

**Planning Committee:** 24 May 2011

**Item Number:**

**Application No:** W 11 / 0347

**Town/Parish Council:** Warwick  
**Case Officer:** Alex Smith

**Registration Date:** 16/03/11

**Expiry Date:** 11/05/11

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**Old Rectory Cottages, Vicarage Lane, Sherbourne, Warwick, CV35 8AB**

Erection of a single storey side extension to form a living room and a detached timber framed garage incorporating a study FOR Mr & Mrs Alderson

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

**SUMMARY OF REPRESENTATIONS**

**Barford, Sherbourne & Wasperton Joint Parish Council:** Object: "The site of the project lies within the curtilage of a listed building and in a conservation area, both of which suffer an adverse impact because the timber cladding is out of keeping, the fenestration is over-glazed and there are difficulties with access to the garage. In short the whole project is unsympathetic to the environment and results in an over-developed site."

**Conservation and Design:** No objection

**Ecology:** Requested site photos, then recommended a pre-determinative bat survey be conducted due to a number of bat records within 1km of the site and good foraging / commuting and roosting habitats with Ecosite 149/26 Sherbourne Brook in close proximity.

**Public response:** 1 Comment received: 7 Moat Green wanted the below points noted on the public record:

Loss of privacy, if windows were to be installed in the eastern (rear) elevation.  
Inappropriate use of materials.

Please note the above comments were received in relation to the original plans submitted as part of the application.

Amended plans were submitted to the District Planning Authority on 20th April 2011 and the comments received as of 10th May 2011 during the consultation process on these plans are below:

**Barford, Sherbourne & Wasperton Joint Parish Council:** Object: "The JPC notes with satisfaction that amendments have been made to the original proposal to accommodate some of its criticisms, but is disappointed that nothing has been done to ameliorate the poor location of the garage which continues to give the impression of an over-developed site."

**Public Response:** 1 comment received: 7 Moat Green:

We note that there are still no plans for any type of window on the East Elevation, as was prohibited in relation to the original barn conversion and

subsequent change of use application W20000894 (as per our letter of objection of 15th July 2000.) We therefore have no objection to the amended plans.

## **RELEVANT POLICIES**

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- 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)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

## **PLANNING HISTORY**

Planning permission was granted under application W/00/0894 & W/00/0895/LB for the change of use of three outbuildings at the rear of the Old Rectory Hotel to form three dwellings. A building which was noted as a 'large barn' on the plans, was converted into the two residential dwellings, now numbered 1 & 2 Old Rectory Cottages.

In 2005 planning permission was granted for the installation of a replacement roof, tiles, windows, front doors and cladding alongside the installation of 1 no. rooflight to the applicant property.

## **KEY ISSUES**

### **The Site and its Location**

The applicant property is located in a private courtyard behind the Old Rectory Hotel. Within the courtyard are three dwellings, including the applicants, with access provided from the main driveway into the Old Rectory Hotel off Vicarage Road.

The property is a barn/stable conversion which was developed into a pair of semi detached dormer bungalows. The pair of dwellings are set against the rear boundary wall, ensuring the only garden space is at the side and front of the premises.

The dwelling had its permitted development rights removed by condition as part of the decision for the conversion of the property and has a timber shed in the front garden of the property.

### **Details of the Development**

The application is for the development of a single storey side extension and the erection of an outbuilding in the front garden to be used as a garage and study.

### **Assessment**

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

- The impact on the character and appearance of the conservation area.
- The impact on the living conditions of the neighbouring dwellings.
- The impact on the setting of the listed building.
- Ecology's request for a pre-determinative bat survey.
- Provision of renewable energy requirement

#### The impact on the character and appearance of the conservation area.

Policy DAP8 of the Warwick District Local Plan states that development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas.

The original plans submitted to the District Planning Authority proposed a side extension measuring 3.95m wide with a gable end. This proposed development was considered to have an unacceptable impact on the appearance of the original property, as the gable end roof of the extension would conflict with the hipped roof of the original house. This conflict would have created a serious unbalancing in appearance between the attached dwellings, which was deemed contrary to Policy DAP8 of the Warwick District Local Plan.

