

Planning Committee: 25 April 2016

Item Number: **15**

Application No: [W 16 / 0457](#)

Town/Parish Council: Warwick
Case Officer: Emma Spandley
01926 456533 emma.spandley@warwickdc.gov.uk

Registration Date: 08/03/16
Expiry Date: 03/05/16

98 Bridge End, Warwick, CV34 6PD

Erection of a two storey and single storey rear extension; bay window to the front elevation and new pitched roof to garage (resubmission of application ref: W/15/0501) FOR Mr & Mrs Grey

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application seeks permission to erect a bay window to the front elevation; a mono pitched roof over the existing garage and to extend the garage to the rear at single storey, and also erect a two storey rear extension across the full width of the existing house.

THE SITE AND ITS LOCATION

The application site is located within the Warwick Conservation Area. Warwick Castle is sited to the west across the River Avon, with views to Castle Park being afforded to the south. Castle Park is a Grade I Registered Park and Garden. The Council has produced a Conservation Statement for Bridge End (Area 3) which sets out the character and appearance of this part of the Conservation Area. It states that this is a largely residential area, which takes the form of a curved street fronted by terraced runs of dwellings, and later, more modern infill property generally two storeys in height. The street's special quality is characterised by its whole visual quality, rather than any individual building although Warwick Castle and the Castle Park forms a significant and dramatic backdrop. There are some 32 listed buildings within the area.

The application property is located on the south side of Bridge End with the rear garden abutting the boundary with Castle Park. The property is a two storey, 1960's detached dwelling, with rooms in the roof and a single storey flat roofed double garage to the western side. The property is not listed.

PLANNING HISTORY

W/14/0737 & W/14/1153 - Demolition of the existing house and the erection of a replacement detached dwelling - withdrawn.

W/14/1555 - Demolition of the existing house and the erection of a replacement detached dwelling - refused. Subsequent appeal dismissed.

W/15/2029 - Demolition of the existing house and the erection of a replacement detached dwelling - withdrawn

W/15/0501 - Erection of two storey rear extension, first floor side extension and raising part of existing ridge height by 1.0 metre - refused.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Historic England: No objection.

WCC Ecology: No objection, subject to conditions.

Public Response: 7 letters of objection have been received, on grounds of:

- Impact on Castle Park
- Impact on Grade II Listed Building No.107 Bridge End
- Impact on the setting of the Conservation Area
- Impact on the living conditions of the occupiers of Nos.100 & 96 Bridge End by reason of loss of light and overshadowing. The 25 degree sightline should be used.
- The extensions are not subservient to the main house and therefore do not respect the scale of the existing house

ASSESSMENT

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

- Design and the impact on the character and appearance of the Conservation Area and the setting of Listed Buildings
- Impact on the living conditions of the occupiers of neighbouring properties
- Parking and highway safety
- Trees
- Renewables

The impact on the character and appearance of the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy DP1 of the Warwick District Local Plan 1996-2011 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design. Policy DAP4 states that development will not be permitted that will adversely affect the setting of a Listed Building. Policy DAP8 seeks to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas and states that development will be expected to respect the setting and important views both in and out of them.

The Bridge Street/ Bridge End area forms part of the Warwick Conservation Area. The area has ancient origins, as a suburb of the medieval town. The application property is a modern infill development, which does not in itself, make a positive contribution to the character and appearance of the Conservation Area.

In dismissing the previous appeal for a replacement dwelling, the Inspector noted that the setting of No.107, a Grade II Listed Building, extended to a large area and includes the application property. The previous permission sought to replace the existing house by increasing the ridge height by 1 metres, and to infill the section above the existing garage. The Inspector stated that the gap between No.100 and the application property at first floor needed to be retained as it allows for views from within the Warwick Conservation Area towards the south and allows for the perception of a gap between No.98 and the adjacent property. The Inspector also noted that the application site has a large back garden, extending to a post and rail fence that borders the Grade I listed Warwick Castle Park and Garden.

