

Planning Committee: 19 July 2016

Item Number: 7

Application No: [W 16 / 0552](#)

Town/Parish Council: Leamington Spa
Case Officer: Jo Hogarth

Registration Date: 31/05/16

Expiry Date: 26/07/16

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76 The Fairways, Leamington Spa, CV32 6PP

Proposed two storey side & rear extension FOR Dr Anissa Tse

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The proposal seeks to construct a first floor side extension, single and two storey rear extensions together with an enlarged front porch area.

THE SITE AND ITS LOCATION

The site relates to a detached two storey dwelling house comprising of three bedrooms and garaging, located on the north side of the road. The site does not fall within the Conservation Area. The character of properties within The Fairways and nearby Beverley Road vary in design and style with no uniform appearance. This part of The Fairways is a no through road.

PLANNING HISTORY

There have been no recent planning applications submitted for this site.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (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)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Objection: The application is contrary to DP2 of Warwick District Local Plan in that the proposed extension would have an unacceptable adverse impact on the amenity of nearby users and residents and does not provide acceptable standards of amenity for future users/occupiers of the development.

WCC Ecology: Recommend a condition requiring supervision of all destructive works.

Public response: 5 letters of objection have been received on the grounds that the proposal represents over development of the site and lends itself to multiple occupancy which would lead to car parking problems. Furthermore the Juliette balconies would result in overlooking and loss of privacy. The development would be out of keeping with the character of the area.

ASSESSMENT

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

- The impact on the character and appearance of the area
- The impact on the living conditions of nearby dwellings
- Car parking
- Renewable Energy
- Ecological impact
- Health and Wellbeing
- Other matters

The impact on the character and appearance of the area

Many of the properties in the surrounding roads have been altered in some form and so there is no uniform character of house type. The design of the extensions would appear as a subservient addition to the main house, being set down from the ridge line and set back from the front face of the main house. The first floor extension would appear to have a long 'cat-slide' roof which would also reduce the massing. It is proposed to set the extension off the shared boundary with

number 74 The Fairways by 1 metre. It is proposed to insert a small dormer window in the front elevation of the extension and this would be set 1 metre above the eaves lines and set in 0.7 metres from the side edge of the extension. The design would thereby be in accordance with the advice contained in the Council's adopted Residential Design Guide.

In terms of impact on the character and appearance of the area, the proposal is considered acceptable and would not appear as an incongruous feature within the streetscene such that a refusal of permission could be sustained. Other properties within the area have extended in a similar manner. The proposed porch would have a pitched roof of a similar pitch to that of the main house. The proposal is considered to meet the objectives of Policy DP1 in the Local Plan.

The impact on the living conditions of nearby dwellings

No side facing windows are proposed in the first floor extension, with Juliette style rails over the doors at first floor to the rear. There are no windows in the side elevation of number 74 the Fairways either. The objections relate to overlooking from these French doors at first floor level, however there are existing windows at the first floor currently at the rear of the application property and therefore it is considered that Juliette style windows would result in no greater impact as they are not balconies on which people can sit out. With regards to number 78 The Fairways, again, this property does not have any side facing windows which would be impacted upon in terms of loss of light.

The design of the extensions are such that there would be no breach of the Council's adopted SPG on the 45 degree line from either numbers 74 or 78 The Fairways and therefore on an impact based assessment the proposal is considered to be acceptable.

Car Parking

The proposal would not trigger the requirement to provide any additional off street parking spaces and whilst the objections are noted with regards to increased pressure for parking, the provision of two off street parking spaces meet the Council's adopted Vehicle Parking Standards SPD.

Renewable Energy

It is considered that due to the additional floor area being proposed through this application that a condition be attached requiring details of either a renewables scheme or a fabric first approach be submitted. This would accord with the objectives of the Council's adopted Supplementary Planning Document on Sustainable Buildings as well as the objectives of Policy DP13 in the Local Plan.

Ecological Impact

No objection is raised on ecological grounds, subject to a condition being attached to require the destructive works to be supervised by a qualified bat worker and the tiles to be removed by hand to ensure that no protected species are harmed. Furthermore, it is recommended that at least one bat box be erected on a suitable tree. This would meet the requirements set out in Policy DAP3 in the Local Plan.

Health and Wellbeing

It is considered that there are no adverse health and wellbeing issues relating to this application.

Other Matters

With regards to the objections that the property could be used for multiple occupancy, a separate planning application for a change of use would be required as the site is covered by the Article 4 Direction in relation to Houses in Multiple Occupation. Therefore this does not form part of the assessment of this current application.

SUMMARY/CONCLUSION

The proposal is considered to be acceptable in terms of the impact on the streetscene and would not result in significant harm to residential amenity such that a refusal of permission could be sustained. The application is considered to meet the objectives of the Local Plan Policies listed together with the SPG's and SPD's.