On 20th April 2011 the applicant submitted amended plans to the District Planning Authority for a much reduced scheme. The width of the proposed extension was reduced to 3.15m, the roof changed to a hipped design and the door in the principal elevation of the extension changed to a window to match those of the existing house. The amended design would meet all the criteria set within the residential design guide and would now be considered acceptable, in terms of its impact on the existing dwelling and the pair of semi detached properties.

As the scheme has been reduced in size, the proposed mezzanine floor has been removed from the amended plans. The study, which would have been located on this mezzanine floor, has been added at the rear of the proposed detached garage. The location of the proposed garage is within the applicant's front garden, which is enclosed on the eastern and northern boundaries by a high brick wall and on the western boundary by trees and hedgerow. The effect of this is that the proposed garage and study would be largely screened from outside the curtilage of the pair of cottages. As the cottages are located in a secluded location at the end of a private access driveway, I would not consider the impact of the side extension or outbuilding structure to be so incongruous to the character and appearance of the Conservation Area to contravene policy DAP8 of the Warwick District Local Plan.

The Joint Parish Council have raised an objection that they believe the amended design constitutes overdevelopment of the applicant's land parcel. Whilst I note the concerns of the Council, I consider that there is still a sufficient proportion of the curtilage available as open space for the amenity space of current and future users not to be impacted by the proposed development.

The explanatory notes of Policy RAP2 of the Warwick District Local Plan, states that extensions to barn conversions are not usually permitted, as they would harm the integrity of the original building. The design of the residential conversion, including the installation of dormer windows in the original conversion has however already changed the character of the building from a rural outbuilding to a residential property. I am of the opinion that the proposed

development would inflict no further harm to the integrity of the rural building than the previously permitted conversion. Therefore, the application would comply with Policy RAP2 of the Warwick District Local Plan.

#### The impact on the living conditions of the neighbouring dwellings.

Policy DP2 of the Warwick District Local Plan states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. It must therefore be considered if this application is contrary to this policy.

The proposed side extension would be a small scale extension which would have no impact to the amenity of the attached dwelling. The neighbour to the rear was concerned over a loss of privacy to their property. However, as the proposed extension would have no rear facing windows, the amenity of this dwelling would also remain unaltered.

Whilst the proposed detached garage would be visible from the attached dwelling, 2 Old Rectory Cottages. There would be no loss of outlook, privacy or light caused by this structure. Therefore, the proposed development would comply with Policy DP2 of the Warwick District Local Plan.

#### The impact on the setting of the listed building.

Policy DAP4 of the Warwick District Local Plan states that development will not be permitted that will adversely affect the setting of a listed building.

The application property is located within the original grounds of the listed building. However, as the proposed extensions are of small scale and are well screened by the existing hedgerow and trees. I am of the opinion that the proposed development would not adversely affect the setting of the listed building and would comply with Policy DAP4 of the Warwick District Local Plan.

#### Ecology's request for a pre-determinative bat survey.

Ecology submitted comments stating that a pre-determinative bat survey is recommended for the property, due to a number of bat records in close proximity to the applicant property.

I am of the opinion that as the roofspace of the existing property is currently in use as habitable rooms and the roof was replaced under application W/05/0611, the proposed alterations would affect only a small area of the building within which bats could be present. For these reasons I am of the opinion that there is not a 'reasonable likelihood' of a protected species being present and, as outlined in paragraph 99 of planning circular 06/2005, do not feel it is justified to ask for a pre-determinative bat survey in this instance. A note relating to bats as an EU protected species will be added to the decision notice to make the applicant aware of their obligations in this matter.

#### Provision of renewable energy requirement

I am of the opinion that the scale of the extensions would create a low level of additional energy consumption for the applicant property. At this level of energy consumption it would not be feasible to ask the applicant to meet the 10% renewable energy requirement detailed under Policy DP13 of the Warwick District Local Plan.

## **RECOMMENDATION**

GRANT, subject to the conditions listed below.

## **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 10/88-02 A & 10/88-03 A and specification contained therein, submitted on 20th April 2011 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 Policies DAP8 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 All external facing materials for the single storey side extension 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 DP1 of the Warwick District Local Plan 1996-2011.

## **INFORMATIVES**

For the purposes of Article 31 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

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