

Planning Committee: 02 November 2005

Item Number: 15

Application No: W 05 / 1557

Registration Date: 15/09/05

Town/Parish Council: Leamington Spa

Expiry Date: 10/11/05

Case Officer: Alan Coleman

01926 456535 planning_east@warwickdc.gov.uk

55 Kingsway, Leamington Spa, CV31 3LG

Erection of front, side and rear extensions FOR Mr and Mrs J Uppal

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

SUMMARY OF REPRESENTATIONS

Town Council: Object on grounds that the proposal would constitute overdevelopment of the site.

Neighbours: 2 letters of objection. One from the resident of 53 Kingsway on unspecified grounds and the other from 44 Kingsway expressing concerns about parking provision and highway safety.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
Distance Separation (Supplementary Planning Guidance)
The 45 Degree Guideline (Supplementary Planning Guidance)

PLANNING HISTORY

Planning application W05/0826 for the extension and conversion of the dwelling into 3 no. flats was refused by Planning Committee at the meeting on 3 August 2005 for the following reason:

"District-Wide Policy ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design and harmonise with their surroundings. This is reflected in Policies DP1 and DP2 of the emerging Warwick District Local Plan 1996-2011 (Revised Deposit Version), which states that development will only be permitted which positively contributes to the character and quality of the environment and will not be permitted where it has an adverse impact. Furthermore, Policy H15 of the Warwick District Local Plan 1995 states that proposals for the conversion of existing properties into smaller dwellings will be considered only where there is no adverse impact upon the character and amenity of surrounding areas."

The site relates to a two storey semi-detached property and in the opinion of the District Planning Authority the proposal to convert and extend the property to create 3 separate residential units would result in unacceptable harm by reason of its over-intensive use of the presently semi-detached property with the consequent adverse impact on the character and amenity of the area.

The proposal therefore is considered to be contrary with the aforementioned policies."

Objection was therefore raised to the conversion of the property to flats rather than to the proposed extensions.

KEY ISSUES

The Site and its Location

The premises comprise one of a pair of linked semi-detached houses situated on the southern side of Kingsway within an established residential area containing a mix of semi-detached houses of broadly similar size and design laid out on a common building line along the alignment of the road. The front curtilage of the site has a depth of some 16 metres and is currently laid out as a grassed lawn enclosed by a privet hedge with a footpath alongside the western boundary with 57 Kingsway. The main body of the dwelling is set in from the side boundary with No. 57 by some 3 metres providing an overall separation distance of some 5.7 metres between the side elevations.

There is no vehicular access to the site from Kingsway and roadside parking is unrestricted, other than by dropped kerb crossings that been formed to serve off-road parking spaces in some of the front gardens of neighbouring properties. There is a lamppost directly outside the property in the grass verge that runs along both sides of the road.

The adjoining garage serving the neighbouring dwelling at 57 Kingsway has been converted into a lounge and has been extended by the addition of a conservatory structure that has a clear perspex roof and wall adjacent to the site boundary. The neighbouring dwelling at No. 53 has a single storey rear extension that also extends up to the boundary of the site.

Details of the Development

The proposal is to erect two-storey side, ground and first floor rear extensions for continued use of the property as a single dwelling house and are identical to the extensions proposed as part of the previous application.

Assessment

The proposed extensions would be domestic in scale and, in accordance with established practice, the two-storey side extension would be subservient to the main body of the original dwelling and a separation distance of 1 metre would be retained between the side elevation and boundary with 57 Kingsway. The scheme has also been designed to comply with adopted

Supplementary Planning Guidance in relation to '*The 45 Guideline*' when measured from the ground floor lounge window of 57 Kingsway and the first floor bedroom window of 53 Kingsway. For these reasons, I consider the development would therefore be acceptable in terms of its design and appearance and impact on neighbouring residents' amenities. The lack of objection by this 'Committee to this aspect of the previous application reinforces my view on this matter.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 1616/4, and specification contained therein, submitted on 15 September 2005 unless first agreed otherwise in writing by the District Planning Authority.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 3 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 (DW) ENV3 of the Warwick District Local Plan 1995.
