

**Planning Committee:** 21 June 2022

**Item Number:** 6

**Application No:** [W 21 / 1493](#)

**Town/Parish Council:** Leek Wootton

**Registration Date:** 06/08/21

**Case Officer:**

Jonathan Gentry

**Expiry Date:** 01/10/21

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**1 Rock Cottages, Warwick Road, Leek Wootton, Warwick, CV35 7RB**

Demolition of existing garage & erection of 1no. three bedroom dwellinghouse with associated works. FOR Mrs. Cusdin

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

**RECOMMENDATION**

Members are recommended to grant permission, subject to the conditions listed at the end of this report.

**DETAILS OF THE DEVELOPMENT**

The proposal seeks planning permission for the demolition of an existing garage & erection of 1no. three bedroom detached dwellinghouse with associated works.

**THE SITE AND ITS LOCATION**

The site relates to an existing garage and private amenity area associated with No.1 Rock Cottage, Warwick Road, Leek Wootton. The existing property is a two-bedroom end-terrace dwelling with integral side garage set along the Warwick Road frontage of the village.

The site is situated within the Growth Village of Leek Wootton as defined by the Warwick District Local Plan Proposal Maps. To the west of the site is recreation ground, which falls within Green Belt. To the north is the village hall. To the south is a terrace block of cottages. The site is also situated within the Leek Wootton Conservation Area.

**PLANNING HISTORY**

There is no relevant planning history relating to this development.

**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
- HE1 - Protection of Statutory Heritage Assets
- CC1 - Planning for Climate Change Adaptation
- NE1 - Green Infrastructure
- NE5 - Protection of Natural Resources
- FW3 - Water Conservation
- 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)
- Leek Wootton and Guy's Cliffe Neighbourhood Plan (2018-2029)
- LW1 - Protecting and enhancing local landscape character
- LW2 - Protecting and enhancing local wildlife
- LW3 - Protecting and enhancing built heritage
- LW7 - Infill Housing Development in Leek Wootton Village

## **SUMMARY OF REPRESENTATIONS**

**Leek Wootton & Guy's Cliffe Parish Council** - Members object to the proposal on the basis of its form and location.

**WDC Conservation & Design** - No comment in relation to revised scheme proposal.

**WCC Highways** - No objection to revised scheme subject to condition in relation to parking and access completion.

**WCC Landscape** - Neutral response to revised scheme, noting planting discrepancies. Recommend condition in relation to full landscape proposals should permission be granted.

**WCC Ecological Services** - Updated response in relation to submitted Protected Species & Habitat Walkover Survey. Recommend conditions in relation to further bat surveys, Construction Environmental Management Plan, and Combined Ecological and Landscaping Scheme.

**Public Response** - One neutral comment received noting the retention of access between No.1 and the proposed dwelling, and existing rainwater drainage to No.1.

## **ASSESSMENT**

### Principle of development

Section 5 (Delivering a Sufficient Supply of Homes), Paragraph 60 of the NPPF confirms the Government's objective of significantly accelerating the supply of homes.

Paragraph 79 of the National Planning Policy Framework indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Warwick Local Plan Policy H1 states that new housing in rural areas will only be permitted in Growth and Limited Infill Villages as shown on the Proposal Maps. Leek Wootton is allocated as a Growth Village as outlined within Policy H1. Any proposals for small developments within the defined settlement boundary would be permissible as the Growth Villages provide a range of services and facilities and are most suitable for housing growth in accordance with the range of sustainability indicators.

Policy LW7 of The Leek Wootton and Guy's Cliffe Neighbourhood Development Plan (LWGC Neighbourhood Plan) outlines that proposals for small scale infill development within the Growth Village Envelope of Leek Wootton village will be supported subject to relevant considerations.

The site has not been identified within Policy H10 (Allocated Sites in Growth Village) of the Local Plan and would therefore be considered as a windfall site as defined by Paragraph 69 of the NPPF and Policy DS7 (Meeting the Housing Requirement) of Warwick DC Local Plan. Policy DS7 sets out the Council's approach to identifying land for housing to achieve the housing requirement of a minimum of 17,139 new homes during the plan period.

