

Planning Committee: 18 July 2017

Item Number: 7

Application No: W 17 / 0602

Town/Parish Council: Warwick

Case Officer:

Lucy Hammond

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Registration Date: 10/04/17

Expiry Date: 05/06/17

10 The Paddocks, Warwick, CV34 4LH

Demolition of existing garage, rear single storey extension and full height bay window to front. Construction of new proposed two storey side extension, single storey rear extension and mono-pitched single storey extension to front. FOR
Mr. Matthew Jones

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Planning permission is sought to demolish an existing single storey flat roof side extension, mono-pitched single storey rear extension and a bay window on the front elevation. Replacement extensions are then proposed to incorporate a two storey side extension, single storey rear extension (across the full width of the rear elevation) and a mono-pitched roof extension on the front elevation.

During the course of the application amended plans have been submitted, reducing the overall scale of the proposed two storey side extension, through a decrease in the height of 500mm. The extension continues to be set back from the principal elevation by 600mm.

THE SITE AND ITS LOCATION

The Paddocks is a cul-de-sac of residential properties comprising pairs of semi-detached two storey buildings. The application property sits in the far west corner of the cul-de-sac with the adjacent neighbour (No.11) at an oblique angle to the north side. The adjoining property (No.9) sits to the south. There are flats to the rear (west) which are approximately 18m away from the rear of the application building. There are no particular landscape designations or other site constraints relevant to this development.

PLANNING HISTORY

W/88/0920 - Construction of bay window - Approved 09.08.1988

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)
- DP12 - Energy Efficiency (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
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Warwick Town Council:

- (1) Comment - request a site visit to verify neighbour objection
- (2) Objection - overdevelopment and incongruous in the street scene

WCC Ecology: Request for a bat survey to be undertaken

Public response: 4 objection letters (2 from the same individual) raising the following concerns:

- Loss of light
- Loss of privacy
- Overbearing
- Overdevelopment
- Not in keeping with street scene

Other non-material planning considerations raised covering the following matters:-

- Whether there is sufficient provision for soakaways / drainage
- Proposed works affecting the Party Wall Act
- Carrying out the works would require access over a shared drive / land in neighbour's ownership

ASSESSMENT

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

- Visual impact / impact on the street scene

- Impact on neighbouring amenity
- Renewables
- Ecological impact

Visual impact / impact on the street scene

The replacement two storey side extension would be subservient to the original dwelling by being set down from the ridge by 500mm and set back from the front elevation by 600mm. Its design and overall scale is similar to the side extension constructed at No.11 which sits in close proximity to the proposal and is considered to be acceptable in terms of impact on the street scene. The existing bay window on the front elevation makes no positive contribution to the street scene and is in fact out of keeping with other properties that have simple lean-to style extensions on their front elevations. Its replacement with a similar lean-to style extension would therefore improve the character and appearance of the host dwelling and would reflect the local vernacular that incorporates a variety of lean-to style extensions on the front elevations. This element of the proposal is therefore considered to be acceptable.

In respect of the rear extension, this is not publicly visible by reason of its position on the rear elevation and accordingly, it is considered this would not result in any harmful visual impacts on the character of the dwelling or the wider surrounding area. Materials proposed would match the existing appearance of the building which incorporates both brick and cladding. Overall, it is officers' opinion that the replacement extensions are sufficiently subservient and comply with the Residential Design Guide and accordingly, the proposed development would not give rise to any harmful visual impacts on either the character and appearance of the existing property or the wider surrounding area and street scene. The proposals therefore comply with saved policy DP1 of the Warwick District Local Plan 1996-2011 and emerging policy BE1 of the New Local Plan 2011-2029.