Specifically the Inspector said:-

'Whilst the rear elevation of the proposal would be substantial, with an abundance of glazing, due to the separation distance between the property and the Park I do not consider that the proposal would have an adverse effect on the setting of this heritage asset. I also note in this respect the presence of several modern buildings significantly closer to the Park in the vicinity of the appeal site, and that, in contrast to the front elevation and its relationship with No 107, the proposed dwelling would be set at a similar level to the Park and Garden.'

The current application proposes to extend the existing house rather than replace it. Specifically, it is proposed to add a bay window to the front elevation; a pitched roof over the existing garage; to extend at single storey to the rear of the garage and then erect a 2 storey rear extension.

The pitched roof to the existing garage will retain the gap between the application property and No.100 Bridge End as advised by the Inspector. Furthermore, the extensions will be to the rear, where, in dismissing the previous application for a replacement house, the Inspector did not raise any concerns with regards to the bulk and massing of the proposed house to the rear and considered that due to the distance from Castle Park it would not have a detrimental impact on the Grade I listed park and garden, Grade II listed house (107) or the Conservation Area.

The proposed extensions are to the rear of the property and whilst the objection comments are noted, in line with the Inspector's decision on the previous appeal, which is a material planning consideration to which significant weight must be attributed, it is considered that the bulk and massing of the proposed extensions will not have a detrimental impact on the setting of Grade 1 Castle Park and Gardens; Grade II, 107 Bridge End or the Warwick Conservation Area.

The impact on neighbouring properties

The objection comments from the neighbouring property with regards from which windows the 45 degree sightline should be taken from are noted. The Residential Design Guide SPG and the 45 Degree Line SPG state that, in the consideration of two storey extensions, the line is taken from the quarter point of the nearest habitable ground floor window and the midpoint of the nearest first floor habitable room window.

The SPG makes it clear that habitable rooms are considered to be kitchens, bedrooms, dining rooms, studies etc. The occupiers of the neighbouring property consider their laundry room to be a habitable room. However, laundry or utility rooms are not considered to be habitable rooms as they are not spaces where significant time is spent and where amenity is considered to be a material consideration. Therefore, the proposed extensions will not breach the 45 degree line taken from the rear windows of the neighbouring dwellings and the proposal will not result in material harm to the living conditions of the neighbouring properties by reason of loss of light or outlook.

The impact on highways and parking

The Highway Authority, on the previous application for a replacement house did not raise any objections. There is an area of sufficient size which can accommodate 2+ vehicles off road safely and the proposal therefore accords with Policy DP8 and the associated SPD.

Renewables

A renewables scheme has not been submitted, however, contained within a letter the applicant states that they will adopt a fabric first approach. This can be secured by a suitably worded condition. The proposal is therefore considered to accord with Policy DP13 and the associated SPD.

Trees

There is an Oak tree located within the front garden which makes a positive contribution to the amenity of the area. The tree is proposed to be retained and the Council's Tree Consultant is happy that this can be controlled by a suitably worded condition. As the tree is already protected by virtue of being located within a Conservation Area, it is not considered that a TPO is required at this time.

SUMMARY/CONCLUSION

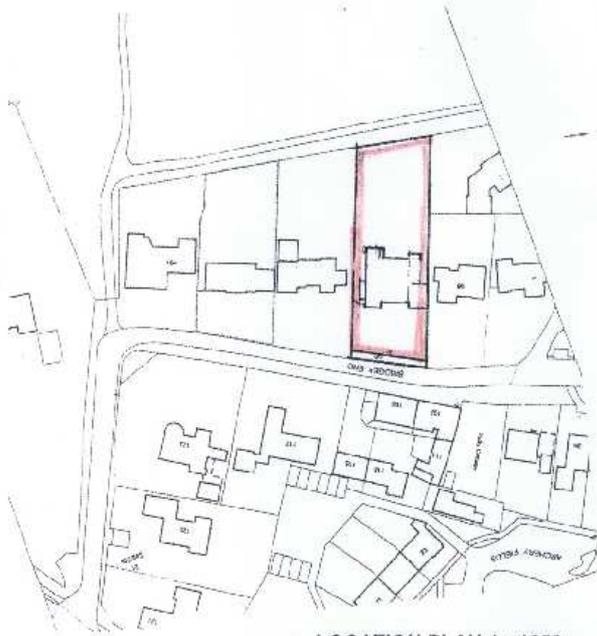
The proposed extensions will not harm the setting of a Grade I Registered Park and Garden; a Grade II listed building, the Warwick Conservation Area by reason of its design, massing and bulk and therefore will not introduce an incongruous feature in the street scene. The proposed extensions will also not cause demonstrable harm to the living conditions of the occupiers of the neighbouring properties through increased visual intrusion or loss of light.

