

Planning Committee: 23 April 2019

Item Number: 6

Application No: [W 18 / 2331](#)

Town/Parish Council: Warwick
Case Officer: Liz Galloway
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Registration Date: 26/02/19
Expiry Date: 23/04/19

25 Mill Street, Warwick, CV34 4HB

Proposed demolition of existing garage and erection of replacement garage and car port with workshop above. FOR Mr & Mrs J Stephenson

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

RECOMMENDATION

Planning Committee is recommended to grant planning permission subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

This application is for the proposed demolition of the existing garage and the erection of a detached garage with workshop above and associated car port. A building of a similar size is proposed, however, in a slightly different position to the existing garage. A garage with workshop above incorporating an external staircase was granted in 2007.

THE SITE AND ITS LOCATION

The application property is a mid terrace Listed property situated within a Conservation Area and located to the east of Mill Street.

PLANNING HISTORY

W89/0991LB - Granted for the erection of a rear sun lounge and insertion of a door.

W89/0093LB - Granted for rear sun lounge.

W07/0241 - Granted for the erection of a rear conservatory, oriel window to bedroom 3, installation of lantern and roof light to kitchen/breakfast, replace tile hanging with painted brick work and installation of window in south gable.

W07/0223 - Granted for the erection of a conservatory and shower room, lantern light over kitchen. Demolition of existing garage. Erection of a double garage and car port with external staircase leading to workroom above.

RELEVANT POLICIES

- National Planning Policy Framework

- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- Residential Design Guide (Supplementary Planning Guidance - May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objects on grounds of scale, impact on Listed Building, use and impact on tree.

1 public response (19 Mill Street): Objects on grounds of impact on adjacent trees, overlooking, loss of privacy and design.

1 public response (27 Mill Street): Comments relating to impact on trees.

1 public response (39 Mill Street): Comments relating to impact on trees and loss of privacy.

WCC Ecology: Recommends Bat and Bird notes.

Tree Officer: No objections provided that the control measures described and illustrated in the Impact Assessment are fully implemented in a timely fashion and properly maintained and monitored throughout the duration of the development.

ASSESSMENT

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

- Design and Impact on the Listed Building and the Conservation Area
- Impact on neighbouring residential amenity
- Ecology

Design and Impact on the Listed Building and Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the

desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 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 states that consent will not be granted to alter or extend a Listed Building where those works will adversely affect its special architectural or historic interest, integrity, or setting.

Warwick District Local Plan Policy HE2 states that development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas.

The main house is a Grade II Listed Building and the outbuilding to be demolished is therefore curtilage listed.

The existing flat roof double garage in the rear garden does not contribute towards the architectural or historic significance of the principal Listed building, therefore, it is considered that its demolition is acceptable.

The amended design of the proposed replacement garage with workshop above is considered to have no significant impact on the character or appearance of the Listed Building or the surrounding Conservation Area. This application proposes a structure which will not be significantly larger than what was approved in 2007 and provides a design which is viewed as more appropriate for the area. Furthermore, the proposed building will be constructed using traditional materials and will be of a design which will not detract from the character and appearance of the area or when viewed within the street scene.

The Conservation Officer finds the revised scheme acceptable, although he recommends that conditions are imposed to require the submission of large scale details and samples of materials.

Impact on neighbouring residential amenity

Policy BE3 requires development to not lead to an unacceptable adverse impact on the amenity of nearby users or residents, and to provide acceptable standards of amenity for future users/occupiers of the development. The proposals will not harm adjoining uses and would therefore comply with this Policy.

As amended, it is considered that the proposed replacement garage with workshop above will have no significant impact on any adjacent properties in relation to loss of light, outlook or privacy and there will be no breach of the Councils adopted 45 degree guideline.

Ecology

WCC have commented on the proposal and recommends note relating to bats and birds are attached to any approval. Therefore, this application in its present form is acceptable and would comply with Warwick District Local Plan Policy NE2.

Arboricultural Issues

The Tree Officer raises no objections provided that the control measures described and illustrated in the Impact Assessment are fully implemented in a timely fashion and properly maintained and monitored throughout the duration of the development. Therefore it has been concluded that the proposals would have an acceptable impact on trees.

CONCLUSION

It is considered that the proposed development does not significantly impact the material integrity, character or appearance of the Listed property or its setting within the Conservation Area and would not have a materially greater impact than the scheme already approved in 2007. Furthermore, it is considered that the proposal would have no detrimental impact on neighbouring residential amenity which would warrant A reason for refusal of the application.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 1604-7, submitted on 26th February, 2019 and amended drawings 1604-2E, 1604-4D and specification contained therein, submitted on 28th February, 2019 and amended drawing 1604-5E submitted on 6th March, 2019. **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 or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation (Arboricultural Impact Assessment from Barton Hyett Arboricultural Consultants) have been put into place in full accordance with the approved details and thereafter 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.

- 4 No development shall be carried out above slab level unless and until samples of the external facing materials (including roofing materials, bricks and rainwater goods) 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.

- 5 No development shall be carried out above slab level unless and until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **REASON:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.
