

**Planning Committee:** 20 July 2021

**Item Number: 7**

**Application No:** [W 21 / 1078](#)

**Town/Parish Council:** Whitnash

**Registration Date:** 01/06/21

**Case Officer:**

Jonathan Gentry

**Expiry Date:** 27/07/21

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**30 Palmer Road, Whitnash, Leamington Spa, CV31 2HR**

Partially retrospective application for the erection of first floor side extension, single storey rear extension and porch FOR Mr Burford

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This application has been requested to be presented to Committee by Councillor Falp. It has also been deferred due to the number of support comments received.

**RECOMMENDATION**

Members are recommended to refuse permission for the reason set out at the bottom of this report.

**DETAILS OF THE DEVELOPMENT**

Partially retrospective planning permission is sought for the proposed erection of a first-floor side and single storey rear extension, alongside a front porch.

This application forms a re-submission of W/20/2173 and has been assessed in accordance with that scheme.

**THE SITE AND ITS LOCATION**

The application site relates to a two-storey semi-detached dwelling sited on a corner plot to the south and east of Palmer Road. The property adjoins No.32 to the west, which has also been extended to its side over two storeys. No.28 Palmer Road is the closest adjacent neighbour to the south.

**PLANNING HISTORY**

W/06/0647 - Erection of two storey extension to side and rear conservatory - Granted 21/06/2006

W/06/1920 - Erection of single storey side extension - Granted 25/01/2007

W/20/2173 - Partially retrospective application for the erection of first floor side extension, single storey rear extension, and porch - Refused

**RELEVANT POLICIES**

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- TR3 - Parking
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document- June 2018)
- Whitnash Neighbourhood Plan (2011-2029)
- W4 - Building Design Principles

## **SUMMARY OF REPRESENTATIONS**

**Whitnash Town Council** - Members Raise no objection.

**WCC Ecological Services** - Recommend advisory note in relation to bats is attached to any grant of consent.

### **Public Response -**

Eight neighbour support comments received, noting the following reasons:

- The extension fits with rest of road.
- The extension would not detract from other properties in the area.

## **ASSESSMENT**

### Site history

The application site has been extended to its side at single storey level.

Permission was granted in 2006 for the erection of a two-storey side extension to the original property. Subsequently, consent was granted for the construction of a single storey side extension in the same location. A supporting planning statement has also been submitted to accompany the application, outlining a view that the 2006 two storey consent remains extant. While the applicant has stated that works on the two-storey extension were commenced following grant of consent, it is clear from imagery of the existing property that the single storey extension was the scheme ultimately constructed and implemented on the site. Building control records indicate submission for construction of a 'single storey side extension' on the 15<sup>th</sup> November 2006.

With mind to the built works that were completed, the Local Planning Authority views that historic consent W/06/0647 is not extant as it was not implemented at the site. Beyond this, it is viewed that as a result of the single storey extension that was in situ, it would not be possible to lawfully implement this scheme in any case.

Works have since been commenced at the site to form a first-floor side extension, building up from the existing single storey garage structure, which this scheme seeks to regularise.

### Design and impact on the street scene

Local Plan Policy BE1 states that development will be permitted where it harmonises with and improves the character of the surrounding area. This is reflected within policy W4 of the Whitnash Neighbourhood Plan. The adopted Residential Design Guide (RDG) SPD also sets out design principles which development proposals will be expected to comply with. In addition, paragraph 130 of the National Planning Policy Framework (NPPF) outlines that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The porch element of the scheme is considered acceptable in terms of scale and design. In addition, the materials proposed to the extensions and porch match those on the existing property and are therefore considered acceptable. The single storey rear extension element of the scheme would be largely obscured from the street scene and is similarly considered acceptable in design terms.

When approved in 2006 under W/06/0647, the two-storey side extension was illustrated at approximately 5 metres in width. This matches the width of the subsequently approved and implemented single storey side extension. The original property features a width of approximately 5.6 metres.

The first-floor extension proposed under this application features a matching width of approximately 5 metres, reflecting construction works underway at the property. Adopted in 2017, the WDC RDG outlines a number of design considerations that should be incorporated into residential extensions to ensure an appropriate standard of design and subservience in accordance with Local Plan Policy BE1.

One such design consideration relates to the width of side extensions. The RDG states that 'Side extensions should be no more than 2/3 of the width of the original property'. While the document does not specifically define at what level this limit is to be applied, guidance is interpreted in relation to the specifics of each individual case. In this case, given the location of the property on within a prominent corner plot location that is highly visible within the street scene, particularly from the south, and the need to ensure an appropriate subservience, it is considered necessary in this instance to require adherence with this guideline. The proposed scheme, reflecting works underway at the site, notably exceeds this guidance.

In consideration of the LPA's position that W/06/0647 is not extant, and a material change in circumstances through the adoption of additional design guidance following this grant of consent, the historic permission for two storey side extension is not viewed hold significant weight in justifying a departure from the aforementioned guidance.