CONDITIONS

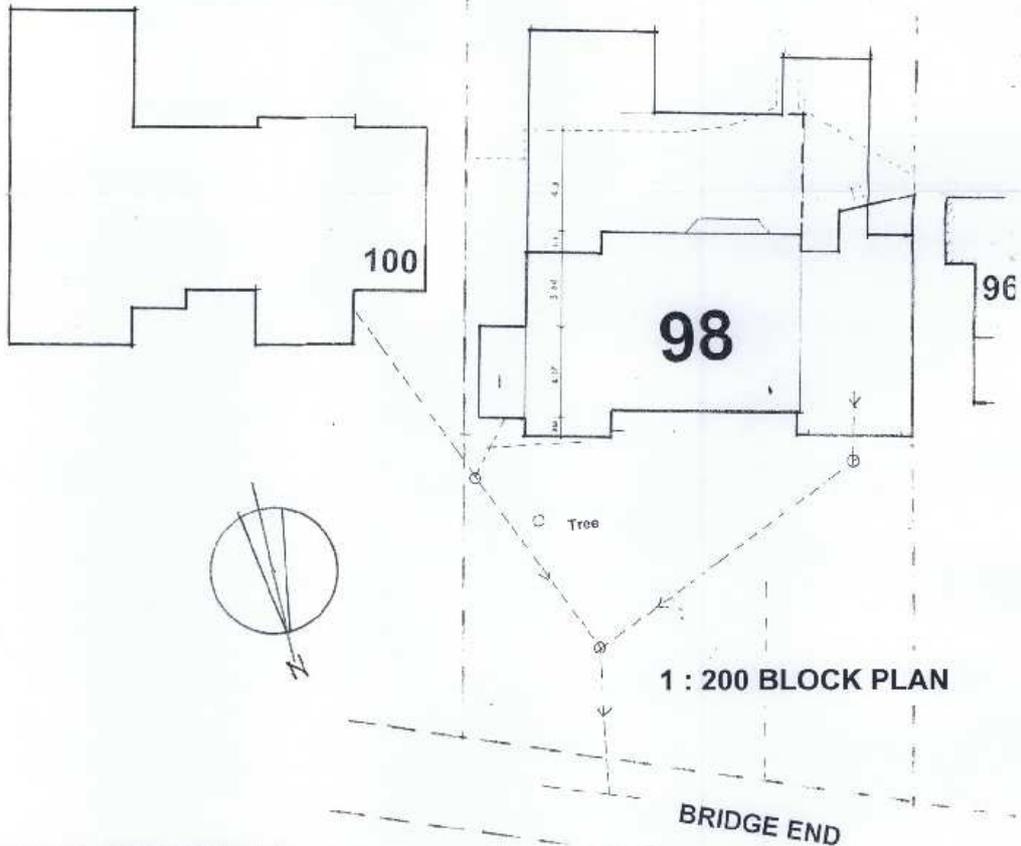
- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 2016-1504-59A; 2016-1504-60A; 2016-1504-61; 2016-1504-62; 2016-1504-63; 2016-1504-64, and specification contained therein, submitted on 8th March 2016. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not commence on the site unless and until details of the foundations and other sub-ground level works have been submitted to and approved in writing by the local planning authority and the development shall only be carried out in strict conformity 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 Policy DP11 of the Warwick District Local Plan 1996-2011.
- 6 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of

any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 7 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, 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 with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. 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 DP1; DP3 and DAP8 of the Warwick District Local Plan 1996-2011.



