

Extended Delegated Decisions Meeting: 04 June 2020

Application No: [W 20 / 0428](#)

Town/Parish Council: Lapworth

Case Officer: Emma Booker

01926 456521 Emma.Booker@warwickdc.gov.uk

Registration Date: 06/04/20

Expiry Date: 01/06/20

21 Station Lane, Lapworth, Solihull, B94 6LW

Erection of a single storey rear extension FOR Ms. Lizzy Whyte

This application is being presented to the Head of Development Services and Chair of Planning Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

The Head of Development Services is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The applicant seeks planning permission for the erection of a single storey rear extension with a flat roof and rendered elevations. The rear elevation is proposed to be predominantly glazed. The proposed extension will replace the existing conservatory and separate single storey extension at the rear of the dwelling in order to achieve a more balanced and consolidated rear elevation. The rear elevation of the extension is proposed to feature a set-back in order to mitigate the impacts on the adjacent neighbour's amenity.

The proposal has been amended since the application was submitted;

- the depth on the south side of the extension has been reduced from 4.0 metres to 2.55 metres

THE SITE AND ITS LOCATION

The application site comprises a two storey semi-detached dwelling located on the west side of Station Lane in Lapworth. The property lies within the boundary of the Growth Village Envelope and benefits from a spacious rear garden which is well screen by mature fir trees. Off-street parking is provided at the front of the property.

The planning history and a visit to the site revealed that the property has already been extended via a hip to gable and rear dormer roof extension, to facilitate a loft conversion, which was granted a Lawful Development Certificate in 2018. A two storey rear and single storey side and rear wrap-around extension was approved in 2004 and the conservatory extension was approved in 2010.

PLANNING HISTORY

W/04/1295 - Planning permission granted for the erection of single and two storey rear extension.

W/10/0409 - Planning permission granted for the erection of a rear conservatory.

W/18/1009 - Lawful Development Certificate granted for a hip-to-gable / rear dormer roof extension and rooflights.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council - Objection on the basis of that the proposal would lead to an overdevelopment of the site and impingement of the 45 degree rule. The Parish Council had previously objected to the proposal on the basis that it would exceed the 30% guideline for extensions to buildings included within policy H14 of the Local Plan, but once they had been advised that Station Lane was no longer included in the Green Belt this element of their objection was removed.

WCC Ecology - Recommend that advisory notes relating to bats and nesting birds, as protected species, are attached to any approval granted.

Public Response - 1 neutral comment received from 23 Station Lane on grounds of concerns over the available light to their dining room and kitchen which has already been compromised by previous extensions and the loft conversion at the subject site.

ASSESSMENT

The key issues for consideration are:

- Amenity impacts
- Design
- Ecological and tree impacts

Impact on the amenity of the occupiers of the adjacent properties and impact on the current and future occupiers of the dwelling

Warwick District Local Plan Policy BE3 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development.

Lapworth Parish Council have submitted an objection to the proposal on the basis that the extension would breach the 45 degree line. It is correct that the proposed single storey extension will breach the 45 degree line when taken from the mid-point of the patio doors on the rear elevation of 19 Station Lane. However, as existing, the subject property benefits from a conservatory extension which abuts the southern boundary of the site and measures approx. 3.0 metres in depth. This extension also breaches the 45 degree line when taken from the mid-point of the patio doors installed within the rear elevation of 19 Station Lane, compromising the neighbour's outlook and light.

The existing conservatory is greater in depth than the proposed extension. As amended, the southern side the side elevation will measure approx. 2.55 metres in depth. The eaves of the conservatory measure approx. 2.33 metres and the proposed flat roof extension will measure approx. 3.14 metres in height. On balance it is considered that the proposed extension, as amended, will result in no greater harm to the amenity of the occupiers of 19 Station Lane; the impact of the increase in height of the side elevation is considered to be adequately mitigated by the proposed decrease in depth. It is therefore considered that the amount of light and outlook gained from the neighbour's rear facing patio doors will not be materially changed by the development.