The RGD also states that proposals impacting corner plots should respect the existing character of the street scape and should not substantially reduce

openness of the plot. It is noted that the existing single storey side extension and thus proposed first floor addition marginally breach the building line when taken from adjacent properties by approximately 1 metre. Officers feel that as a result of the non-adherence with the 2/3rds width guide, the proposed first floor addition would result in harm to the openness of the corner plot.

While the submitted supporting statement highlights an existing extension to No.32 as reason to permit this exceedance, this consideration is not considered to carry significant weight in design terms to mitigate the identified objection, given that the first floor of this neighbouring extension does not exceed 2/3rds original width. In addition, it is noted that the extension to No.32 was completed well prior to the adoption of current design guidance, and does not face onto a corner plot.

While the extension is suitably set down from the ridge of the original dwelling, the small setback from the front elevation illustrated on the submitted plans does not meet the 450mm figure outlined within the Residential Design Guide. With mind to the above noted considerations, it is viewed the completed extension would appear overly dominant within the street scene, creating an incongruous form of design that would not harmonise with, or enhance, the existing settlement in terms of physical form in line with the requirements of policy BE1. In addition, the scheme is viewed not to respect surrounding buildings in terms of scale, height, form and massing, for the above noted reason.

Finally, acceptance of this partially constructed scheme that demonstrably departs from the aforementioned guidance is considered to set a particularly harmful precedent for comparable developments that do not adhere to adopted design guidance in terms of width and thus subservience.

In view of these factors the proposed extension is not considered to meet the design guidance stipulated within the Residential Design Guide SPD and thus does not meet the requirements of Local Plan Policy BE1 or paragraph 130 of the NPPF.

#### The impact on the living conditions of nearby dwellings

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 states that extensions should not breach a 45-degree line taken from the nearest habitable room of a neighbouring property. This serves to protect the extent to which neighbours can enjoy their own dwellings without undue disturbance or intrusion from nearby uses.

By nature of its position projecting west, the extension does not breach the 45-degree guideline from windows serving habitable rooms on the front or rear elevations of either adjacent property, and as a result is not considered to result in the generation of material harm to amenity by way of loss of light or outlook to these neighbouring sites. Similarly, the proposal is not considered overly dominant or overbearing in amenity terms. The lack of an immediate neighbour to the west dictates no other properties will be materially impacted in this regard.

In addition, it is viewed that the scheme would not result in any material harm to amenity through overlooking or loss of privacy to neighbouring sites.

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

### Parking

The development proposes the creation of one additional bedroom within the extension area, increasing the total for the household to four.

The Warwick District Parking Standards SPD outlines that any property with four or more beds should include provision for three spaces, an increase of one over what is currently required at the property. In addition, while not typically considered to constitute parking provision, the garage space which forms a part of the existing single storey extension would be lost through internal reconfiguration. While Officers assess that the remaining driveway could comfortably accommodate at least two vehicles and potentially three, some on-street parking requirement may be generated by the proposal. I am satisfied following a site visit that the adjacent Palmer Road retains an appropriate capacity for on-street parking and it is therefore considered that the proposed arrangement is acceptable.

The proposal is therefore considered to be in accordance with Local Plan policy TR3.

### Ecology

The Ecologist at Warwickshire County Council has recommended that photos are submitted to determine the necessity of a pre-determinative bat survey. Upon visiting the site, the existing building roof was determined to be in good condition with no notable access points for bats noted. In addition, it is noted that the application site is located within an urban area, surrounded by other dwellings. Given these considerations, and with mind to the fact that notable revisions to the roof of the property could be completed without requirement of planning consent under Permitted Development, I do not view that requiring submission of a bat survey would be reasonable in this instance. Officers therefore conclude that an advisory note in relation to the applicant's responsibility with regard to protection of the noted species is proportionate and appropriate in this instance, were consent to be granted. Similarly, recommended advisory notes in relation to nesting birds and hedgehogs would be attached to any grant of consent.

The proposal is therefore considered to be in accordance with Local Plan policy NE2.

## **SUMMARY/CONCLUSION**

It is considered that the proposed first floor side extension forms an incongruous structure within the street scene that does not harmonise with the built form of its surroundings, and harmfully reduces the open nature of the corner plot location. It is therefore recommended that planning consent is refused in this instance.

## **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 Whitnash Neighbourhood Plan includes similar provisions. Paragraph 130 of the NPPF also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. The Council has also adopted The Residential Design Guide as a Supplementary Planning Document.

In the opinion of the Local Planning Authority the proposed first floor side extension constitutes an incongruous feature in the street scene. As a result of both its scale, bulk, mass and siting within a prominent corner plot, the proposal would not be a subservient addition and would harmfully reduce the openness of this corner plot and compromise the building line along Palmer Road, thereby constituting bad design and harming the character and appearance of the streetscene. The proposal would fail to reinforce the established character of the area, or respect surrounding buildings in terms of scale, height, form, and massing.

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

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