Consequently, the windfall site lies within Growth Village envelope of Leek Wootton and the principle of residential development in this location is considered acceptable in principle.

#### Impact on the character and setting of the Conservation Area and wider streetscene

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 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.

LWGC Neighbourhood Plan Objective 2 - Conservation states that any future development will need to conserve and enhance the historical assets of the community. It goes on to state that amongst other things that this will be done through ensuring that the new development is designed to respond positively to the setting of the Conservation Area and any listed buildings or other built heritage assets.

Paragraph 130 of the NPPF states that design quality should be considered throughout the evolution and assessment of individual proposals. Furthermore, Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using 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.

LWGC Neighbourhood Plan Policy LW3 states that new development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that building(s) height, scale, and form, including the roofline, do not disrupt the visual amenities of the street scene and impact on any significant wider landscape views.

Policy NE4 states that new development will be permitted that positively contributes to landscape character, and Policy LW1 of the LWGC Neighbourhood Plan adds that development proposals should include landscaping schemes to protect and enhance landscape character within the Parish.

The site falls within the Leek Wootton Conservation Area. The proposed development would result in the demolition of a single-storey garage to the side of the existing dwellinghouse. Given the nature of the existing dwelling and its adjoining garage there is no objection to the removal of the garage structure in principle. There are substantial trees and other established vegetation to the Warwick Road frontage and side and rear perimeter boundaries, which provides a pleasant setting to these properties along Warwick Road and overall Conservation Area.

The design and layout of the proposed dwelling has evolved significantly during the course of the application. The dwelling has been both remodelled and reduced in scale, and a proposed detached garage has been omitted from the scheme.

As revised, the proposed layout plan shows that the detached three-bedroom dwellinghouse would be positioned at the centre of the site with associated car parking/ front garden and private amenity area. The plot size together with the siting of the proposed dwellinghouse would be comparable with the adjoining terrace of properties. The elevation plans show that the proposed dwellinghouse would be designed in a cottage style and would respect the vernacular architectural style of the existing and adjoining terraced cottages. The use of appropriate and traditional facing materials including red brickwork and painted timber windows has been illustrated, although a condition to secure submission of sample material details is viewed appropriate given the Conservation Area setting. As revised, the scale and mass of the proposed dwelling successfully acknowledges the scales of its surroundings as a subservient infill addition. The proposed development would maintain a 1m gap to the boundaries with No.1 Rock Cottage and the northern boundary with playing fields and as such would be read as two separate buildings/ sites.

The layout of the site area including No.1 would be revised to accommodate the new dwelling and associated access/parking. The existing driveway area would be widened, and existing hardstanding area notably increased in scale to

accommodate parking to both No.1 and the proposed dwelling. This would result in the loss of some existing planting within the site, alongside some of the existing grass frontage. Notwithstanding this, much of the changes would be to some extent screened by retained planting to the frontage of the site, and there would be no change to the notable rock outcrop that lies to the front boundary, setting the site above the level of Warwick Road. Existing hedgerow planting to the northern boundary of the site area would also be retained. With mind to these considerations, the revised layout is not viewed to result in material harm to the character of the Conservation Area setting. The WCC Landscaping consultant has recommended that in the case that consent is granted a condition to secure detailed landscaping specification is applied, a measure agreed by Officers.

Due to its set back position from Warwick Road and extensive trees/ vegetation, the development would have a limited impact on wider views of the site from public vantage points avoiding the generation of harm to the character of the Conservation Area. As a result, it is considered that the proposed development would accord with the NPPF, Policies BE1, HE1 and HE2 of the Warwick District Local Plan and Policies LW1 and LW3 of LWGC Neighbourhood Plan.

#### Impact on residential amenity

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

#### **Neighbouring Amenity**

The only immediately neighbouring dwelling to that proposed is the application site of No.1 Rock Cottages. To the north of the development site lies Leek Wootton Village Hall, positioned somewhat further rearward from Warwick Road.

The position of the proposed building would not result in any breach of the 45-degree guide from adjacent neighbouring No.1 Rock Cottages. As the only immediately adjacent property, this assessment guides a view that the development would not result in the generation of material harm to neighbouring amenity by way of loss of light or outlook.

