

Application No: W 12 / 1260

Town/Parish Council: Warwick

Registration Date: 12/11/12

Case Officer:

Penny Butler

Expiry Date: 07/01/13

01926 456544 penny.butler@warwickdc.gov.uk

102 Montague Road, Warwick, CV34 5LL

Erection of two storey side and single storey rear extensions to form two 2-bedroom and one 1-bedroom apartments. Demolition of existing utility room, WC and garage. FOR Mr Davies

This application is being presented to Committee due to the likely number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of a two storey side extension to the existing house following demolition of the existing garage and extension, and a single storey rear extension across the rear of the extended house. The side extension has its front wall at first floor level set back by 0.6m, which results in a drop in ridge height from the original house. At the rear, the single storey extension projects by 1.75m adjacent to the boundary with the adjoining neighbour, and then steps out a further 0.4m. Amended plans have been submitted following consultation to provide four parking spaces on the frontage, with a new vehicular access point provided in addition to the existing, showing turning areas for vehicles. The amended design has reduced the width of the extension from 7.2m to 5.4m. The proposal also includes the subdivision of the existing property to two apartments and the creation of a one bedroom apartment within the extension.

THE SITE AND ITS LOCATION

The application site is located close to the busy junction of Montague Road and Greville Road, in a residential area. The dwelling and its attached neighbour front onto a small triangular area of grassed verge on the corner of the junction. The site contains a semi-detached house of 1960s design, with a single storey side extension which links to an original flat roof garage at the side. This garage adjoins that of the neighbouring dwelling at no. 100, a further semi-detached house with single storey side and rear extensions. This neighbour's dwelling is angled slightly more than 90 degrees away from the application dwelling, and they currently share a dropped kerb for vehicular access. The adjoining semi-detached neighbour has a large two storey side extension which is set back considerably from the front elevation and extends slightly to the rear.

PLANNING HISTORY

In 2003 a single storey side extension was approved. Earlier this year an application was refused for the erection of a two storey side extension, single storey rear extensions and a rear dormer window (W11/1343). This was refused as the development was considered to constitute overdevelopment of the site, which would lead to a terracing effect that would appear out of character with the existing semi-detached house. It was considered that there would be an unacceptable impact on neighbouring amenity due to loss of privacy, loss of amenity space, and noise. In addition, the proposed parking would have been unusable as no vehicular access was provided to serve the spaces, which would have led to parking on the public highway to the detriment of highway safety. Since this application was refused, a rear facing dormer window has been added to the dwelling using their permitted development rights.

RELEVANT POLICIES

- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- 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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (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)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection.

Public response: Four objections received to the original plans on the following grounds:

- Insufficient parking, dangerous access, development too close to busy junction
- Loss of privacy to neighbours
- Loss of light and outlook to neighbours windows and gardens
- Noise and disturbance due to siting of living room next to neighbours bedroom
- Small rented residential units will be out of character with surrounding detached and semi-detached houses
- The building has not been occupied for over a year
- Work on the loft conversion is still underway
- The design of the extension is not subservient to the existing building

- Impact on overloaded sewer system

WCC Ecology: Request bat and bird notes.

WCC Highways: Raise objection to original layout due to insufficient parking, over-extended dropped kerb and no turning provision. Comments on revised layout are awaited.

Assessment

Principle of development

The proposed extension would be located partly on the site of the existing garage and side extension, and partly on the existing parking area at the side of the house which is not developed and therefore is strictly contrary to Policy UAP1 of the Local Plan. However, only limited weight should be given to Policy UAP1 in light of the NPPF. This states at paragraph 14 that where the development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

Impact on visual amenity

The amended design respects the original scale and character of the semi-detached pair of dwellings, as a subservient addition due to its lower ridge line and reduced width compared to the original house. The attached neighbouring dwelling has already been extended by a wide two storey extension, although this is set back a substantial distance from the front elevation, so the proposed extension would rebalance the pair of semi-detached houses to some extent. It is therefore considered that the proposal would not lead to unacceptable harm to the character of the area which contains a number of similar properties, or detract from the quality of the street scene. This pair of semi-detached houses face towards Greville Road and are set at a wide angle to the neighbour on Montague Road, which results in a wide gap between the houses. The proposed extension would infill this gap and partly block views of the side of the neighbour on Montague Road, and would remain some 5.5m away from the corner boundary, so it is not considered that it would appear harmful to the street scene. The fact that the extension would lead to the creation of an apartment instead of dwellings is not of relevance to the assessment of the external appearance and visual impact. The proposed development is therefore considered to comply with the requirements of the Residential Design Guide and Policy DP1.

Impact on neighbouring amenity

The proposed extension would mainly impact on the two adjoining plots. The adjoining neighbour (no.12 Montague Road) would have a single storey extension erected close to their rear side boundary, near their rear facing lounge windows and outdoor patio. The proposed extension would, however, comply with a 45 degree guideline taken from this window, in accordance with the Residential Design Guide which seeks to provide a reasonable standard of outlook and amenity for affected neighbours. The proposed extension would cause loss of light to this neighbour's rear patio area as the extension is on the western side of this neighbour, however, since the 45 degree guideline would

not be breached, and the first floor side extension would not project further to the rear than the existing house, it is considered that there would be insufficient grounds for refusal due to loss of light. The proposed layout would provide a first floor living room adjoining the neighbours bedroom which has the potential to lead to unacceptable noise and disturbance to the living conditions of this neighbour. It will therefore be necessary for a satisfactory noise insulation scheme to be provided to protect the amenity of this neighbour, in accordance with Policy DP9.

