

**Application No:** W 12 / 0378

**Town/Parish Council:** Whitnash  
**Case Officer:** Emma Spandley  
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**Registration Date:** 13/04/12  
**Expiry Date:** 08/06/12

**38 Heathcote Road, Whitnash, Leamington Spa, CV31 2NF**

Erection of a single storey side & rear extension and the widening of an existing drop kerb FOR Mr R Williams

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

**SUMMARY OF REPRESENTATIONS**

**Whitnash Town Council:** Object to the planning application as over development. They also strongly object to the removal of green space on the footpath - Warwick District Council byelaws prevent parking on footpaths and green spaces.

**WCC (Ecology):** Requested photographs of the roof where the dormer windows are to be erected.

**WCC (Highways):** Objection. The Highway Authority requests additional detail be provided with regards to the proposed widening of the existing access.

**RELEVANT POLICIES**

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

There is no previous planning history relating to this site.

**KEY ISSUES**

**The Site and its Location**

The application property is a two storey semi detached property located on the north side of Heathcote Road.

The application property benefits from a long driveway; there is also a verge separating the public footpath to the application property.

### **Details of the Development**

The original application included the erection of a dormer window to the side roof slope; a single storey side and rear extension and an extension to the existing drop kerb.

The dormer window was considered to be unacceptable and has been withdrawn from the application. This element has subsequently been erected under permitted development rights.

After the Highways objection, the proposed kerb widening has also been removed.

The amended application now relates solely to the erection of the single storey side and rear extension.

### **Assessment**

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

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

#### The impact on the living conditions of neighbouring dwellings

The adopted Residential Design Guide states single storey extension should not breach an imaginary 45 degree guideline taken from the centre of the nearest habitable room window from either neighbouring property.

The proposed side extension will extend out from the existing garage end gable by 1.1 metres; wrapping around the northern corner of the existing property and spanning the full width of the house to the rear.

The extension will project 3 metres along the shared boundary with No.36. It is acknowledged that the proposed rear element would infringe a 45 degree sightline from the nearest rear window at No.36. A single storey structure, with this projection would normally be permitted development and only requires planning permission in this case because it is linked to the side extension on the other side of the property. The relationship between the proposed single storey rear extension and the neighbouring dwellings is one that is deemed to be acceptable under the new impact based approach to permitted development rights. Therefore taking this into account, it is considered the proposals will not cause an unacceptable loss of light or loss of outlook for No.36.

With regards to the side element, the neighbouring property No.40, benefits from a garage along the shared boundary with the application property and a conservatory projecting from the rear elevation.

The proposed side and rear extension will not infringe on a 45 degree sightline taken from the middle of the conservatory at No.40. It is considered the proposal will not have an adverse impact on the occupiers of this property through visual intrusion or loss of light.

## The impact on the character and appearance of the area

Whitnash Town Council's comments are noted with regards to overdevelopment of the site. The proposed extensions are single storey in nature and when viewed in relation with the existing house it is considered the design and form of the extensions would be in keeping with the host dwelling and surrounding development and would not introduce an incongruous feature within the street scene.

## Other matters

Ecology comments are noted, however, the dormer has been removed from the planning application, and therefore the comments are no longer relevant.

## **CONCLUSION/SUMMARY OF DECISION**

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.

## **RECOMMENDATION**

GRANT subject to the following conditions.

## **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 application form, site location plan and approved drawing No.SM-RW04-12.2 and specification contained therein, submitted on 10th April 2012 and 14th June 2012. **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.

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