

Planning Committee: 08 November 2016

Item Number: 6

Application No: [W 16 / 1483](#)

Town/Parish Council: Cubbington
Case Officer: Pavan Flora

Registration Date: 17/08/16
Expiry Date: 12/10/16

01926 456521 Pavan.Flora@warwickdc.gov.uk

11 Balmoral Way, Cubbington, Leamington Spa, CV32 7HU
Erection of single storey front, side and rear extension FOR Mrs Meadows

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Erection of single storey front, side and rear extension.

THE SITE AND ITS LOCATION

The application site relates to a semi-detached property located on the south side of Balmoral Way, Cubbington within a predominantly residential area with similar styled properties nearby. There is an existing driveway to the front and side of the house which leads to the garage at the rear.

PLANNING HISTORY

No relevant planning history.

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)

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)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Cubbington Parish Council Object on grounds that the development will have an unneighbourly overbearing effect on no. 9 Balmoral Way as it breaches the 45 degree line.

Public Response: One objection has been received from the neighbour at 9 Balmoral Way on grounds of loss of light.

WCC Ecology: Recommend bat and nesting bird notes

Assessment

The main issues in the consideration of this application are:

- Design and impact on the street scene
- Impact on the living conditions of the occupiers of the neighbouring property
- Parking
- Renewables/ Fabric First

Design and impact on the street scene

The proposed extension would be a subservient addition which would sit comfortably on the application property and within the streetscene as a whole and would comply with Policy DP1 and the Residential Design Guide SPG.

Impact on the living conditions of the occupiers of the neighbouring property

Warwick District Local Plan Policy DP2 requires development to have an acceptable impact on the amenity of nearby users or residents. The Residential Design Guide provides a framework for Policy DP2, which stipulates that extensions should not breach a 45 degree line taken from the window of the nearest front or rear facing habitable room of a neighbouring property.

The neighbour and Town Council comments are noted. However, while there is a breach of the Council's adopted 45 degree line taken from the neighbour at number 9 Balmoral Way, in this case the proposed rear extension projects 3m from the rear elevation and would normally be permitted development under the Government's impact based approach. The reason planning permission is required in this case is because the extension wraps around the side of the house. It is considered that as the part of the development which breaches the

Council's 45 degree line is no more than 3 metres in depth which is acceptable under the Government's impact based approach, it would be unreasonable to refuse planning permission for this reason.

Parking

The proposal will result in the loss of off street parking spaces to the side of the house. One space will remain to the front, which will be below the requirement for two as specified in the Council's Vehicle Parking Standards SPD. However, it is considered that there is ample spare capacity on street and the proposal will not result in material harm to residential amenity. The proposal is therefore considered to comply with Policy DP8.

Renewables/ Fabric First

Given the limited scale of the proposed development it is considered that it would not be appropriate to require the provision of renewables/fabric first in accordance with Policy DP13 and the associated SPD.

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 No. 16038 002, 16038 005, 16038 004, 16038 003, 16038 001 and specification contained therein, submitted on 20th June 2016. **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 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.