

**Planning Committee:** 08 January 2020

**Item Number: 9**

**Application No:** [W 19 / 1285](#)

**Town/Parish Council:** Cubbington

**Case Officer:** George Whitehouse

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**Registration Date:** 27/08/19

**Expiry Date:** 22/10/19

**2 Penns Close, Cubbington, Leamington Spa, CV32 7LX**

Variation of condition 2 of application reference W/19/0287: Erection of a front dormer, front porch and two storey side extension with dormer (Retrospective) (Set down reduced from previously approved) FOR Mr & Mrs Hyam

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This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

**RECOMMENDATION**

It is recommended that Planning Committee refuse this application for the reasons set out in this report.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought to vary condition 2 of application W/19/0287.

W/19/0287 gave consent for the erection of a front dormer, front porch and two storey side extension with dormer (Retrospective). This application was granted as the plans were amended to accord with the Council's Residential Design Guide.

The as built extensions differ from the previously approved proposals.

As built there is no significant set down of the roof ridge from the original dwelling as required by the Residential Design Guide. There is a small visual break of around 0.1m between the extension and the original building which is represented on the plans.

**THE SITE AND ITS LOCATION**

Penns Close is a cul-de-sac off High Street which is comprised of semi-detached and detached bungalows. 2 Penns Close is a semi-detached bungalow

**PLANNING HISTORY**

W/18/0543: Erection of a front dormer, porch and two storey side extension (GTD)

W/19/0287: Erection of a front dormer, porch and two storey side extension (GTD)

W/19/1568: Landing and steps to facilitate access to garden (under consideration)

ENF/124/19: Construction of an extension without compliance with the approved drawings.

### **RELEVANT POLICIES**

- National Planning Policy Framework
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- Residential Design Guide (Supplementary Planning Guidance - May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)

### **SUMMARY OF REPRESENTATIONS**

**Public:** 5 letters of public support on the grounds that the extension has been constructed to a high standard and enhances the street scene.

### **ASSESSMENT**

#### Design

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The Council's adopted Residential Design Guide SPD (2018) gives guidance to help make the assessment of good design under Policy BE1. The RDG states that in order to appear as subservient additions, side extensions should not be greater than 2/3rds of the width of the original dwelling house. There should be also be a set down of the roof ridge of a minimum of 225mm.

The side extension as approved is greater than 2/3rds the width of the original dwelling. Therefore the key factor in ensuring a subservient design was the previously approved 225mm set down.

The as-built roof design differs from the previously approved drawing in that it provides a lesser set down between the existing dwelling roof and the new roof ridge line of the extension such that in the street scene the difference in ridge height isn't discernible as built. Consequently, when viewed from the street the extension appears as a continuation of the plane of the existing roof.

Since the as built extensions are not considered to read as subservient additions they are not considered to comply with Local Plan Policy BE1, the objective of which is promoting good design (which the RDG gives guidance on). In addition to this, by not building a subservient extension this application does not take into account any local design standards or style which is a requirement of NPPF paragraph 130. The as built development is therefore considered to fail to

harmonise within the wider area which is characterised by dwellings with subservient additions.

The quality of the approved development is considered to have materially diminished between the previously approved design and the as built development for which permission is now sought. Paragraph 130 of the NPPF specifically advises local planning authorities to seek to ensure that this does not occur. The proposals do not comply with the Council's adopted Residential Design Guide and therefore the objectives of local plan policy BE1. It is considered the application should be refused on this basis.

#### Impact on the amenity of neighbouring occupiers.

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

There is no additional impact on the amenity of neighbouring occupiers as a result of this application above that of the previously approved application. The raised platform and stairs that are an existing feature do not form part of this application and are under consideration under application reference W/19/1568.

#### Summary

The quality of the approved development is considered to have materially diminished between the previously approved design and the as built development which is proposed to be regularised under this variation of condition 2 application. The proposed (as-built) extensions are not subservient to the original dwelling, do not comply with the Council's adopted Residential Design Guide and therefore the objectives of local plan policy BE1. It is recommended for this reason that planning permission is refused.

### **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 proposed (as-built) extension by reason of the absence of a sufficiently set down ridge height is not subservient to the character and form of the original dwelling and therefore comprise an inappropriate form of development which is harmful to the wider street scene, contrary to the Council's adopted residential design guide.

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

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