of soft and hard landscaping across the site to provide areas of open space around the listed building which will significantly enhance their setting. WCC Landscape has objected to the scheme due to the lack of a detailed landscaping proposal. Officers are satisfied that this can be controlled through planning condition.

Trees

A number of concerns have been raised over loss of existing trees to the rear of the site. The existing trees are currently not protected and so can be removed without the need for planning permission. The proposed site plan indicates existing trees to be removed with replacement tree planting around the edge of the site boundary to the rear of the existing gardens. Concerns from residents have been

raised that the loss of trees would impact on existing views to the rear of properties. The proposal seeks to introduce new tree planting adjacent to the rear boundary of the neighbouring properties which will be an improvement on the current situation as currently the trees are situated away from rear gardens of the neighbouring properties. Officers have secured a condition for a detailed plan showing the loss of trees and shrubs across the site and details of the replacements.

Affordable Housing

Local Plan Policy H2 requires a minimum of 40% affordable housing on sites of eleven or more dwellings. The proposed scheme is for 10 dwellings and so there is no policy requirement for affordable housing. In any case the scheme proposes 100% affordable housing which is a significant benefit for the District.

Section 106 contributions

The applicant proposes a biodiversity offsetting scheme which is to be secured through s106. Members are requested to delegate authority to Officers to finalise the requirements of the Section 106 Agreement. Draft heads of terms are provided below:

1. The commencement of development shall not take place until a Biodiversity Offsetting Scheme appropriate to compensate for a Biodiversity Impact Assessment score of 1.06 Biodiversity Unit Loss has been submitted to and approved in writing by the Council.
2. Provide a fixed sum contribution to be paid to Warwickshire County Council based on using the Warwickshire County Council Financial Contribution Calculator. The fixed sum shall not exceed £68,107.

Other matters

Air Quality

Warwick District Council adopted an Air Quality Supplementary Planning Document (AQ SPD) in January 2019. The AQ SPD establishes the principle of Warwick District as an emission reduction area and requires developers to use reasonable endeavours to minimise emissions and, where necessary, offset the impact of development on the environment. The guidance sets out a range of locally specific measures to be used to minimise and/or offset the emissions from new development.

The proposed development has been identified as a minor scheme and therefore Type 1 mitigation measures are required. This typically takes the form of electric vehicle charging points to encourage the uptake of low emission vehicles. The AQ SPD requires that 1no. electric vehicle charging point is provided for each dwelling with dedicated parking and/or 1no electric vehicle charging point is provided per 10 unallocated parking spaces. The site plan indicates the location of 1 electric charging point which complies with the SPD requirements. However, further information will be required in order to ensure that charging points are installed in line with the requirements of the AQ SPD. This can be secured by condition which will be added.

Waste

The proposals make suitable provision for the storage and collection of refuse and recycling. It is noted that waste management have no objection to the proposal. Tracking information has confirmed that a waste vehicle can enter and exit the site safely.

Water Efficiency

A condition to ensure compliance with Policy FW3 will be added to any approval granted.

SUMMARY/CONCLUSION

The proposal would ensure the optimum viable use of two listed buildings, through the provision of a high quality development, which delivers high levels of amenity for the future occupiers via generous, well landscaped gardens, in a sought after edge of town centre location. The proposal delivers an acceptable level of parking and would not impact detrimentally on neighbouring amenity. The development should therefore be approved.

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(s) 03D, 06B, 08A, 11A, 12A, 3298-030 revB, 3298-031, 3298-032, and specification contained therein, submitted on 13th May 2021. **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 works shall take place unless and until:
 - (a) the applicant has secured and implemented a programme to photographically record the building fabric, in accordance with a written scheme which has been submitted to and approved in writing by the Local Planning Authority; and
 - (b) the photographic record completed under (a) has been submitted to the Local Planning Authority.

Reason: To ensure the appropriate recording of features or buildings before development commences that are important to the understanding of the District's historical development in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.

- 4 No development on each phase shall take place until:
- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority for that phase.
 - b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken for that phase. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.
 - c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority for that phase. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

Reason: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

- 5 The development hereby permitted shall not commence until a detailed schedule of bat mitigation measures (to include timing of works, replacement roost details, monitoring and further survey of the buildings and trees) has been submitted to and approved in writing by the County Planning Authority. Such approved mitigation measures shall thereafter be implemented in full. **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 NE2 of the Warwick District Local Plan 2011-2029.
- 6 The development hereby permitted, including site clearance work, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. In discharging this condition, the LPA expect to see details concerning pre-commencement checks for protected species (*detail as appropriate, e.g. badgers, bats, breeding birds and otter*) and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development, in accordance with the National Planning

Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029.

