

Planning Committee: 26 February 2019

Item Number: 9

Application No: [W / 19 / 0110](#)

Town/Parish Council: Warwick

Case Officer: George Whitehouse

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Registration Date: 24/01/19

Expiry Date: 21/03/19

30 Victoria Street, Warwick, CV34 4JT

Erection of single storey rear courtyard infill (Resubmission of W/18/2179) FOR
Miss R Fletcher

This application has been requested to be presented to Committee by Councillor Morris

RECOMMENDATION

It is recommended planning committee refuse this application for the reasons set out in this report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought of the erection of single storey rear courtyard infill.

THE SITE AND ITS LOCATION

30 Victoria Street sits within the Cape Road, Victoria Street and Edward Street Conservation area of Warwick which was designated as such in 2006. This area is predominantly comprised of 19th Century terraces which are characterised by rear wings, side courtyards and modest rear gardens.

PLANNING HISTORY

W/18/2179 Erection of a courtyard infill extension.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Cllr Terry Morris - I believe that this small rear infill extension is appropriate in the context of the row of houses and overall street scene. I would recommend granting this application and would like to call it into Committee if officers are recommending refusal. I also believe that a site visit would be useful for Committee Members.

ASSESSMENT

Impact on the Conservation area

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Local Plan Policy HE1 of the Warwick District 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.

The Council's Residential Design Guide sets out specific requirements for extensions infilling the courtyard alongside traditional rear wings in conservation areas. In order to protect the character and appearance of the conservation area, such extensions are required to be predominantly glazed and to incorporate a set back from the end wall of the original rear wing. The purpose of these requirements is to ensure that the traditional form of the rear wing is still apparent.

The proposed work does not align with the above. It is not considered bi-folding doors across the whole rear of the property or the absence of a fully glazed roof sufficiently respects the historic layout of the conservation area. The Conservation and Design officer requested that there be a clear differentiation and solid masonry divide with set back proposed between a predominantly glazed infill courtyard element and works proposed to the existing service wing. This would allow the openness of the courtyard to be retained which better preserves the character of the Conservation Area. However, the scheme was not amended to reflect this request.

The applicant's justify the proposed design on the basis that the neighbours either side having extensions which also do not align with the guidance. However, these were constructed prior to 2006 (i.e. the year that this area was designated a statutory heritage asset). In addition, planning permission was not sought for either extension. Instead it is likely they were constructed using permitted development rights. It is not considered that these extensions set a

precedent which would justify further harm to the Conservation Area with a design that does not reflect the original form of development.

It is also considered that the height of the proposal is harmful to the Conservation Area since it detracts from the view of largely glazed end. It is not considered a roof lantern constitutes a fully glazed roof.

There are no public benefits to outweigh the harm that has been identified. The proposals are therefore contrary to Local Plan Policy HE1.

Impact on neighbours amenity

The proposed extension would project no further to the rear than the existing extension on the adjacent property at No. 28 Victoria Road or the original rear wing of the adjacent property at No. 32 Victoria Road. There would be no breach of the 45 degree guidance and as a result, the proposals would not cause unacceptable loss of light or loss of outlook for neighbours.

Since there is no unacceptable harm to the amenity of neighbouring uses as a result of this development it is considered that the proposals comply with local plan policy BE3.

Summary

The proposed extension is considered to be harmful to the character of the conservation area by way of design. Therefore, the proposals are contrary to Local Plan Policy HE1.

REFUSAL REASONS

- 1 Policy HE1 of the Warwick District Local Plan 2011-2029 requires that development preserves or enhances the special architectural and historic interest and appearance of the District's Conservation Areas.

The application property is a traditional Victorian terraced dwelling incorporating a rear wing with an open courtyard to the side. The proposed extension would further obscure this traditional built form. As such, the proposals would cause significant harm to the character and appearance of the conservation area. This harm is not outweighed by any public benefits.

The proposals therefore conflict with Local Plan Policy HE1 and the Residential Design Guide.