CONDITIONS

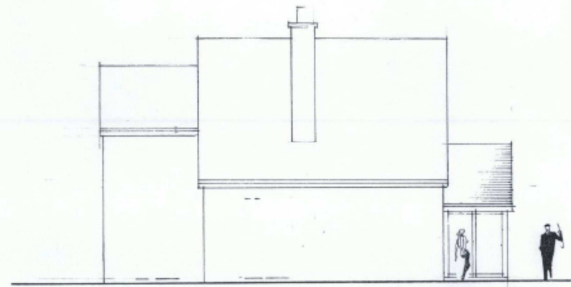
- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing numbers 2016-1551-2; 3B; 4A and 5, and specification contained therein, submitted on 22 March 2016 and 6 April 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 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 4 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.

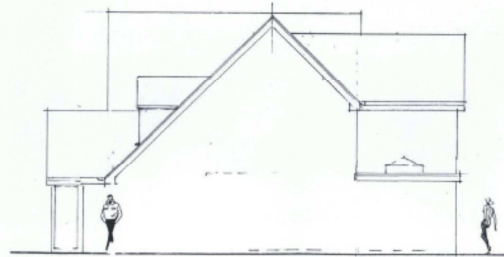
 - 5 The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building(s) and tiled dormer(s). All roofing material is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works will be implemented within the timescales agreed between the bat worker and the Local Authority Ecologist/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings. **REASON:** To ensure that protected species are not harmed by the development and to satisfy the requirements of Policy DAP3 in the Warwick District Local Plan 1996-2011.
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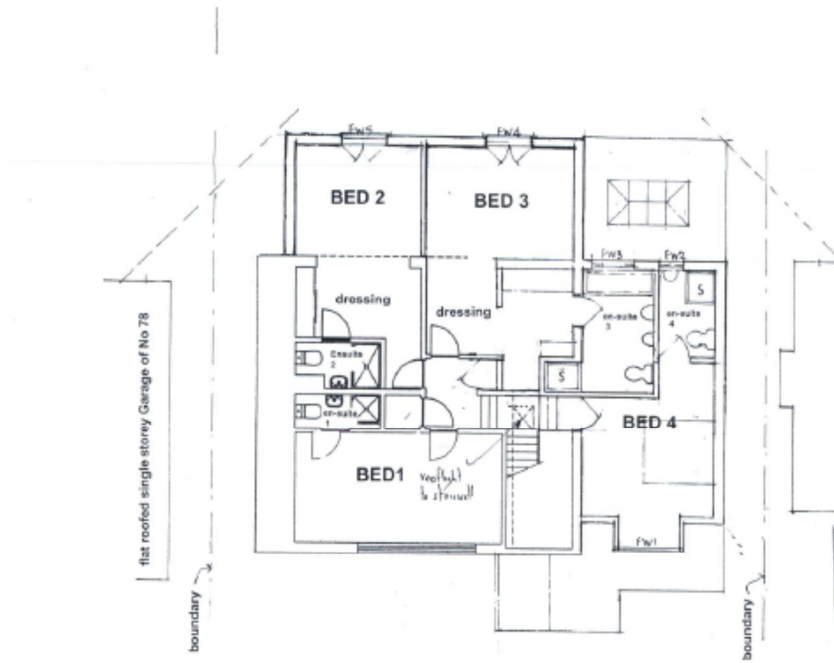
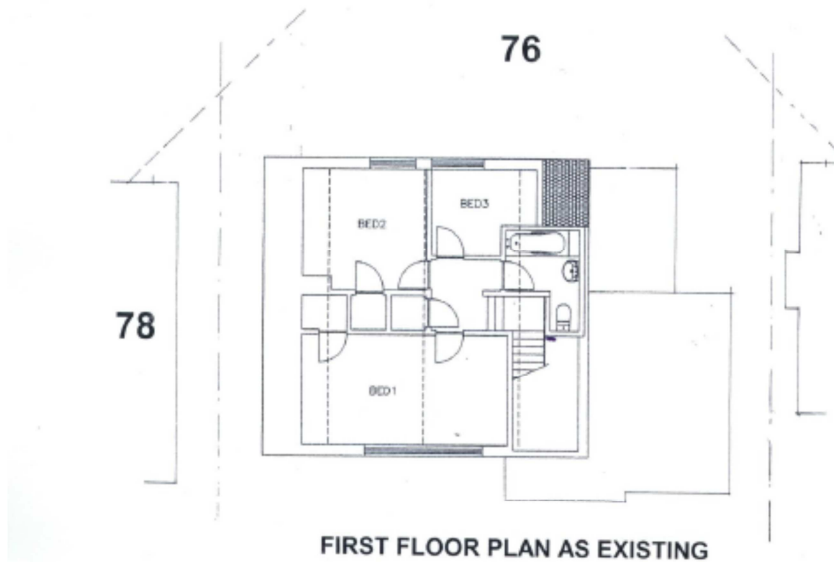
1 : 1250 LOCATION PLAN



SOUTH WEST ELEVATION AS PROPOSED



NORTH EAST ELEVATION AS PROPOSED





SOUTH EAST ELEVATION AS EXISTING



SOUTH EAST ELEVATION AS PROPOSED



NORTH WEST ELEVATION AS EXISTING



NORTH WEST ELEVATION AS PROPOSED

MDC PLANNING
Staff
Officer
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SCREENED
ON 04 02 20
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Drawing 2016-11