- 7 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full.

REASON: To ensure a net biodiversity gain in accordance with NPPF.

- 8 The development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has 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 for direct run-off of 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 the same size and species as that originally planted. 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 BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

- 9 The development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; site working hours and delivery times; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;

measures to control the emission of dust and dirt during construction, together with any details in relation to noise and vibration; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **Reason:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

10 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the District Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

5) A verification report containing the data identified in (4).

Any changes to these components require the express consent of the District Planning Authority. The scheme shall be implemented strictly as approved.

Reason: To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

- 11 No development shall commence unless and until details of surface and foul water drainage works have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details. **Reason:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029.
- 12 No development shall commence until a plan showing the existing tree(s) and shrub(s) to be retained has been submitted to and approved in writing by the local planning authority. The existing tree(s) and shrub(s) indicated on the approved plan to be retained shall not be cut down, grubbed out, topped, lopped or uprooted . Any tree(s) or shrub(s) removed, dying, or being severely damaged or diseased or becoming, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, [as soon as practicable/ within the next planting season] with tree(s) and shrub(s) of the same size and species as that originally planted. All 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 (excluding hard surfaces). **Reason:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 13 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless tree protection measures have been put into place in full accordance with details that shall have been submitted to and approved in writing by the local planning authority. Thereafter the approved tree protection measures shall remain in place for the full duration of any such construction work. In addition 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 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:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 14 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.

- 15 No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures (including details of hours of operation) shall have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **Reason:** To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 16 The development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details. **Reason:** In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.
- 17 Prior to the occupation of the dwellings hereby permitted, one 16amp (minimum) electric vehicle recharging point per every 10 parking spaces shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging points have been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging points; (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging points shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded). **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.
- 18 The development hereby permitted shall not be occupied unless and until the approved cycle parking facilities and bin storage have been provided and made available for use in accordance with the details on the approved plans and thereafter those facilities shall remain available for use at all times. **Reason:** In the interests of encouraging the use of alternative modes of transport and to protect the visual amenities of the area, in accordance with Policies BE1, TR1 and TR3 of the Warwick District Local Plan 2011-2029.

- 19 The development shall be carried out in accordance with the submitted flood risk assessment undertaken by JBA Consulting reference 2019s0054 version 2.4 dated July 2019 and the proposed mitigation measures it details. **Reason:** In the interests of reducing occupant's risk from flooding, in accordance with Policy FW1 of the Warwick District Local Plan 2011-2029.
- 20 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.
- 21 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029.
- 22 The apartment building hereby permitted shall not be occupied unless and until the two listed buildings known as The Master's House and The Chapel as shown on approved drawing 3298-008 rev L, submitted to the LPA on 13th May 2021 have been restored to a state that is suitable for human habitation. **Reason:** To secure a satisfactory form of development in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.
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Planning Committee: 13 October 2021

Item Number: 8

Application No: [W 21 / 1230](#)

Town/Parish Council: Cubbington

Case Officer: George Whitehouse

01926 456553 george.whitehouse@warwickdc.gov.uk

Registration Date: 02/06/21

Expiry Date: 28/07/21

26 Ladycroft, Cubbington, Leamington Spa, CV32 7NH

Erection of side and rear extensions and roof dormer at rear. FOR Mr B Faulkner

This application is being presented to Committee due to an objection from the Parish having been received as well as more than 5 public representations contrary to recommendation.

RECOMMENDATION

It is recommended that Planning Committee GRANT planning permission.

DETAILS OF THE DEVELOPMENT

Erection of side and rear extensions and roof dormer at rear.

The plans also show the relocation of the entrance door to the front elevation. This does not require planning permission.

THE SITE AND ITS LOCATION

The application site relates to a semi-detached bungalow located on the south side of Ladycroft in Cubbington. The street is predominantly characterised by bungalows, some of which have front dormer windows. There is no set building line within the street however all pairs of semi-detached dwellings are level giving some kind of uniformity. There is a two-storey detached dwelling at the end of the east side of Ladycroft with another two storey dwelling located at the south-eastern edge of the street. The site is situated in Flood Zone 2.

PLANNING HISTORY

W/20/1358: Refused and dismissed at appeal for the erection of a proposed single storey front, side and rear extension together with the installation of a side velux rooflight and rear dormer and formation of a front parking area.

