

Application No: [W 20 / 0775](#)

Town/Parish Council: Leamington Spa
Case Officer: Ankit Dhakal

Registration Date: 26/05/20
Expiry Date: 21/07/20

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10 Almond Avenue, Leamington Spa, CV32 6QD

Demolition of existing single storey side wing, erection of a two storey side extension, erection of single storey front extension, single storey rear extension and front porch. FOR Mr and Mrs Lightfoot

This application is being presented to the Head of Development Services in consultation with the Chair of Planning Committee because of the number of letters of support received and the application has also been requested to be referred by the Ward Councillor, Bill Gifford.

RECOMMENDATION

The Head of Development Services in consultation with the Chair of Planning Committee is recommended to refuse planning permission for the reasons set out at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks permission for the demolition of the existing single storey side wing and the erection of a two storey side extension as well as the erection of single storey front extension, a single storey rear extension and a front porch.

THE SITE AND ITS LOCATION

The applicant's site relates to a two storey dwellinghouse, located on Almond Avenue, Leamington Spa. The property itself is unique to the streetscene as it is the only one that resonates a typical Dutch-style architecture with gable extending to the front, a two-storey wing to one side and single-storey wing to the other. The character of the areas is predominantly large detached dwellings on large plot of land, set back from the road for off-street parking.

RELEVANT PLANNING HISTORY

There is no relevant planning history related to the site.

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
- [Guidance Documents](#)

- Residential Design Guide (Supplementary Planning Document- May 2018)
 - The 45 Degree Guideline (Supplementary Planning Guidance)
 - Royal Leamington Spa Neighbourhood Plan (2019-2029)
 - Housing Character Outside the Conservation Areas
- Officer Note - While this is not yet formally made (as it has not yet been through a referendum) the above document has been through its final examination and as such is afforded substantial weight in the decision making process.

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

WCC Ecology: Recommended initial bat survey.

CLLR Syson: An email expressing support - the proposed development is of a good design and sympathetic to the original property.

Public Response: 5 letters of support have been received relating to the development being of a good design and sympathetic to the streetscene.

ASSESSMENT

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

- Design and the impact on the character and appearance of the area;
- Impact on the living conditions of neighbouring dwellings;
- Ecological impact

Design and the impact on the character and appearance of the area

Section 7 of the National Planning Policy Framework (NPPF) places significant weight on requiring good design which is a key aspect in achieving sustainable development. New development should positively contribute towards making places better for people. The NPPF clearly states that permission should be refused if a development constitutes poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy RLS4 of the Royal Leamington Spa Neighbourhood Plan expects applicants to demonstrate how extensions have taken in to account, and responded to, the predominant character (including local building styles and materials) in the street. This policy further encourages householders to take into account other guidance available from the Council such as the Residential Design Guide SPD.

Policy BE1 of Warwick District Council's Local Plan 2011 – 2029 reinforces the importance of good design as explained by the NPPF. The Policy requires all development to respect surrounding buildings in terms of scale, height, form and massing.

The Local Plan requires development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its

relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide SPD provides detailed guidance for extensions to dwellings and a design framework for Policy BE1. This includes a requirement for extensions to be subservient to the original dwelling, incorporating a set-back of 450mm for first floor side extensions and a 225mm step down in the ridge line. The reason for this is to make extensions clearly distinguishable from the original dwelling - a key concept of good design as envisaged by the SPD.

The proposed first floor side extension is not set down from the ridge level and nor is it set back from the front elevation as required by the Council's Residential Design Guide SPD. As stated in the design guide, set back and set down are required in order that new development remains subordinate to the existing dwelling and this helps to visually integrate new extensions. The extension fails to meet this requirement as such the extension will be consolidated into and read as the original dwellinghouse, which is contrary to the objectives of the Residential Design Guide SPD.

The applicant has not provided justification why the extension cannot conform to the SPD and therefore it is considered that the proposal would constitute poor design in principle contrary to Neighbourhood Plan Policy RLS4, Local Plan Policy BE1, the Residential Design Guide SPD and the NPPF.

Impact on neighbouring properties

Warwick District 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. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on neighbouring properties by reason of loss of daylight or outlook.

The proposed extension will not breach the 45-degree line taken from windows serving habitable rooms on the rear elevations of the adjacent properties, and as a result it is considered acceptable in terms of the impact on light and outlook for the neighbours. Furthermore, it is not considered that the scheme would result in any material harm through overlooking or loss of privacy to neighbours. The proposed extension is therefore considered not to result in any material harm to the amenity of the neighbouring dwellings.

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

Ecology

The property is well sealed and it therefore considered that a bat note would be sufficient in the event that the application was recommended for approval.

REFUSAL REASONS

- 1 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 the environment through good layout and design.

The Council has also adopted The Residential Design Guide as a Supplementary Planning Document.

The proposed first floor side extension is not set down from the ridge level of the house nor is the first floor set back from the front elevation as required by the Residential Design Guide SPD. As a result, the proposal would result in an extension which would not appear as a subservient addition to the property and is therefore considered to constitute poor design.

The development is thereby considered to be contrary to the aforementioned policies.