Impact on neighbouring amenity

The proposals' reduction through the course of the application was due to the original scheme's lack of subservience and non-compliance with the Residential Design Guide. The amendments were not deemed necessary to address any issues of impact on residential amenity, however the reduction in height would further minimise any perceived overbearing nature of the development on the occupiers of No.11. An officer's site visit was undertaken not only to the application site itself but also to No.11. This visit established that the only openings in the side gable of No.11 are a ground floor door and small window serving a utility room which is not considered to constitute primary living accommodation. While an increase in height from the existing single storey extension to a two storey extension would no doubt increase the perception of overlooking and overbearing nature to the neighbour, it is noted that the proposed extension has no side facing windows and the principle of a two storey extension in this position replicates what has already been carried out on the neighbouring plot (No.11). A total separation distance of more than 1.5 metres would still be retained between the two side extensions (as measured from the nearest corners of the buildings) and this gap would substantially widen further into the plots due to the oblique angles at which the buildings sit.

In terms of the impact on other living conditions, concern has been expressed about overlooking and loss of privacy from the proposed new windows in the side extension. The new first floor front facing window would serve a bedroom but due to the relationship Nos.10 and 11 share, the first floor front facing windows in both would not be direct facing windows, instead allowing only oblique views out of them, which is currently the case from No.11 across No.10. Officers are therefore satisfied that direct overlooking between bedroom windows would not be easily facilitated by the proposals.

The 45 degree test has not been undertaken on this occasion; it is normally drawn from the centre point of the nearest habitable room window to the proposed extension. However, in this instance, unusually, the whole of No.10 in its existing form already breaches the 45 degree line that would be taken from the front facing windows of No.11's side extension, so a judgement must be made as to what, if any, additional impacts, might arise from the proposed increase in the height of the side extension. Given the set back and the set down of the extension officers are of the view that it is unlikely to exacerbate any existing overshadowing issues that already arise from the presence of the original dwelling.

In relation to No.9 (the adjoining property), the replacement rear extension breaches the 45 degree line taken from its nearest window by approximately 600mm. In relation to the overall footprint of the extension this is a very minimal breach. With the orientation of the properties, the proposed works are not considered to give rise to any harmful impacts on the amenity of No.9 by reason of overbearing, overshadowing or overlooking.

The front lean-to intended to replace the existing bay window would reduce the depth of the projection at the front and accordingly there would be no impacts on the amenity of the adjoining property in terms of overbearing, overshadowing or overlooking.

Overall, the proposals are considered to be acceptable in terms of their impacts on neighbouring properties and therefore the development complies with saved policy DP2 of the Warwick District Local Plan 1996-2011 and emerging policy BE3 of the New Local Plan 2011-2029.

Renewables

For this type of development proposal, (and having regard to the content of the submitted Sustainable Buildings Statement,) it would be appropriate to impose a pre-commencement condition relating to renewable energy/ fabric first approach to satisfy Policy DP13 and the associated SPD.

Ecological Impact

Notwithstanding the County Ecologist's request for a bat survey to be undertaken prior to determination, officers propose to deal with any potential impacts on protected species through the imposition of the standard precautionary note, to be added on to any forthcoming permission. This is the standard approach in respect of scales of development such as this and would

still ensure the necessary measures are taken in the event any bats were to be found through the course of construction.

Other matters

Those matters raised by neighbours which are not relevant to the consideration of this planning application (drainage / Party Wall Act) would be dealt with by Building Control at the appropriate time in the event planning permission were forthcoming. The matter of the physical construction involving access over third party land and/or shared access arrangements is a civil matter and therefore not a material planning consideration.

SUMMARY/CONCLUSION

The principle of development is acceptable subject to the relevant material considerations assessed in this report. There would be no visual harm arising from the proposals and the development is considered to be acceptable in terms of its impacts on neighbouring amenity. For these reasons it is recommended that planning permission be granted.

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 drawings PL-001, PL-002, PL-003 and PL-004, and specification contained therein, submitted on 4 April 2017 and EL-001 Rev.A and specification contained therein, submitted on 2 June 2017. **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 CO² 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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