

Planning Committee: 1 February 2022

Item Number: 9

Application No: [W 21 / 1609](#)

Town/Parish Council: Barford

Case Officer: Thomas Fojut

01926 456539 thomas.fojut@warwickdc.gov.uk

Registration Date: 24/08/21

Expiry Date: 19/10/21

32 Wellesbourne Road, Barford, Warwick, CV35 8EL

Erection of detached outbuilding providing garage and gym at ground floor and office above FOR Mr & Mrs Taylor-Watts

This application is being presented to Planning Committee as Barford, Sherbourne and Wasperton Joint Parish Council object to the proposal.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

Erection of detached outbuilding providing garage and gym at ground floor and office above.

THE SITE AND ITS LOCATION

The application property is a two-storey detached dwellinghouse located on the west side of Wellesbourne Road, Barford. The property is located within Barford Conservation Area and is also located opposite the Grade II listed Barford House.

Dwellings within the street comprise of detached, semi-detached and terraced properties from various periods. The section of Wellesbourne Road where the application property is located (between Canon Price Road to the north and Westham Lane to the south) is set back from the main part of Wellesbourne Road and is accessed via a service road. Additionally, dwellings in this part of the street are detached properties which all date from a similar period.

The properties are set back from the service road by either large landscaped front gardens, hard surfacing for off-street parking or a combination of the two. There is also an area of open green space containing various trees, hedges and shrubs between Wellesbourne Road and the service road.

PLANNING HISTORY

W/07/0904 - Erection of detached garage - Refused July 2007. Allowed on appeal January 2008.

W/06/0091 - Single storey link between existing house and garage; New bay window to existing garage - Granted April 2006.

W/03/0681 - Erection of detached garage - Granted June 2003.

W/03/0104 - Erection of rear single storey, garage and kitchen and erection of detached garage - Granted March 2003.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Barford Neighbourhood Plan 2014-2029
- B6 - Heritage Assets
- B7 - General Design Principles
- B8 - Biodiversity and Design Principles

SUMMARY OF REPRESENTATIONS

Barford, Sherbourne and Wasperton Joint Parish Council - Objects to the proposals on the following grounds:

- Proposals are forward of the building line, building is visible from neighbouring properties, therefore an element of overlooking and loss of privacy
- Represents overdevelopment and loss of garden land and openness.
- Proposals are out of keeping with the street and does not reflect any styles within the vernacular of Barford Design Statement.
- Proposals are out of character and design within this section of Wellesbourne Road.
- Previous extensions at the property have already moved the building line forward, the proposals would move this closer to the pavement line.
- Development would adversely affect the character and appearance of the Conservation Area and in particular the Grade II listed Barford House located opposite.

WCC Archaeology - No objection. Recommend that a pre-commencement condition of a Written Scheme of Investigation for a programme of archaeological evaluative work is submitted to and approved in writing by the Local Planning Authority.

WCC Ecology - Recommend notes relating to bats, nesting birds and hedgehogs are attached to any approval granted.

WCC Landscape - Objects to proposals as proposed development is a large structure that would sit forward of the existing building line therefore would not be in keeping with the existing street scene.

Tree Officer - No objection. Recommends a condition for tree protection measures is adopted and implemented.

Conservation and Design - No objection to revised proposals.

Public Response - 2 neighbour objections received on the following grounds:

- Proposed structure will encroach upon the root zone of the large Western Red Cedar tree that lies to the south. Does not agree with the recommendations shown in the Arboricultural survey.
- Concerned of the effect the building will have on the setting of the Grade II listed Barford House and the street scene.
- Development will cause a loss of openness and will bring the built environment closer to the listed building. Felling of matured trees will also impact the village landscape.
- Amendments to proposals increase the ridge heights and add roof projections making the structure more prominent within the street landscape and impact of the setting of a listed building. Considers the building is twice the size of the previous structure refused in 2007.
- If approved a condition requiring more tree planting and replacement of any future lost trees should be implemented.

ASSESSMENT

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

- Design and impact on the character and appearance of the street scene and wider Conservation Area
- Impact on the amenity of neighbouring uses
- Ecology
- Trees
- Archaeology
- Landscape

Design and impact on the character and appearance of the street scene and wider 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. Paragraph 193 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 195 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 HE1 of the Warwick District Local Plan states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm

or loss, or if criteria listed within the policy have been satisfied. Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design.

