

Planning Committee: 03 May 2005

Principal Item Number: 15

Application No: W 05 / 0104

Registration Date: 04/02/2005

Town/Parish Council: Warwick

Expiry Date: 01/04/2005

Case Officer: Martin Haslett

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61 West Street, Warwick, CV34 6AH

Conversion and extension of 4 bed terrace into 2 no. 2 bed houses and conversion of workshop into 2 bed dwelling. FOR Mr G. Middlebrook

SUMMARY OF REPRESENTATIONS

comments on application as originally submitted:

Warwick Town Council: "The Town Council recommends that the application be refused and considers that in order to assess the impact of the proposed development the Planning Committee carry out a site visit.

1. The LPA requires that all development proposals should achieve a high standard of design, which harmonise with its surroundings. Policies DP1 and DP2 reflect such intention. In the opinion of the Town Council, the proposed development does not harmonise with existing development or reflect the architectural and traditional design of adjoining buildings. Additionally, the development would not be of a standard compatible with existing development, would not provide for amenity space, be inadequate for the parking needs of a development of this scale, provide inadequate access/egress and be generally detrimental to the amenity of the locality and therefore contrary to Plan policies.
2. The proposed development will by its height and proximity greatly reduce the light reaching adjoining properties and have adverse effect on neighbours' amenities.
3. The proposal relates to building within a Conservation Area and the proposed development would be wholly detrimental to both the buildings which are subject to the development and the Conservation Area as a whole, by reason of density, excessive height and size and design and therefore prejudicial to the LPA's policies regarding development in a Conservation Area.
4. The development is also considered to represent undesirable backland development which does not accord with the surrounding area, with a restricted access and not in keeping with the pattern of surrounding development.
5. The development also constitutes an overdevelopment of the site and its inappropriate heights and massing represents an unacceptable form of development."

Neighbours: 15 letters (incl. one from Cllr. Holland) of objection to the original plans on grounds of:

- poor access, especially for building materials, traffic danger as vehicles access onto busy road, proposal would encourage on-street parking, lack of turning area;

- over-intensive use of property, detrimental impact on neighbours, loss of sunlight/daylight, loss of peace and quiet, loss of amenity, loss of privacy, overlooking from dormer windows, overbearing, lack of amenity for new residents, noise from new dwellings, light pollution;

- impact on listed buildings and conservation area, contrary to local plan policy, failure to harmonise;
- disturbance from building work, old wall not suitable for development,
- site visit requested.

WCC(Highways): objection, access of inadequate width, lack of parking space could encourage vehicles to back out onto the highway.

WCC(Ecology): bat survey recommended.

Warwick Society: objection, on grounds of inadequate drawings, unsatisfactory layout and design, detrimental to amenities of adjoining residents, risk highway safety, inadequate parking, detrimental to conservation area and listed buildings.

CAAF: increase in height and scale unneighbourly and disproportionate, design of barn conversion out of character, implications for Castle kitchen garden wall.

comments on amended plans:

Warwick Town Council: "The Town Council consider that the application be refused on the following grounds:-

- (i) Those highway objections put forward by the County Council regarding:
 - (a) The width of the highway access
 - (b) The inadequate provision of car parking spaces, and
 - (c) The likely request that vehicles would reverse from this development on to the public highway.
- (ii) The proposed development will not harmonise with adjoining properties and reflect the architectural and traditional design of those buildings.
- (iii) The proposed development will not be of a standard compatible with the existing development and will not provide acceptable amenity space or parking spaces for a development of the scale proposed.
- (iv) The proposal relates to buildings within a Conservation Area which are listed and the development would be wholly detrimental to both the buildings which would be subject to development and to the Conservation Area by reason of density, size and design and therefore prejudicial to the LPA's policies relating to development of listed buildings and to development in Conservation Areas.
- (v) The development constitutes an overdevelopment of the site as well as being considered undesirable backland development, with inadequate car parking and access."

Neighbours: 7 objections, previous objections are generally re-iterated, proposal still represents over-development of a restricted site, will aggravate problems of on-street parking, barn proposals out of character with existing building, traffic danger, loss of privacy,

Councillors Hodgetts and Holland have objected on grounds of overdevelopment, impact on neighbours, dangerous access, impact on listed buildings, poor amenity for future occupiers.

WCC(Highways): no objection, subject to conditions requiring no access for vehicles and reinstatement of the existing dropped kerb, etc.

RELEVANT POLICIES

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
(WTC) H1 General Housing Policies

PLANNING HISTORY

It appears that part of these premises were used as a butcher's shop in the past, but there is no planning history especially relevant to the current application. Existing uses are residential.

KEY ISSUES

The Site and its Location

The site consists of the residential premises fronting West Street which are listed timber-framed buildings, situated in the Warwick conservation area. There is a narrow vehicular access under the first floor of this building which gives access to the land at the rear. Here there is a large hard-surfaced area which gives access to a former commercial building, in the form of a barn, which adjoins the rear boundary of the land. At this point the barn closely adjoins newer houses at the extreme ends of both Castle Close and Stuart Close, from which they are separated by a large, old brick-built wall, approximately 3m high.

