

**Planning Committee:** 28 February 2017

**Item Number: 13**

**Application No:** [W 16 / 2301](#)

**Town/Parish Council:** Whitnash  
**Case Officer:** Liz Galloway

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**Registration Date:** 21/12/16

**Expiry Date:** 15/02/17

**24 Ashford Gardens, Whitnash, Leamington Spa, CV31 2NB**

Erection of single storey rear extension FOR Mr G Sandhu

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This application is being presented to Planning Committee due to an objection from the Town Council having been received.

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

The proposal seeks permission for the erection of a single storey rear extension after demolition of existing garage.

**THE SITE AND ITS LOCATION**

The application property is a semi detached dwelling located to the north of Ashford Gardens within a predominantly residential area.

**PLANNING HISTORY**

W/88/0706 - Erection of single and two storey side and rear extension - Granted.

**RELEVANT POLICIES**

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

### The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

### Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)

## **SUMMARY OF REPRESENTATIONS**

**Whitnash Town Council:** Object on grounds of overdevelopment of site, unneighbourly and loss of amenity land.

## **ASSESSMENT**

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

- Design;
- Impact on the living conditions of neighbouring dwellings;
- Energy Efficiency/CO2;
- Health and Wellbeing.

### Design

The proposed design is considered to be acceptable as it provides a subservient form of extension which will not have a material adverse impact on the character and appearance of the street scene. The proposed extension is typical of the design and size of extensions on many properties in the surrounding area and is therefore considered to comply with Policy DP1 and the Residential Design Guide SPG.

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

The proposed extension would breach the 45 degree line taken from the neighbouring property at No.22 Ashford Gardens. However, this is already breached by the existing garage at the application site, which is proposed to be removed to facilitate the proposal. While there is a modest gap which exists between the application property and its existing garage, there is also a brick wall along the boundary with No.22. Furthermore, due to No.22 being situated on a higher ground level, the orientation of the property and the use of a shallow roof on the proposed extension, No.22 having a large outbuilding on the boundary with the application and no objection being raised by the neighbour, it is considered, on balance, that there will be no material harm to the living

conditions of the occupiers of No.22 by reason of loss of light or outlook such as to warrant a reason for refusal.

Number 26 Ashford Gardens has a single storey rear extension and there is no conflict with the Council's adopted 45 degree guidance from this property and therefore it is considered that there will be no material harm by reason of loss of light or outlook.

The Town Council's objections on overdevelopment and loss of amenity space are noted. It is acknowledged that the proposal is a large extension which takes up a large proportion of the existing garden, however, it is considered that an adequate level of amenity space would remain and there would be no material harm to neighbours or the wider area.

### Renewable Energy

Due to the scale of the proposed development it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables or a fabric first approach in accordance with Policy DP12 and the associated SPD would be appropriate. This can be secured by condition.

### Health and Wellbeing

Not applicable

## **SUMMARY/CONCLUSION**

The proposed single storey rear extension is considered to be acceptable for the reasons provided above and is considered to accord with the policies listed.

## **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 1102-D, and specification contained therein, submitted on 19th December, 2016. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO<sup>2</sup> emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied

until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

**REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 4 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone ( whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
  
- 5 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 DP1 of the Warwick District Local Plan 1996-2011.

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