

Planning Committee: 05 April 2006

Item Number: 06

Application No: W 06 / 0116

Registration Date: 24/01/06

Town/Parish Council: Leamington Spa

Expiry Date: 21/03/06

Case Officer: Joanne Fitzsimons

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54 Lime Avenue, Lillington, Leamington Spa, CV32 7DF

Erection of a two storey rear and side extension and loft conversion FOR Ms L Markham

This application is being presented to Committee due to an objection from the Town Council having been received. At the previous committee meeting, this application was deferred to allow for a site visit to be carried out by Members. The report which follows is same as that which presented, however includes items in the addendum.

SUMMARY OF REPRESENTATIONS

Town Council: Objects on the following grounds:

1. "The proposal is considered overdevelopment of the site which will have an adverse impact on the amenity"
2. "The extension to the side of the property fails to respect the existing pair of semi-detached dwellings resulting in an unbalanced appearance"
3. "The scale of the extension will create a terracing effect, detrimental to the street scene of this avenue"

Neighbours: 1 neighbour raises objection on grounds that the extension will block out light into the kitchen and constitute over-development, loss of privacy through the additional rear window and it appears to breach the 45 degree line.

RELEVANT POLICIES

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

PLANNING HISTORY

A Building Regulation application was submitted for a rear extension in 1979 which was deemed to fall within the Permitted Development allowance and therefore no previous planning applications have been received until now.

KEY ISSUES

The Site and its Location

The site relates to one half of a pair of semi-detached properties along the east side of Lime Avenue which comprises of a number of varied house types. To the rear of the property is a single storey extension providing a utility room. This 'dog-legs' out closer to the fence boundary which is shared with number 52 Lime Avenue and is visible above the fence line. Number 52 Lime Avenue has a garage along the common boundary which is set further back into the garden than the extension to the rear of the application site.

Details of the Development

The proposal seeks to erect a first floor extension over the utility room and increase the depth of the single storey projection by approximately 0.6 metres, together with a room in the roof space, lit through roof lights. (The loft conversion is permitted development) The design of the first floor extension is such that it will project out 4.5 metres from the back of the property and 3.8 metres across its width and have a gable roof type. It is to 'wrap' around the side of the property to enable space for a bathroom. The single storey extension will be flat roofed with a lantern rooflight.

Assessment

The proposal meets the Council's adopted 45 degree line with regards to both neighbouring windows. The neighbour at number 52 Lime Avenue has a single storey projection which serves as a kitchen. There are two windows serving this room, one at the rear and one on the side. This neighbour has concerns regarding loss of light, however the 45 degree line does not apply to secondary side facing windows. Therefore, whilst some light will be reduced into this side window, I do not consider this to be so unreasonable as to sustain a refusal.

The applicant was invited to alter the design of the extension roof, from a gable to a hipped roof, in order to reduce the impact on the neighbour. However such an amendment has not been made and the application must be determined on its merits. Whilst this alteration may be desirable, as submitted I am of the view that the gable roof design is not so over-dominant that a refusal could be successfully defended at any subsequent appeal. The applicant's agent has written in to state that a similar extension was approved at Number 50 Lime Avenue (reference W04/0669) and therefore a hipped roof would dilute the rhythm and character of the street and therefore a gable roof is more appropriate.

With regards to the objections raised by the Town Council, I am of the opinion that the extension, which will be set in off the boundary by 1 metre and is well set back from the front of the house, will not give rise to an adverse impact on amenity, unbalance the pair of semi's, or create a terracing effect.

RECOMMENDATION

GRANT subject to the conditions listed below.

CONDITIONS

- 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 number 517-02a and specification contained therein, submitted on 24 February 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 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 ENV3 of the Warwick District Local Plan.
- 4 The first floor side window in the south elevation of the extension hereby permitted shall be non-opening and obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

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 proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal is therefore considered to comply with the policies listed.