Details of the Development

It is proposed to convert the existing house into two dwellings and the barn into one dwelling. The existing house would form one house of 2 bedrooms, in the front part of the existing house and one with one bedroom in the rear part. This would be achieved within the existing structure except for a small increase in the eaves and ridge height in a short section of the rear wing.

The second part of the proposal is the conversion of the barn to the rear. Here the floor level would be lowered by up to 1m and the front of the building would be extended into the existing yard area by 1m. To accommodate this change, there would be some alterations to the roof, but this would mainly be in a position behind the existing high brick wall. In other respects the height and other external dimensions of the barn would be unchanged. The barn would form a two-bedroomed house with windows at ground floor looking out over its garden

area. At first floor, apart from one existing window, light would be provided by obscure glazed rooflights, which would be positioned above eye level. Garden areas would be provided for each of the new houses from the existing hard-surfaced yard area.

As originally submitted, the proposals showed more substantial extensions which would have had a serious impact upon adjoining residents and access through the existing gateway to West Street was proposed to serve the new dwellings. The highway Authority raised objection to the access arrangements and the proposals were subject to many objections from local residents, both on highway and amenity grounds. The amended plans have removed the access and made it clear that the dwellings would be served by existing on-street parking. The scale of the building works has been reduced.

Assessment

The issues to be addressed are the principle of increased density of residential use in this part of the conservation area, the impact the proposals would have on neighbours and the highway arrangements.

The site at present consists of a large house with a large hard-surfaced yard and a barn, with previous commercial use, to the rear. The proposal would ensure the continued use and upkeep of existing listed buildings, some of which are semi-derelict at present. The visual impact on the conservation area would be limited, and the character of the conservation area would thereby be protected. Given national and structure plan policies which concentrate development proposals in existing towns, it would be difficult to argue against increased residential use of a site such as this. The factors leading to this opinion are the large size of the site and the substantial area of land/buildings to the rear which are at present unused. In these circumstances I do not consider that the use of the site for three dwellings is an unreasonable intensification of the existing use.

The second important issue is the impact that the details of the proposal would have on neighbours. The scheme as originally submitted would have had a serious impact on the neighbours due to the considerable building works to the barn at the rear and the extensions which were proposed to the rear wing of the building fronting West Street. These two elements have now been much reduced, but there are still particular issues to consider. Firstly the main building has a long wing onto the boundary with the adjoining attached house in West Street, which is completely contrary to the 45 degree code, judged by modern standards. At the end of this rear wing, it is proposed to raise the eaves by 1m with a consequent increase in the ridge height of 0.3m. Given that the existing rear wing must have a considerable impact on the neighbour and the fact that this proposal would be about half-way down their garden, I do not consider that the small additional roof element would have a sufficiently serious impact on the neighbour as to justify a refusal of permission.

Similar considerations apply to the barn at the rear. The immediately adjoining house in Castle Close has a very short garden looking onto the old brick wall, which partially hides the barn beyond. The additions to the barn, as now proposed, are much smaller than originally proposed, the floor levels have been

dropped and the small additional extension would be largely hidden by the tall brick wall which forms the boundary. Rooflights to this building would be above eye level and would be obscure glazed. Whilst it is acknowledged that there will be some impact on that dwelling, I do not consider that the effect would be so great as to warrant a refusal of permission.

The third issue is that of the highway arrangements. It is now proposed that there will be no vehicular access to the site and the dwellings would rely on existing street parking. The area is already subject to considerable parking pressure, but given its near-town-centre location and policies which encourage sustainable means of transport, I do not consider that a refusal could be justified on these grounds, although I acknowledge that the proposal would increase the competition for parking spaces in this area.

There is an accompanying application for listed building consent which is reported subsequently in Part 1 of the agenda.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings WEST02-1B, 3B, and 4B and specification contained therein, submitted on 18 March 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 All repair/construction work specified on the plans for the conversion works hereby permitted shall be carried out in reclaimed materials of the same type, texture and colour as the existing barn(s). **REASON** : To ensure that the rural character and appearance of the barn(s) is protected, in accordance with Policy C3 of the Warwick District Local Plan.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), rooflights, glazed area, eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local

Plan 1995.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no windows or extract flues other than those expressly authorised by this permission, shall be placed at any time in any wall which forms a common boundary with a neighbouring property. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.
- 6 No development shall be carried out on the site which is the subject of this permission, until details of the results of a bat survey (carried out in accordance with a brief previously agreed in writing with the District Planning Authority) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with all recommended mitigation measures. **REASON** : To ensure that protected species are dealt with in the correct manner.
- 7 No direct access for vehicles shall be made or maintained between the site and the A429, West Street. **REASON** : To ensure highway safety, in accordance with policy ENV 3 of the Warwick District Local Plan 1995.
- 8 The development hereby permitted shall not be occupied until the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **REASON** : To ensure highway safety, in accordance with policy ENV 3 of the Warwick District Local Plan 1995.
- 9 All rooflights in the development hereby permitted shall be obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Part 1 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.
- 11 This permission authorises the conversion of the existing house and the conversion (with extensions as shown on the approved drawings) of the barn to the rear. It does not authorise any demolition other than that expressly referred to on the approved plans. **REASON** : To define the terms under which permission is granted.