

**Planning Committee:** 09 November 2022

**Item Number:** 7

**Application No:** [W 22 / 1429](#)

**Town/Parish Council:** Cubbington  
**Case Officer:** Matthew Godfrey  
01926 456642 matthew.godfrey@warwickdc.gov.uk

**Registration Date:** 01/09/22  
**Expiry Date:** 27/10/22

**40 High View Road, Cubbington, Leamington Spa, CV32 7JB**

Erection of single storey front extension and two storey side extension FOR Mrs S Mackenzie

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This application is being presented to Planning Committee due to an objection from the Parish Council having been received and the recommendation is one of approval.

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the erection of a single-storey front extension and a two-storey side extension.

**THE SITE AND ITS LOCATION**

The application site is a two-storey detached dwelling located on the east side of High View Road. The streetscene comprises a diverse range of residential dwellings. This includes terraced, semi-detached, and detached dwellings featuring a mostly beige/red brick, semi-rendered design code.

**PLANNING HISTORY**

No relevant planning history.

**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
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS2 - Housing Design
- RLS4 - Housing Character Outside the Conservation Areas

## **SUMMARY OF REPRESENTATIONS**

**Cubbington Parish Council** - Object on grounds that the proposal will harm the amenity of the neighbour and would also constitute a disproportionate addition with reference to Green Belt Policy DS18.

**WCC Ecology** - Recommend that a pre-determinative bat survey is carried out.

## **ASSESSMENT**

### Impact on the amenity of neighbouring uses

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect.

The objection from the Parish Council is noted. However, the siting of the property and the position of the proposed additions mean that there is no breach of the 45-degree line and therefore the proposal will not result in harm to amenity by reason of loss of light or outlook.

It is therefore considered that the proposals are in accordance with Local Plan Policy BE3.

### Design and impact on the street scene

Local Plan Policy BE1 states that development will be permitted where it harmonises with and contributes positively to the surrounding area. This is also reflected in guidance within the Residential Design Guide SPD which sets out design principles which development proposals will be expected to comply with. In addition, Paragraph 130 of the National Planning Policy Framework (NPPF) states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The two-storey side extension is of a subservient design given that it is appropriately set down and set back and is set 1m away from the common boundary in accordance with the principles set out in the Residential Design Guide SPD. Furthermore, the proposal is designed of matching external materials to ensure seamless integration into the existing dwelling. The front extension consolidates an existing feature and would sit comfortably in the streetscene.

In summary, it is considered that the development accords with the guidance set out in the Council's Residential Design Guide and Policy BE1 of the Local Plan.

## Parking

In line with the WDC Parking Standards SPD, the proposed development does not require additional parking space, nor does it impose on existing parking space. As a result, the proposal accords with Local Plan Policy TR3.

## Ecology

The County Ecologist has recommended that a pre-determinative bat survey is carried out. However, Officers are mindful that there are no specific bat records for the application site itself, the roof space could be converted without the need for planning permission, and the property is well sealed and situated in built-up area. Moreover, bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010. It is a criminal offence to recklessly disturb or destroy a bat 'roost'. Where a bat 'roost' is present a licence may be necessary to carry out any works. If evidence of bats is found whilst carrying out works, there is a legal requirement to stop work and notify Natural England. It is therefore considered that an advisory note would be appropriate.

## Other Matters

The Parish Council have objected on grounds that the proposal is disproportionate and contrary to Local Plan Policy DS18 - Green Belt. However, the application site is not in the Green Belt and therefore Policy DS18 is not applicable.

## **SUMMARY/CONCLUSION**

The proposal is considered to constitute good quality design and to have an acceptable impact on the amenity of the neighbours and the current and future occupiers of the dwelling. The proposal is considered to satisfy the criteria of Local Plan Policies BE1, BE3 and the Residential Design Guide 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 22/19-01, and specification contained therein, submitted on 01/09/2022. **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 existing building. **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.