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity

- TR3 - Parking
- FW1 - Development in Areas at Risk of Flooding
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document- June 2018)

SUMMARY OF REPRESENTATIONS

Cubbington Parish Council: Objection based on harm to street scene

WCC Ecology: Recommended notes relating to protected species

Public Response: 9 individual objections referring to loss of amenity for neighbours, overlooking from dormers, overdevelopment of site, loss of parking and harm to street scene

ASSESSMENT

Design

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The Council's adopted Residential Design Guide SPD provides guidance to help make the assessment of good design under Policy BE1.

The proposed side extension is to be set down from the ridge of the main roof and the extension is no wider than 2/3rds the width of the original dwelling and the side extension is set back from the front wall of the dwelling by the required 450mm. The proposals comply fully with the Council's Residential Design Guide and the incongruous front extensions previously proposed and dismissed at appeal have been removed from the proposals.

The proposed side extension is similar to a number of other side extensions to bungalows that can be found across the district and it can also be said that a similar extension could have been erected in this location without the need for planning permission. The proposed extension is visually more appropriate than what could be erected under PD and reflects the design of the original dwelling.

The proposed extension is also a significant improvement over and above the plastic roofed car port which currently exists to the side of the dwelling. This feature is in need of replacement and therefore the proposed extension is considered to make an improvement to the character and quality of the streetscene.

The size and scale of the rear extension and rear dormer are comparable to other examples in the immediate surrounding area. Furthermore they are not visible in the street scene.

The proposed extensions are therefore sufficiently subservient and the proposals comply with Local Plan Policy BE1 and the Residential Design Guide.

Neighbour Amenity

Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Furthermore, the Residential Design Guide Supplementary Planning Document includes the Distance Separation Guidance 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 and sets minimum acceptable standards for distances between dwellings.

The proposed rear dormer is 53m from the dwellings to the rear which is significantly greater than the minimum rear to rear distance separation of 22m. The proposals will therefore result in no unacceptable overlooking to the dwellings to the rear. In addition to this there is already a dormer in the rear roof slope of the original dwelling that faces the same direction.

There is no breach of the 45 degree guideline as a result of the proposals.

Overall it is not considered the scheme would result in material harm through overlooking, loss of light and outlook or loss of privacy to neighbours. The proposed extension is therefore considered not to result in any unacceptable harm to the amenity of the neighbouring dwellings.

It is considered that the development will comply with Warwick District Local Plan Policy BE3.

Parking

Objections have been received citing loss of parking due to the removal of the car port/garage space. However, the dimensions of the car port are insufficient to be counted as a parking space under the Council's Parking Standards SPD. This is replaced by a garage in the proposed scheme so the parking situation remains unchanged in relation to the Standards.

Summary

The proposed extension is sufficiently subservient and makes a clear improvement to the quality of the street scene over and above the existing. The objectionable parts of the proposals referred to in the dismissed appeal have been removed from the plans. The proposals have an acceptable impact on the amenity of neighbouring occupiers. The proposals comply with Local Plan Policies BE1, BE3, TR3 and the Residential Design Guide and Parking Standards SPD.

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 203A, and specification contained therein, submitted on 14/09/2021, and approved drawings 204B and 205B, and specification contained therein, submitted on 01/10/2021. **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 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 BE1 of the Warwick District Local Plan 2011-2029.
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**List of Current Planning and Enforcement Appeals
October 2021**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Inquiry	Current Position

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing	Current Position

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/19/1573/LB	Church Farmhouse, Woodway, Budbrooke	First Floor Extension Delegated	George Whitehouse	Questionnaire: 13/3/21 Statement: 27/4/21	Ongoing

W/20/1732	13 North Close, Cubbington	First floor side extension Delegated	Emma Booker	Questionnaire: 14/6/21 Statement: 6/7/21	Ongoing
W/20/1856	12 Helmsdale Road, Lillington	Hip to gable extension; side extension and dormer window Delegated	George Whitehouse	Questionnaire: 8/6/21 Statement: 30/6/21	Appeal Dismissed

The Inspector noted that the area is predominantly characterised by two storey semi-detached dwellings of similar design featuring hipped roofs providing a strong sense of symmetry which positively contributes to a harmonious character. He considered that the proposed hip to gable extension to the roof of both the original roof slope and the roof of the two-storey side extension would change the roof shape of the property, contrary to guidance contained in the Council's Residential Design Guide SPD which advises against introducing a gabled roof extension to an existing semi-detached hipped roof dwelling. He found that although the semi-detached pair of properties at Nos 12 and 14 is already unbalanced to some extent by the existing two storey extension to the side of the host property, the proposed hip to gable enlargement would further emphasize this unbalanced appearance by increasing the bulk of the roof structure of the host property. It would also disrupt the largely uniform roofscape on this side of Helmsdale Road and would therefore be an incongruous feature in the street scene.