In addition, the position of the fenestration at both ground and first floors is directed both forwards onto the shared frontage and rearwards into the private amenity space at the rear of the site. While some angled views into neighbouring No.1 would be possible from the rear of the new dwelling, this is an arrangement typical of the village setting of the site. Similarly, no amenity harm to uses of the Village Hall is identified as a result of the proposal. In view of this, no material harm by way of loss of privacy or overlooking of neighbouring sites is considered to be generated by the proposal.

An appropriate level of private outdoor amenity space well above WDC guidance would be retained to the rear of No.1 despite the loss of some existing garden area to the new dwelling. Distance separation significantly in exceedance of WDC guidance would be retained to properties opposite the Warwick Road frontage of the proposed dwelling to the east.

Given these considerations, the proposed layout is considered acceptable, and is not viewed to result in the generation of material harm to the amenity of any neighbouring sites.

### **Future Occupiers**

All habitable rooms within the proposed development would benefit from an acceptable level of natural light and outlook, being served by appropriate window openings.

The proposed dwelling includes provision of approximately 100sq m of private outdoor amenity garden space to its rear taken from the existing garden of No.1. This exceeds the WDC guidance figure of 50sq m for a dwelling of this scale.

In terms of noise and disturbance to occupiers of the proposed dwelling the position of the village hall immediately to the north of the development site is noted. Representation provided by Trustees of the Leek Wootton Village Hall raises concern regarding noise arising from the typical daily use of the hall on a dwelling of such proximity to the site. However, officers note the garden area of No.1 already abuts the village hall site, and that the hall already has a responsibility to prevent noise disturbance to existing residents. It is therefore viewed that the additional proximity of the proposed dwelling is unlikely to have a significant difference in the level of noise experienced. Through discussion with the Environmental Health Team it was also noted that no noise complaints have arisen from the site in the past five years.

As a result of these considerations, overall the development is considered to comply with Policy BE3 in terms of impact on amenity to neighbouring properties and the amenity of the future occupiers.

### Access and Parking

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

Vehicle access to the proposed dwelling is to be achieved through utilisation of the existing driveway access to No.1 Rock Cottages, avoiding significant visual impact to the frontage of the site. The existing access would be widened in line with WCC Highways recommendation, and an enlarged hardstanding parking area provided.

The proposed layout comprises the creation of two spaces to serve the proposed dwelling and the retention of two further spaces to be occupied by No.1. As a result, the proposed scheme accords with the WDC Parking Standards SPD in terms of parking provision.

WCC Highways raised no objection to the revised access and parking layout, which was viewed to accommodate appropriate turning capacity to allow forward entrance and exit from the site, and avoid the generation of any highway safety

issues. The appropriate completion of the designated parking areas is to be secured via condition.

The Highway Authority consider that there would be no harm to public or vehicular safety as a result of the proposal and as such Officers consider the proposal accords with Policies TR1 and TR3.

### Ecology and biodiversity

Policy NE2 of the Local Plan seeks to protect designated biodiversity assets and protected species, ensuring they are not adversely impacted by development proposals. Further to this, policy LW2 of the LWGC Neighbourhood Plan adds that where appropriate new development should incorporate measures which would preserve, support or enhance local biodiversity.

The County Ecologist at WCC initially objected to the scheme on the basis that further information in relation to potential ecological implications should be provided prior to determination. Subsequently, a Protected Species & Habitat Walkover Survey was submitted, dated 11th January 2022. The report concluded that the site has demonstrated a lack of habitats for protected species with no evidence observed during a site visit, and broad recommendations were made in relation to securing biodiversity enhancement across the site. With mind to the considerations set out within the report the Ecologist issued an updated response recommending the imposition of several conditions to secure required on site measures and safeguards in relation to protected species and biodiversity gain. Officers agree with the requirement for further bat survey works and a combined ecological and landscaping scheme, the latter of which aligns with WCC Landscaping recommendation. While a Construction Environmental Management Plan (CEMP) condition was also recommended, Officers viewed such a measure was not reasonably required for a development of this scale given the considerations set out within the existing walkover survey.

In line with these considerations Officers are satisfied the proposal is acceptable in accordance with the provisions of WDC Local Plan Policy NE2 and LWGC Neighbourhood Plan Policy LW2.