LOCATION PLAN 1 : 1250



1 : 200 BLOCK PLAN

AS PROPOSED

PROPOSED REPLACEMENT 3 STOREY DWELLING
 98 BRIDGE END WARWICK CV34 6PD
 Mr & Mrs J Grey

Laurie Day Design Group Architects
 25 THE GARDENS ST WARWICK CV34 6PD TEL WARWICK 01926 410001

Drawing 2015-1504-42 A
 September 2015



NORTH ELEVATION

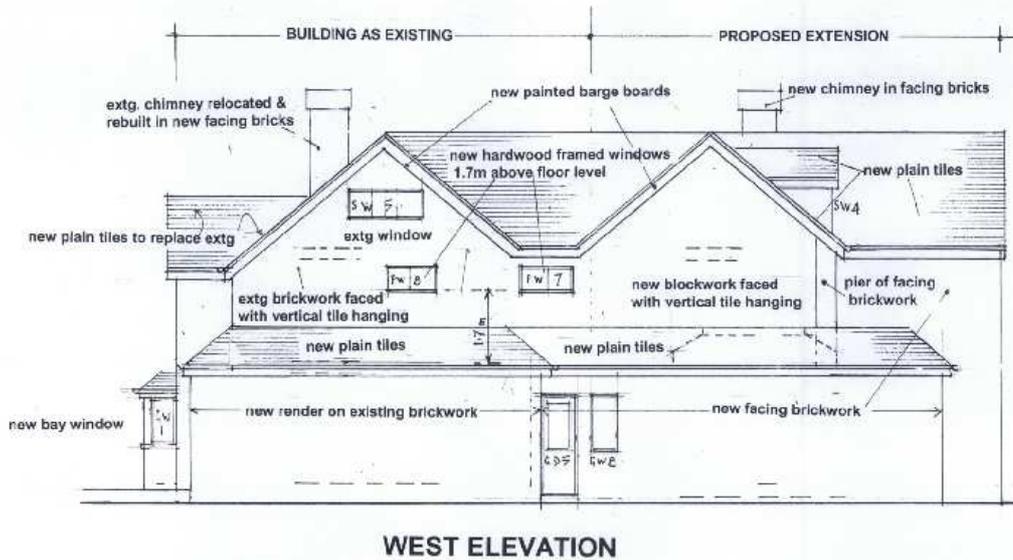
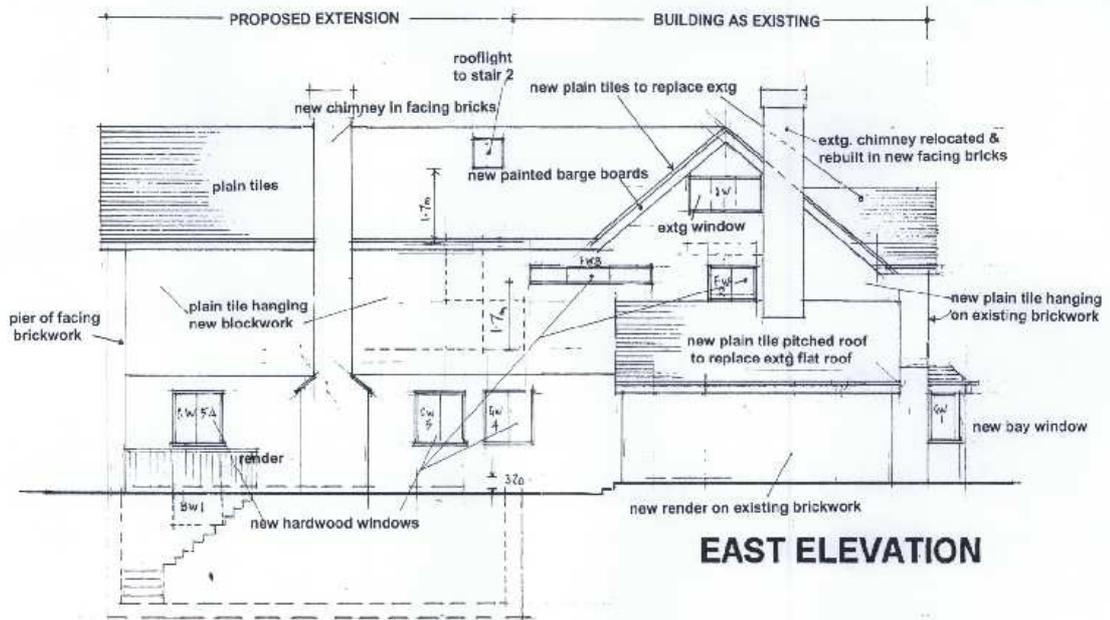


