

Planning Committee: 24 May 2016

Item Number: **6**

Application No: [W 16 / 0414](#)

Town/Parish Council: Whitnash
Case Officer: Sarah McCann
01926 456521 sarah.mccann@warwickdc.gov.uk

Registration Date: 09/03/16
Expiry Date: 04/05/16

41 Mullard Drive, Whitnash, Leamington Spa, CV31 2QE

Erection of two storey and single storey side and rear extension FOR Mr Kooner

This application is being presented to Planning 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, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the erection of a single and two storey side and rear extension.

The side extension will project along the entire depth of the application property and extend a further 6.4 metres along the shared boundary with No.39 Mullard Drive at single storey before wrapping around the north eastern corner and extending the full width of the property to the rear. The extension will project 3.8 metres along the shared boundary with No.43 Mullard Drive.

The first floor element is set back from the front elevation by 4.6 metres, wraps around the north eastern corner and projects 3.7 metres from the rear elevation.

The first floor element is set off the shared boundary from No.41 Mullard Drive by 1 metre and No.43 Mullard Drive by 2.6 metres.

THE SITE AND ITS LOCATION

The application property is a two storey semi-detached property built in the 1960's. The property has a pitched roof to the main building.

The neighbouring property at No.43 has a single storey rear extension which projects along the shared boundary by 2.5 metres. The neighbouring property at No.41 is offset from the shared boundary by 2.5 metres.

PLANNING HISTORY

There is no relevant planning history for this site.

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)
- DP13 - Renewable Energy Developments (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)
- 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)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Whitnash Town Council - Object on grounds of over development and possible infringement of 45 degree guideline. Car park could be an issue.

Public Response - 5 objections have been received on grounds of:

- Traffic noise
- Strain on current on street parking provision
- Loss of privacy
- Building up to the boundary
- Loss of light
- The house already has a number of temporary structures to the rear of the dwelling.
- The appearance of the row of houses will be affected as the proposed extensions will stand out.
- The house is being used for business purposes and there are cars being left in the street for days, plus the comings and goings of the occupants and workers. The road is not equipped to sustain further parking which this will cause.
- The house is not big enough to take such a large extension which would alter the look of the houses and would cause concern to the other occupants of these houses if they wanted to sell at a later date.

- The proposed extension would appear to be an over-development of the existing site and would be a very large and imposing structure

ASSESSMENT

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

- The impact on the living conditions of neighbouring properties;
- The impact on the character and appearance of the area
- Renewables/ CO²

The impact on the living conditions of neighbouring properties

It is noted that occupiers of neighbouring properties have objected to the proposed extension on grounds of harm to their living conditions as a result of loss of light and outlook. However, there is no breach of the 45 degree line taken from 43 Mullard Drive. Whilst the ground floor rear extension would breach the 45 degree line when taken from No. 39 Mullard Drive, it is noted that there is an existing garage on the boundary with this neighbour which already breaches the 45 degree line and it is therefore considered that the proposed extension would not result in any additional material harm.

The rear elevation of the proposed extension is located 25 metres from the rear elevation of No.69 Brunel Close and would thereby meet the Council's adopted Distance Separation SPG.

The proposal is therefore not considered to result in any material harm to the living conditions of the occupiers of the neighbouring properties and is considered to comply with Policy DP2 of the Local Plan.

The impact on the character and appearance of the area

The Town Council and neighbour's objection in respect of design and overdevelopment are noted. However, the proposed extension would appear as a subservient addition to the property when viewed in the street scene and fully accords with the Council's adopted Residential Design Guide SPG. The proposal is therefore considered to be of an appropriate design and accords with Policy DP1 of the Local Plan.

Less than 50% of the curtilage of the property will be developed upon. Whilst the District Council does not have any minimum standards with regards to garden sizes, the garden space that would remain is considered sufficient to provide a satisfactory level of outdoor space for the current and future occupiers of the property.

Renewables/ CO²

Given the scale of the proposed development it is considered that renewables or a fabric first approach will be required in order to comply with Policy DP13 and the associated SPD. No details have been submitted with the application, however, this can be secured by condition.

Non-planning matters

A number of objections from neighbouring properties stated that the size of the proposed extension would devalue their properties. However, property value is not a material planning consideration and cannot be taken into consideration in the assessment of this application.

Objectors have also stated that No.41 Mullard Drive is being used for business purposes, and there are cars being left in the street for days. The application is for extensions and alterations to the property. Whether the property is being unlawfully used as a business cannot be taken into account under this planning application and will be dealt with as a separate enforcement matter.

SUMMARY/CONCLUSION

Whilst the proposed extension is large it complies with adopted policies and guidance. The application is considered to accord with Policies DP1 & DP2 of the Warwick District Local Plan 1996 - 2011 and the Residential Design Guide SPG and therefore will not cause material harm to the surrounding occupiers through visual intrusion or loss of light. The extension has been designed in line with the character of the existing property and therefore will not introduce an incongruous feature within the street scene.

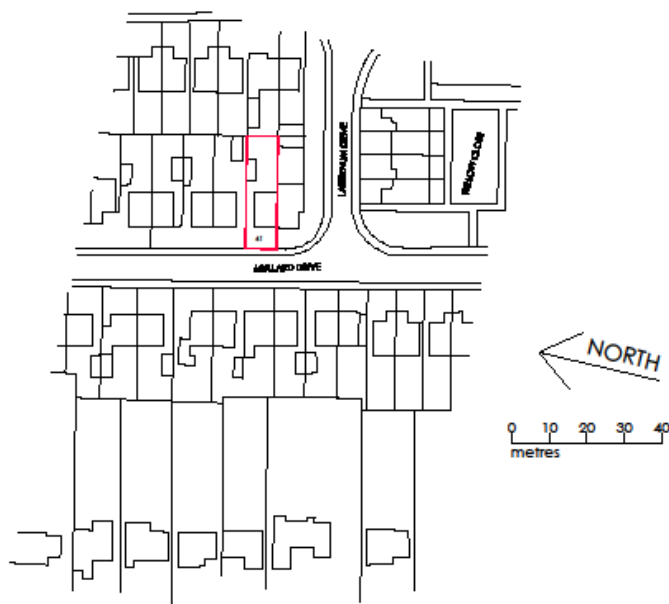
CONDITIONS

- 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(s) 02C, 03 and specification contained therein, submitted on 3rd March and 10th May 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 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB (A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 5 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.



LOCATION PLAN 1:1250

41 MULLARD DRIVE
WHITNASH