23 Station Lane raise concerns regarding the impact of the proposal on the light availability to habitable rooms which are served by rear facing windows at ground floor level. The proposal will increase the depth of the single storey elements at the rear of the subject dwelling on the north side, however, the extension will not breach the 45 degree line when taken from the mid-point of windows serving habitable rooms on the rear elevation of 23 Station Lane. It is therefore considered that the impact that the extension will have on the amenity of this neighbour is acceptable and in accordance with the Residential Design Guide SPD.

The impact that the proposal will have on the amenity of the current and future occupiers of the subject dwelling is considered acceptable. The open plan layout of the rear extension provides adequate light and outlook to habitable rooms. The dwelling benefits from a relatively generous rear garden, the proposal will therefore leave adequate private space for the dwelling in accordance with the requirements of the Residential Design Guide SPD.

The proposal is considered acceptable and to be in accordance with Policy BE3.

Design

Policy BE1 states that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Development proposals should demonstrate that they harmonise with,

or enhance, the existing settlement in terms of physical form so that the established character of the streetscene is respected. Policy BE1 states that in order to do this the development should adopt appropriate materials and details and respect the surrounding buildings in terms of scale, height, form and massing.

Lapworth Parish Council also object to the proposal on the basis that it would lead to an overdevelopment of the site. While the subject dwelling has already been substantially extended over time, it is considered that the proposal is of good quality design and will not have an adverse impact on the character of the dwelling and adjacent properties. Although relatively large in depth, it is considered that at the amended scale, the extension reads as a subservient addition. Officers therefore disagree that the proposal would lead to overdevelopment. Rather, it is considered that the extension will improve the appearance of the dwelling's rear elevation by replacing a number of separate extensions which appear to sit awkwardly next to one another.

The extension will not be visible from public vantage points and will therefore not impact on the character of the streetscene.

The proposed use of render is considered appropriate as render already forms part of the character of the rear elevation.

As amended, the extension is considered appropriate in design and scale for the dwellinghouse. The extension is considered to comply with Policy BE1 and the Residential Design Guide SPD on the basis that it respects the character of the subject dwelling and surrounding buildings in terms of scale, height, form and massing.

Ecology and Trees

Local Plan Policy NE2 seeks to protect species of national and local importance for biodiversity and geodiversity. The policy stipulates that development will not be permitted that will destroy or adversely affect protected species.

The Ecologist at Warwickshire County Council has recommended that advisory notes relating to the protection of bats and nesting birds, as protected species, should be attached to any approval granted. When out on site the condition of the existing single storey elements was inspected and it was considered that the proposal would pose a low risk to protected species, it would therefore be unreasonable to request that an ecological survey be completed and submitted prior to determination of the application. The recommended advisory notes are considered to afford appropriate protection for the scale of development proposed.

There are no trees within the site or neighbour gardens which are under the protection of a Tree Preservation Order, there are however, a number of well-established fir trees on the northern boundary of the site and number of smaller trees within the garden of No.23. The Fir trees are not considered to be at risk because the development will not encroach into the Root Protection Area. The Root Protection Areas of the neighbour's trees are unknown, however, none of the trees are considered to make a significant contribution to amenity, it is therefore considered that it would be unreasonable to request that tree mitigation measures be provided.

The proposal is considered acceptable and in accordance with Policy NE2.

Summary/Conclusion

The proposal is considered to constitute good quality design and to have an acceptable impact on the amenity of the neighbours and the current and future occupiers of the dwelling. The development is considered to pose a low risk to protected species and will have an acceptable impact on nearby trees.

The proposal is considered to satisfy the criteria of Local Plan Policies BE1, BE3 and NE2, the Residential Design Guide SPD.

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) 5711/01-F, and specification contained therein, submitted on 15th May 2020. **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 All external facing materials for the development 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 BE1 of the Warwick District Local Plan 2011-2029.
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