Whilst the proposed dormer would be set in from the side boundaries and set down slightly from the main ridge, the Inspector noted that it would extend across almost the whole width of the rear roof slope, including the proposed gable roof, which is also contrary to advice in the SPD. While due to its positioning on the rear roof slope, the proposed dormer would not be prominent within the street scene of Helmsdale Road, it would be visible from the rear of the appeal property and from neighbouring gardens and would appear as a dominant addition and further distort the symmetry of the semi-detached pair.

The appellants referred the Inspector to a hip to gable extension at 9 Helmsdale Road on the other side of the road from the appeal site. The Inspector considered that in that case the gable roof appears to have been constructed over the original hipped roof while in contrast, the appeal proposal would see a hip to gable enlargement to both the original roof structure and the roof of the two-storey side extension and would therefore have a greater impact on the symmetry of the semi-detached pair of which it forms part.

The appellants also argued that a fallback position exists whereby a hip to gable extension can take place without the benefit of planning permission, which they argue would result in a very similar impact on the street scene when compared to the appeal proposal. However, in the absence of a LDC the Inspector considered there was no substantive evidence before him to demonstrate that a hip to gable extension could be carried out under permitted development rights or what form it would take.

W/20/1428	Land to the North of Bakers Lane, Knowle	Replacement dwelling Delegated	Andrew Tew	Questionnaire: 19/8/21 Statement: 16/9/21	Ongoing
W/20/1898	The Bungalow, School Lane, Hunningham	Incorporation of adjacent allotment land into domestic curtilage Delegated	Andrew Tew	Questionnaire: 19/8/21 Statement: 16/9/21	Ongoing
W/20/1947	Firs Cottage, Firs Lane, Haseley	Stabling and Hay Store Committee Decision in accordance with Officer Recommendation	Andrew Tew	Questionnaire: 13/9/21 Statement: 11/10/21	Ongoing
W/20/2161	Land fronting Red Lane, Burton Green	Dwelling and Garage Delegated	Andrew Tew	Questionnaire: 13/9/21 Statement: 11/10/21	Ongoing

W/21/0725	Highway Verge, Primrose Hill, Woodloes Park	Prior Notification for 15m Phase 8 Monopole Delegated	Andrew Tew	Questionnaire: 13/9/21 Statement: 11/10/21	Ongoing
W/20/1392	27 Upper Cape, Warwick	15 x Residential Apartments Delegated	Helena Obremski	Questionnaire: 31/8/21 Statement: 26/9/21	Ongoing
W/20/1895	Terets Lodge, Rising Lane, 'Lapworth	Replacement Garage Delegated	Jonathan Gentry	Questionnaire: 9/8/21 Statement: 31/8/21	Ongoing
W/20/1332	52 High Street, Leamington	48 Sheet Digital Advertisement Delegated	Rebecca Compton	Questionnaire: 9/8/21 Statement: 31/8/21	Ongoing
New W/20/1764	8 Eastfield Road, Leamington	Change of use to 3 bed dwelling Delegated	Andrew Tew	Questionnaire: 12/10/21 Statement: 9/11/21	Ongoing

New W/20/1888	The Lyons Farmhouse, Rowington Green	Erection of 2 dwellings (Outline) Delegated	Andrew Tew	Questionnaire: 23/9/21 Statement: 21/10/21	Ongoing
New W/20/2008	Three Jays, Hampton Road, Hampton on the Hill	Single Storey Front Extension Delegated	George Whitehouse	Questionnaire: 27/9/21 Statement: 19/10/21	Ongoing
New W/20/1934	10 Vicarage Road, Stoneleigh	Garden Room/Home Office Delegated	Jonathan Gentry	Questionnaire: 4/10/21 Statement: 26/10/21	Ongoing
New W/20/2100	22 St Mary's Terrace, Leamington	Lawful Development Certificate for Use of Garages for Commercial Storage Delegated	Rebecca Compton	Questionnaire: 14/10/21 Statement: 11/11/21	Ongoing
New W/21/0813	Grove Park House, Hampton on the Hill	Prior Approval for the Enlargement of Dwelling House Delegated	Thomas Fojut	Questionnaire: 14/10/21 Statement: 5/11/21	Ongoing
New W/21/0279	3 Strachey Avenue, Leamington	2 Storey Front Extension Delegated	Thomas Fojut	Questionnaire: 11/10/21 Statement: 2/11/21	Ongoing

Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
ACT 450/08	Meadow Cottage, Hill Wootton	Construction of Outbuilding	RR	Statement: 22/11/19	Public inquiry 1 Day	The inquiry has been held in abeyance

Tree Appeals

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position