SOUTH ELEVATION

PROPOSED EXTENSION TO EXISTING 3 STOREY DWELLING - 98 BRIDGE END WARWICK CV34 6PD

Laurie Day Design Group, Architects.
25 THEATRE ST WARWICK CV34 6PD TEL: WARWICK 01922 21081

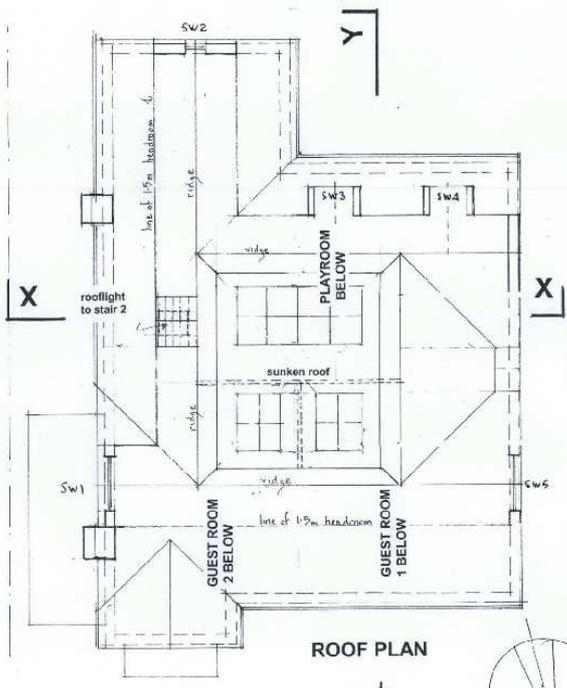
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 February 2016 scale 1 : 100 @ A3



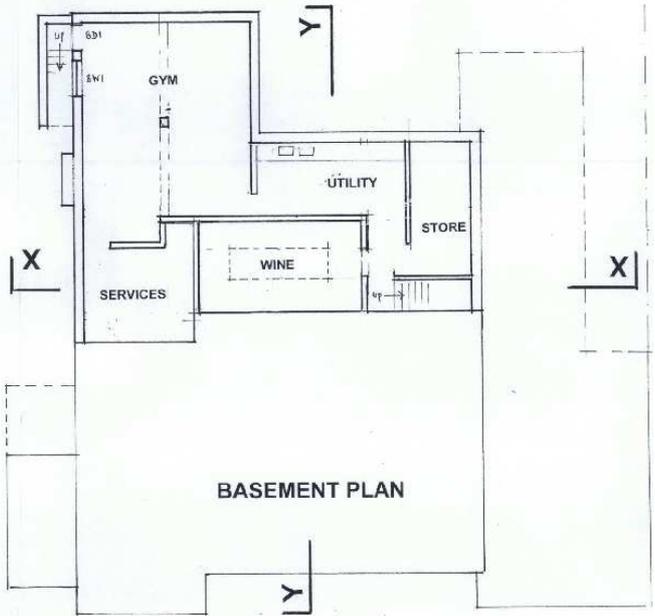
PROPOSED EXTENSION TO EXISTING 3 STOREY DWELLING - 98 BRIDGE END WARWICK CV34 6PD