### Low Emissions Strategy

The Council's adopted Air Quality SPD sets out the level of mitigation that would be required to reduce the impact of emissions resulting from a particular development.

The proposal will result in additional vehicular movements and therefore there is a requirement for the provision of an electric charging point in accordance with the Council's adopted Low Emissions Strategy/Air Quality SPD. Two charge points have been illustrated on the submitted layout details to serve both the new dwelling and spaces allocated to No.1. An appropriate condition to secure the relevant technical specification of these units would be applied to any grant of consent. As a result, the development is considered to incorporate appropriate measures in this regard. The scheme is therefore viewed to accord with the Council's adopted Air Quality SPD and Policy NE5 in this regard through proposing an appropriate form of mitigation.

## Waste

As revised a single bin storage area has been detailed to the northern edge of the site, adjacent to its side boundary. The detailed store is of appropriate dimensions to accommodate the relevant waste storage requirement in line with specifications outlined in appendix I of the WDC Residential Design Guide. The bins may be sited to the front of site for collection purposes.

The proposal is therefore considered acceptable from a waste management perspective.

## Water Efficiency

In order to achieve appropriate standards of water efficiency in line with Local Plan Policy FW3 a condition to ensure compliance shall be applied to any grant of consent.

## Sustainability

Officers note that should members agree with recommendation to grant permission, a condition requiring compliance with Policy CC1 should be applied.

## **SUMMARY/CONCLUSION**

For the reasons outlined above, Members are recommended to grant permission for the proposed works, subject to noted 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 '21.007-01a' submitted on the 6th August 2021, approved drawings '21.007-03f', '21.007-04H' submitted on the 29th April 2022, and specification contained therein. **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 Notwithstanding the details contained within the approved documents, prior to commencement of development other than site clearance, preparation works or demolition works, a Sustainability Statement including a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;
  - a) How the development will reduce carbon emissions and utilise renewable energy;

- b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;
- c) Details of the building envelope (including U/R values and air tightness);
- d) How the proposed materials respond in terms of embodied carbon;
- e) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading,

The dwelling shall not be first occupied until the works within the approved scheme have been completed 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 in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019).

- 4 The development hereby permitted (including demolition) shall not commence until further bat surveys of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists– Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan 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.
- 5 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.

6 The development hereby permitted shall not commence unless and until tree protection/ mitigation measures have been submitted to and approved in writing by the Local Planning Authority and the approved measures have been put into place. The approved measures must remain in place for the duration of construction works. The information to be submitted must include:

a) a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the position of every tree on the site, and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area etc) with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres;

b) a schedule of the trees surveyed as specified in paragraph 4.2.6 of British Standard BS5837 - 2012 Trees in Relation to Design, Demolition & Construction - Recommendations; and

c) a tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with Clause 7 of British Standard BS5837 - 2012 Trees in Relation to Design, Demolition & Construction) which also includes any proposal for pruning or other preventative works.

**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.

7 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. The replacement dwelling shall not be occupied until the works within the approved scheme have been completed 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.

8 Prior to the occupation of the dwelling hereby permitted, two 16amp (minimum) electric vehicle recharging point 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

point has 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 point(s); (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 point(s) 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.

- 9 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring area for the new dwelling has been provided in accordance with the details shown on the approved drawings and thereafter that area shall be marked out and retained in perpetuity for use at all times. **REASON:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and residential amenity in accordance with Policies BE3 and TR3 of the Warwick District Local Plan 2011-2029.
- 10 The existing trees and shrubs indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted. Any trees or shrubs 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 trees and shrubs of the same size and species as that originally planted . All trees and shrubs 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.
- 11 No development shall be carried out above slab level until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with these approved details. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 12 Prior to the commencement of the development hereby permitted a detailed combined ecological and landscaping scheme shall be submitted

to and approved in writing by the Local Planning Authority. The plan should include details of habitat enhancement/creation measures such as native species planting, tree and hedgerow planting and provision of bat/bird boxes, and hedgehog boxes. The agreed scheme shall thereafter be implemented and retained in strict accordance with the approved details. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities and ecology of the area in accordance with the NPPF and Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

- 13 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.
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