

Planning Committee: 11 July 2006

Item Number:

Application No: W 06 / 0773

Registration Date: 18/05/06

Town/Parish Council: Leamington Spa

Expiry Date: 13/07/06

Case Officer: Rob Young

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11 Telford Avenue, Lillington, Leamington Spa, CV32 7HJ

Erection of single and two storey rear extension and front porch extension and new roof to existing single storey side extension. FOR Ms M Keyte

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

SUMMARY OF REPRESENTATIONS

Town Council: Object. "The proposal is considered an overdevelopment of the site causing a terracing effect which is detrimental to neighbouring properties".

WCC (Ecology): Recommend a note relating to bats as protected species is added to any approval granted if the proposal will affect existing roof space.

RELEVANT POLICIES

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

PLANNING HISTORY

In November 2005 planning permission was refused under delegated powers for "erection of garage and garden store with access onto Avondale Road" (Ref. W05/1692). That application related to a proposed detached building at the bottom of the garden. The reason for refusal related to highway safety concerns.

In February 2006 planning permission was granted under delegated powers for "erection of a garden shed in rear garden" (Ref. W05/2074).

KEY ISSUES

The Site and its Location

The application relates to a two storey semi-detached dwelling situated on the south-western side of Telford Avenue. The site is within a predominantly residential area. The surrounding area is characterised by two storey dwellings of a similar age and design, albeit including a range of different house types. This section of Telford Avenue consists mainly of semi-detached dwellings, although there are also a number of detached properties. The application property is in the middle of a run of 10 semi-detached dwellings. The property has a long rear garden backing onto Avondale Road.

The application property has been extended previously with a covered way along the boundary with the adjacent dwelling at No. 15 Telford Avenue. The covered way currently has a glazed roof. The Council's records also indicate that the kitchen has also been extended previously.

The adjoining dwelling at No. 9 Telford Avenue has a single storey rear extension onto the shared boundary. The adjacent dwelling at No. 15 Telford Avenue has a rear conservatory extension close to the shared boundary.

Details of the Development

The application proposes a single and two storey rear extension. The ground floor element would comprise a 1.8m deep living room extension along the boundary with the adjoining dwelling at No. 9 Telford Avenue, and a 3.3m deep kitchen extension that would be set 1.1m off the boundary with the adjacent dwelling at No. 15 Telford Avenue. The first floor rear extension would be above the kitchen and would project 3.4m from the existing rear elevation at first floor level.

The application also proposes an enlarged front porch, which would be linked into a new pitched roof over the existing side covered way.

Assessment

I consider that the main issues relevant to the assessment of this application are as follows:

- The impact of the proposals on the living conditions of neighbouring dwellings; and
- The impact of the proposals on the character and appearance of the area.

Living conditions of neighbouring dwellings

I do not consider that the proposal would have a significant impact on the living conditions of the adjoining dwelling at No. 9 Telford Avenue. The living room extension would be on the shared boundary, but it would project no further than the existing rear extension to No. 9. The kitchen and bedroom

extension would be set 4m from that boundary and would not infringe a 45-degree sightline in relation to windows in the rear of No. 9.

I do not consider that the proposal would have a significant impact on the living conditions of the adjacent dwelling at No. 15 Telford Avenue. The kitchen and bedroom extension would be set 2.5m from the nearest part of No. 15, and whilst it would be set to the southeast, it would not infringe a 45-degree sightline in relation to windows in the rear of that property. The proposals would impact upon windows in the side of No. 15's conservatory, but there are windows in the other elevations of that structure and therefore I am satisfied that the proposal would not result in undue loss of light or outlook for the conservatory.

Character and appearance of the area

I am of the opinion that the proposals would have an acceptable impact on the character and appearance of the area. The design and form of the proposed extensions would be in keeping with that of the existing property.

The Town Council's concerns regarding the appearance of the proposal are noted, but I do not consider that the extensions would represent an overdevelopment of the property. The side extension is limited to a single storey porch and pitched roof over the existing covered way and therefore I do not consider that the proposals would result in the formation of an undesirable terracing effect. The application does not propose a first floor side extension, and the first floor of the property would remain at least 1m from the side boundary.

RECOMMENDATION

GRANT, subject to the conditions listed below.

- 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(s) 05/96-02 & 05/96-03, and specification contained therein, submitted on 18 May 2006 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 Local Plan Policy ENV3.
- 3 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 shall be placed at any time at first floor level in the northwest facing or southeast facing elevations of the two storey rear extension hereby permitted.

REASON : To retain control over future development so that the residential amenity of adjoining occupiers is protected.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District 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. The proposal is therefore considered to comply with the policies listed.