Laurie Day Design Group Architects
 29 THEATRE ST WARWICK CV34 4DP TEL: WARWICK 01926 63881

Drawing 2016-1504- 64
 February 2016
 Drawn at A3 scale 1 : 100



ROOF PLAN



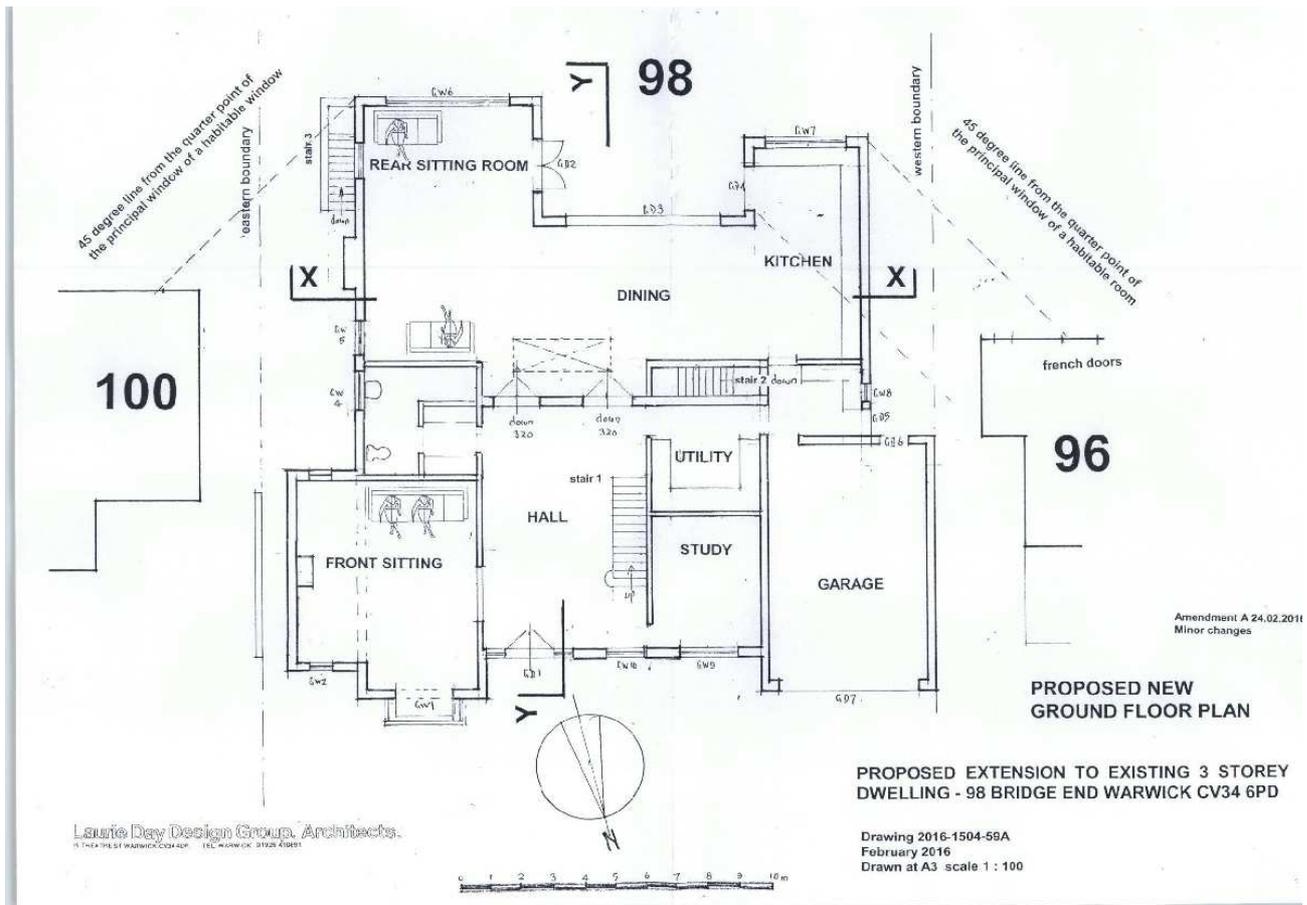
BASEMENT PLAN

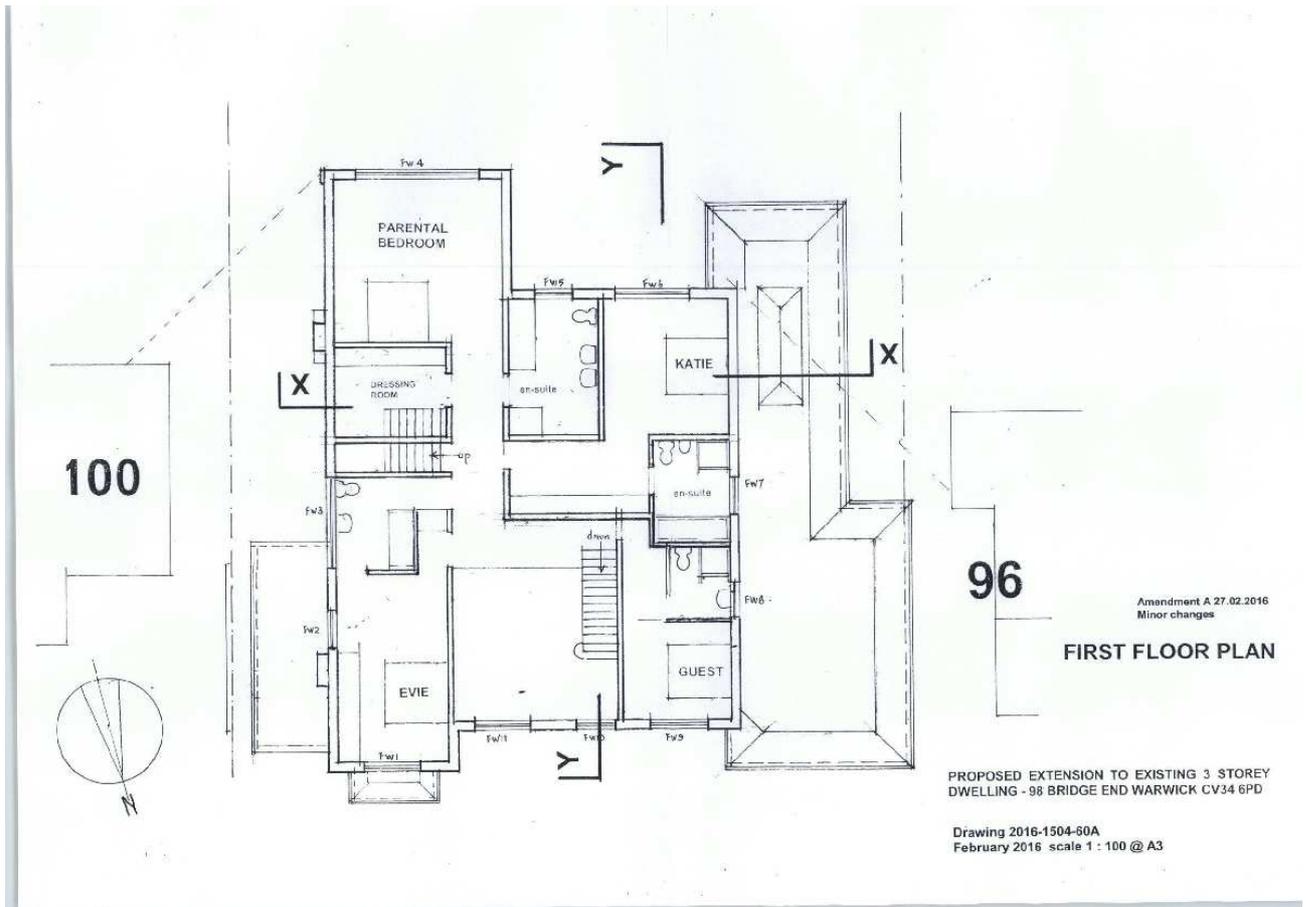
Lauris Day Design Group Architects
 15, THE LANE, 12 WARWICK CV34 4EP TEL: WARWICK 81226 4081