Two neighbour objections were made to the original proposals raising concerns about the proposed design and impact on the character and appearance of the conservation area. The Conservation Officer had also objected to the proposal as originally submitted raising concerns that the proposed building is set forward of the building line and could establish a precedent in the street scene that would harm the character of the Conservation Area. Additionally, Barford, Sherbourne and Wasperton Joint Parish Council objected to the original proposals and raised concerns about the proposed design and impact on the character and appearance of the conservation area.

The comments received in respect of siting and building line are noted. However, the principle of development in this location was established when the appeal for an outbuilding in this location was allowed in 2008. The Inspector considered that a building in this location would not result in harm to the street scene or the character and appearance of the conservation area. Moreover, a material commencement was made on that permission and it could be implemented any time.

Since the submission of his initial comments, the Conservation Officer has been made aware of the planning history relating to the site and has subsequently withdrawn his objection to a building in this location.

Notwithstanding the acceptability of a building in this location in principle, it was considered that the scheme as originally submitted was of poor design. However, the scheme has been significantly amended and is considered to be vastly improved such that it now relates well in both scale and design to the existing house and outbuilding on the site. In addition, the site is well screened from the main road and the building will not be readily visible.

The proposal is considered to be in accordance with the NPPF and Local Plan Policies HE1 and BE1. It is also in accordance with policies B6, B7 and B8 of the Neighbourhood Plan as the proposals are not considered to harm the heritage asset or affect the setting on the nearby Grade II listed Barford House, the mass, scale and materials of the building are considered to be appropriate and does not impact on any significant wider landscape views.

Impact on the amenity of neighbouring uses

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and includes the 45-degree line and minimum separation distance guidance to protect against loss of light, outlook and privacy.

Two neighbour objections were made to the original proposals with one objection raising concerns in relation to neighbouring properties. Additionally, Barford, Sherbourne and Wasperton Joint Parish Council objected to the original proposals and had the following concern in relation to the impact on neighbouring properties:

These objections are noted. However, given the position of the proposed building relative to the neighbouring properties it is considered that there will be no material loss of residential amenity for neighbouring properties such as to warrant a refusal of planning permission in this case.

It is considered that the development will comply with Warwick District Local Plan Policy BE3.

Ecology

The Ecology Department at Warwickshire County Council have recommended that notes relating to bats, nesting birds and hedgehogs are attached to any approval granted.

Trees

The Tree Officer has no objection to the proposals subject to a condition for tree protection measures, which has been included in the recommendation.

Archaeology

The Archaeology Department at Warwickshire County Council have no objection to the proposals but have recommended that a pre-commencement condition for a Written Scheme of Investigation for a programme of archaeological evaluative work is submitted to and approved in writing by the Local Planning Authority. Officers note that there is no such requirement for the extant permission for an outbuilding on the site and given that there has been no material change in on site circumstances or planning policy in the interim, it would be unreasonable to require this for the current proposal.

Landscape

The Landscape Department at Warwickshire County Council have objected to proposals as the proposed development is a large structure that would sit forward of the existing building line therefore would not be in keeping with the existing street scene.

This objection is noted, but as explained above the principle of a building in this location has already been established and it would be unreasonable to reach a different conclusion in the current case.

Conclusion

The development proposals are considered to be in keeping with the character and appearance of the property and the surrounding conservation area. In addition, the principle of development has previously been established and the proposals are not considered to cause harm to heritage assets. Moreover, the proposals are

not considered to present a harmful impact upon the amenity of the neighbouring properties. The proposal is considered to be in accordance with the policies listed and it is therefore recommended for approval.

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) 1603-0500-03 and specification contained therein, submitted on 21st December 2021. **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 Prior to commencement of the development hereby permitted, the tree protection measures recommended in the Arboricultural Impact Assessment and Method Statement reference jwmb/rpt1/32wellesbournerd/AIAMS dated 6 August 2021 prepared by Arbortrack Systems Ltd shall be adopted and implemented. The development thereafter shall be implemented in strict accordance with the approved details, and the approved protection scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **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.
 - 4 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the main house. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
-