

Planning Committee: 01 February 2022

Item Number: 11

Application No: [W 21 / 2069](#)

Town/Parish Council: Lapworth

Case Officer: Thomas Fojut

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Registration Date: 12/11/21

Expiry Date: 07/01/22

Chestnut House, The Old Nursery, Station Lane, Lapworth, Solihull, B94 6JJ

Conversion of existing garage into a games room and erection of detached garage with store FOR Mr & Mrs Cooper

This application is being presented to Planning Committee as Lapworth Parish Council has objected to the proposal.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Conversion of existing garage and erection of detached garage with store.

THE SITE AND ITS LOCATION

Chestnut House is a two-storey detached dwellinghouse located on the east side of Station Lane, Lapworth.

Dwellings within the street comprise predominantly of detached and semi-detached properties from various periods. The application property is accessible via a private driveway and forms part of a small, gated development comprising of 6 dwellings which under previous planning permissions formed part of an allocated housing site for 6 dwellings within a Growth Village. This group of properties are detached dwellings which are set back from Station Lane. They all include front gardens and hard surfacing for off-street parking. The development is also screened by some trees and vegetation with additional landscaping added following the approval of the previous application (W/20/0968).

PLANNING HISTORY

W/20/0968 - Resubmission of W/19/1470: Erection of a self-build dwelling to Plot 1 - Granted September 2020.

W/19/1470 - Erection of a self-build dwelling to Plot 1 - Withdrawn December 2019.

W/19/0533 - Reinstatement of existing driveway - Granted July 2019.

W/18/1679 - Reserved matters application to provide details of appearance, landscaping, layout and scale in relation to application W/16/2157 (outline application for the erection of three dwellings) - Granted October 2018.

W/18/1012 - Demolition of existing office buildings and erection of 3 detached dwellings with associated car parking - Refused July 2018.

W/16/2157 - Outline application for demolition of existing office buildings and erection of 3no. detached dwellings with associated access and car parking. Realignment of existing drive connecting to the existing access on Station Lane - Refused February 2017.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council - Object to the proposals on grounds of overdevelopment of the existing plot.

WCC Ecology - Recommend a Preliminary Ecological Appraisal (PEA) of the site is carried out prior to determination. Also recommend the biodiversity impact is assessed and location of trees in relation to RPAs is considered.

Public Response - 1 neutral neighbour comment received.

ASSESSMENT

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

- Design of the proposed extension
- Impact on the amenity of neighbouring properties
- Ecology

Design of the proposed extension

Warwick District Local Plan Policy BE1 states that development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. The adopted Residential Design Guide SPD also sets out design principles to which development proposals will be expected to comply.

Lapworth Parish Council have objected to the proposals as they consider it to be overdevelopment of the existing plot.

This comment has been noted; however the proposals are considered to be acceptable in design terms as they are in keeping with the rest of the property, are an appropriate scale for the dwellinghouse and will be constructed using matching materials. The existing dwelling sits in a large plot set well back from the road and the proposed building will sit comfortably within in and not result in harm to the streetscene.

The development is therefore considered to accord with Policy BE1 of the Warwick District Local Plan.

Impact on the amenity of neighbouring occupiers

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of nearby uses and 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 against a material loss of light and outlook.

One neighbour has provided neutral comments on the proposals raising questions about loss of light to their patio, potential overshadowing and loss of privacy, potential increased disturbance from the proposed games room and the aesthetics of extending the expanse of the brick wall which back onto their property.

The conversion of the existing garage into a games room does not require planning and therefore this element of the proposal is not subject to assessment under this application. Nevertheless, an incidental use to the dwelling will be unlikely to result in a level of noise disturbance to result in material harm to the amenity of the neighbouring property.

While the proposed building breaches the 45-degree line from windows serving habitable rooms of adjacent properties, the breach is at a point >8m away which is considered acceptable in accordance with the provisions of the Residential Design Guide SPD. Accordingly, the proposal is considered acceptable in terms of impact on light and outlook. No windows are proposed on the rear elevation and therefore there will be no loss of privacy. The proposed building is due south of The Coach House and there will be some loss of light to parts of its garden, however, it is considered that the level of harm will be limited and not sufficient to justify a reason for refusal in this case.

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

Ecology

The Ecology Department at Warwickshire County Council have recommended that a Preliminary Ecological Appraisal (PEA) and biodiversity assessment is carried out. These recommendations have been noted, however, given the householder

nature of the proposal it is considered that notes relating to protected species would be appropriate in this case. There are no protected trees within the vicinity of the application proposal.

Conclusion

The development proposal is considered to be in keeping with the character and appearance of the property and the area. In addition, the proposals are not considered to present a harmful impact upon the amenity of the neighbouring properties in relation to light, outlook or privacy and are in accordance with the aforementioned policies and the application is therefore recommended for approval.

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(s) 3940_001, 3940_004 and specification contained therein, submitted on 12th November 2021. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
 - 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the main house. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
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