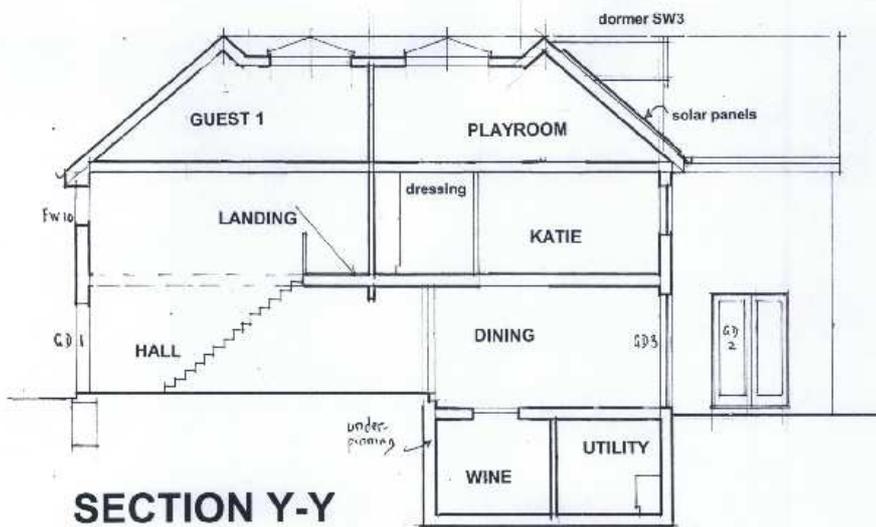
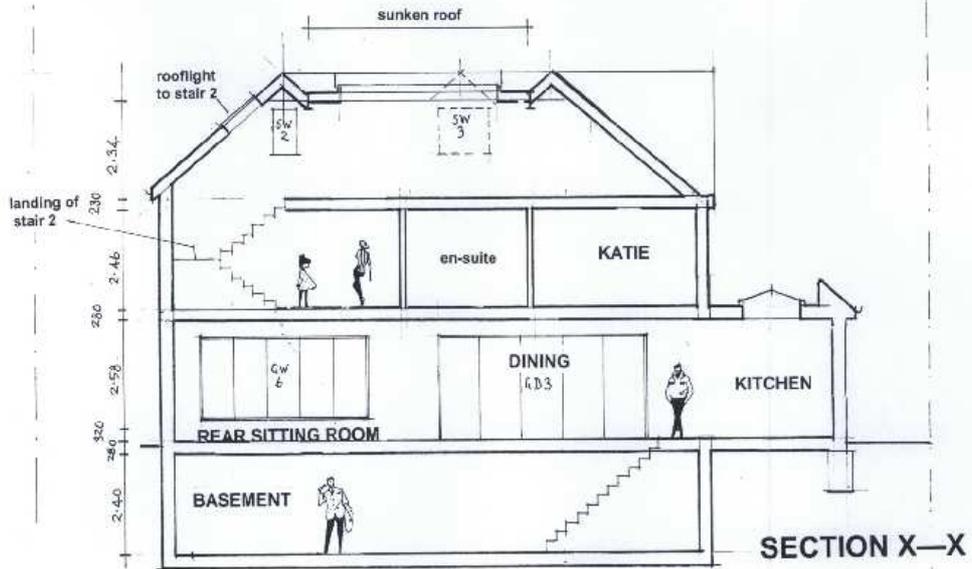
PROPOSED EXTENSION TO EXISTING 3 STOREY DWELLING - 98 BRIDGE END WARWICK CV34 6PD

Drawing 2016-1504- 61
 February 2016
 Drawn at A3 scale 1 : 100









PROPOSED EXTENSION TO EXISTING 3 STOREY DWELLING - 98 BRIDGE END WARWICK CV34 6PD

Drawing 2016-1504-62
 February 2016
 Drawn at A3 scale 1 : 100