The detached neighbour on Montague Road (no.100) has several side windows to non-habitable rooms, whilst their rear facing windows face away from the proposed side extension, but would have a view at a 45 degree angle of the proposed single storey rear addition. Due to the angle, the proposed windows in the ground floor extension would look towards this neighbours garden rather than towards their windows, so their privacy inside the house would not be significantly affected. It is not considered that the proposals would have an overbearing impact on this neighbours property, or lead to a significant loss of privacy, due to the orientation of the buildings.

The development is therefore considered to comply with Policy DP2.

Impact on highway safety and parking

The proposed dwellings would require four parking spaces in accordance with the Councils Parking Standards. The amended scheme provides these spaces which are accessed by a new dropped kerb, along with turning areas to ensure cars do not have to reverse onto the highway. Revised comments from the Highways Authority are awaited. Given that the parking requirement would be met, there are no grounds for refusal as the parking needs of the development will be met and there should be no overspill parking on to the public highway. Subject to the removal of the objection from the Highways Authority, the development would comply with Policies DP6 and DP8 of the Local Plan.

Sustainability

The applicant proposes to provide two solar thermal panels and an air source heat pump to provide an energy saving well in excess of the 10% required under Policies DP12 and DP13.

The surfacing for the proposed parking area would be permeable to prevent surface water from entering the highway and contributing to flooding. Foul water drainage details are to be required for approval prior to commencement of work, which will ensure the existing system can accommodate the proposed flows, or that it be redesigned to the appropriate standard, therefore complying with Policy DP11.

Other matters

The applicant has confirmed they will make a contribution towards public open space improvements in accordance with Policy SC11, and the relevant contribution is £3,428 which can be required by condition.

Summary/Conclusion

In the opinion of the Local Planning Authority, the development respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents or highway safety. The proposal is therefore considered to comply 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 application form, site location plan and approved drawing(s) (1716-2D, 1716-3E), and specification contained therein, submitted on 10 December 2012. **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 access to the site for vehicles and parking areas shall not be used in connection with the development until they have been surfaced with a suitable bound material for a distance of at least 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 4 No use of the development hereby permitted shall commence unless and until a pavement and verge crossing has been constructed to the site in strict accordance with the approved drawings or any subsequent amendment approved in writing by the local planning authority. **REASON:** To ensure that a pavement and verge crossing is available for use when the development commences thereby enabling safe and convenient access to and egress from the site in the interests of the safety of road users and pedestrians in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall only be undertaken in strict accordance with foul and surface water drainage details to be submitted to and approved in writing prior to any development commencing on site. These shall include plans showing the existing and proposed drainage systems for the site, showing the location of manhole's, soak ways, septic tanks and pipes including size, shape, material, fall and level in relation to ground and building levels to ordinate survey datum. The applicant is to undertake and provide percolation test results for the site where infiltration of water is proposed (if used), this is to be in accordance with British building regulations part M. The applicant is to provide a report showing photos of the tests being carried out and details of the test results along with soak away design calculations in

accordance with BRE 365. If infiltration is not suitable on site then another drainage strategy will need to be submitted. The applicant is to provide calculations for both foul and surface water drainage mechanisms for the site to prove that the proposed development does not have an adverse effect on the existing drainage systems. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details.

REASON: To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

- 6 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 7 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 8 The number of bedrooms in the dwellings shall not be increased and the internal floor layouts hereby permitted as depicted on approved drawing numbers 1716-2D and 1716-3E shall not be altered. There shall be no future subdivision of the dwellings involving the creation of further bedrooms other than those depicted on this drawing. **Reason:** A potential increase in bedroom numbers on this site with limited off street parking is likely to increase on street parking demand in front of the site which would be detrimental to highway safety and amenities of neighbouring residents contrary to Policies DP2 and DP8 the Warwick District Local Plan 1996 - 2011.
- 9 No facing and roofing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of

the existing building. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission, shall be placed at any time in the rear or side elevations of the extension. **REASON:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 11 The dwellings hereby approved shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.
- 12 Gates/barriers/doors erected at the entrance to the site for vehicles shall not be hung so as to open to within 6 metres of the near edge of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 13 The dwellings hereby permitted shall not be occupied unless and until the means of access to the site has been provided in full accordance with the approved details and thereafter the means of access shall be kept available for use by vehicular traffic at all times. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 14 The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 15 The dwelling(s) hereby permitted shall not be occupied unless and until all party walls and floors have been insulated to minimise the transmission of noise and vibration to the level of sound resistance given in Table 1a) of Approved Document E of the Building Regulations and a noise report submitted to and approved in writing by the Local Planning Authority and thereafter such insulation shall not be removed

or altered in any way. **REASON:** To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
