

Planning Committee:30 April 2013

Item Number: 10

Application No:W13 / 0176

Town/Parish Council: Bishops Tachbrook
Case Officer: Laura Snell

Registration Date:26/02/13

Expiry Date:23/04/13

01926 456541laura.snell@warwickdc.gov.uk

87 Kingsley Road, Bishops Tachbrook, Leamington Spa, CV33 9RZ

Proposed construction of a two storey side and rear extension FOR Mr GYoung

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal seeks to erect a two storey side and rear wrap around extension. The proposed side element will be 2.8 metres wide and will be set back from the principal elevation of the original dwelling house. The rear component of the extension at its deepest projects 7.2 metres from the original rear wall at the centre point at either side of this central projection are two parts set back that project out by 5.2 metres beyond the original rear wall.

Amendments have been made to set the side extension element of the scheme further down and also set in from the shared boundary with neighbouring property No.85 Kingsley Road.

THE SITE AND ITS LOCATION

The application property is a two storey semi detached dwelling house on the western side of Kingsley Road in the village of Bishops Tachbrook. This particular section of the street slopes downwards towards the junction with Mallory Road and the pair of semi detached dwellings are considerably set back from each other. The street scene is characterised by similarly designed dwellings that are considerably set back by at least 10 metres from the highway. The principal elevation of the application property is built almost level with the furthest rear elevation wall of the neighbouring dwelling house No. 85 Kingsley Road and this dwelling almost slopes in towards the side elevation of the application property.

PLANNING HISTORY

There is no relevant planning history relating to this site.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council: Objection on the grounds of dominance and over development of the proposed extension and existing dwelling house; and the detrimental impact on the neighbours and the street scene.

WCC Ecology: Recommended bat and breeding bird notes.

Public Response: One objection received relating to loss of view, concerns regarding overlooking and privacy, and the size of the development.

ASSESSMENT

The main issues to consider in relation to this application are:

- Impact on the street scene and the appropriateness of design
- Impact on neighbouring residents

Impact on the street scene and the appropriateness of design

Local Plan Policy DP1 requires all development to positively contribute to the character of the surrounding environment through good layout and design. The requirements are set out in the Residential Design Guide 2008 and seeks overall design unity. The application property is set a house length back from the neighbouring dwelling at No 85 Kingsley Road. The first floor side extension element to the proposed scheme is set back and set down appropriately in order to appear subservient to existing dwelling house to meet the requirements of the Residential Design Guide. The positioning of the application property and the next pair of semi detached dwellings is as such that the depth of the side extension and wrap around to join the rear extension will be effectively screened by No.85 Kingsley Road. Therefore, this reduces the amount that can be seen from the public highway and reduces the visual impact to the street scene.

The objection raised by Bishops Tachbrook Parish Council has been acknowledged relating to the large scale of the development and proximity of the development to the shared boundary with No.85 Kingsley Road. Although the proposed development is of a significant size which will almost double the size of

the dwelling house, the majority of it will be concealed by the set back positioning from the neighbouring dwelling, will be set back from the highway and will be predominantly at the rear of the dwelling house. In addition, steps have been taken by the applicant to reduce the width of the extension to create more space between the application property and the shared boundary with No.85. Following amendments, the first floor element of the extension has been set in to provide 1 metre between the shared boundary and side elevation of the dwelling house which is also required in the Residential Design Guide and will meet the concerns relating to this issue raised by the Parish Council. Therefore, the proposed design would comply with the requirements of the Residential Design Guide and Local Plan Policy DP1 and would have an acceptable impact on the street scene.

Impact on neighbouring residents

Local Plan Policy DP2 requires all development to have an acceptable impact on the amenity of neighbouring residents. The 45 degree guideline has been applied to the proposal as the adopted policy used by the District Council in order to consistently measure impact on outlook and provision of light. The adjoining neighbouring dwelling house No.89 Kingsley Road has a single storey rear extension directly next to the shared boundary with the application property and an obscure glazed bathroom window at first floor level which is nearest to the boundary. Therefore, when taking a 45 degree angle from the nearest habitable windows at ground and first floor level, there is no breach of this and as such, the impact on the residents of this neighbouring property would be deemed as acceptable.

However, there is a breach of the 45 degree line when taking this guideline from the neighbouring dwelling house No.85 at ground and first floor level although it should be noted that this is exacerbated by the amount of distance separation there is between the two dwellings as this neighbouring property is set forward a house length and is angled towards to application dwelling. The distances from the application property to where the line is breached by the proposed extension are at 10.3 metres from the ground floor window and 11.2 metres from the first floor habitable window. In any case, at present there is a breach of the 45 degree line from the first floor window at No.85 and the existing application dwelling. Although a concern has been raised by the Parish Council regarding this breach, the adopted guidance is used as a guide and usually applied to where two dwellings are on a level line with each other. Due to the distance separation, this element carries significant weight against the breach of the 45 degree line rule in this specific case and would reduce the amount of 'harm' measured by the breach of the line.

While the neighbour's concerns over a loss of view and the depth and height of the proposal, the side extension part has been set down considerably from the original design. Also, from the site visit, although outlook will be partially affected as the neighbouring property No.85 leans towards the application dwelling, the distance separation between the two dwelling houses reduces the harm to outlook as the dwellings are not directly next to one another. Although outlook may be partially restricted, it should also be noted that a private right to

a view is not generally considered as a material planning consideration in its own right, unless a new development caused a loss of an attractive view from a public vantage point, which is not the case on this site. Moreover, there would be no overshadowing onto the neighbouring dwelling house due to the orientation of the rear of the dwellings and no overlooking onto the neighbouring garden as the only first floor side facing window on the south facing elevation wall is obscure glazed. Any concerns relating to overlooking from side facing windows raised by the Parish Council and the neighbouring residents are mitigated by the use of obscure glazing at first floor level and existing boundary treatments at ground floor level. Therefore, the impact on the amenity of the residents of No. 85 would not be so harmful to justify a refusal in this specific case.

Other matters

In accordance with the District Council's Vehicle Parking Standards guidance, the recommended number of parking spaces for the increased number of bedrooms is two car parking spaces. Currently, there are four off street car parking spaces excluding a garage and so these parking requirements would be met without provision for extra spaces. The Parish Council have raised an objection concerning the number of cars parked off street in front of the application property as being of detrimental harm to the street scene and surrounding area. However, the provision for 4 parking spaces already exists and therefore, can not be considered as part of this application in relation to assessing the impact on the street scene.

In accordance with Local Plan Policy DP13, a sustainable buildings statement has been submitted proposing the use of solar photovoltaic panels to meet the policy requirements and provide 10% of the predicted energy requirements by renewable energy sources. This has been shown on the approved plans on the south facing roof slope.

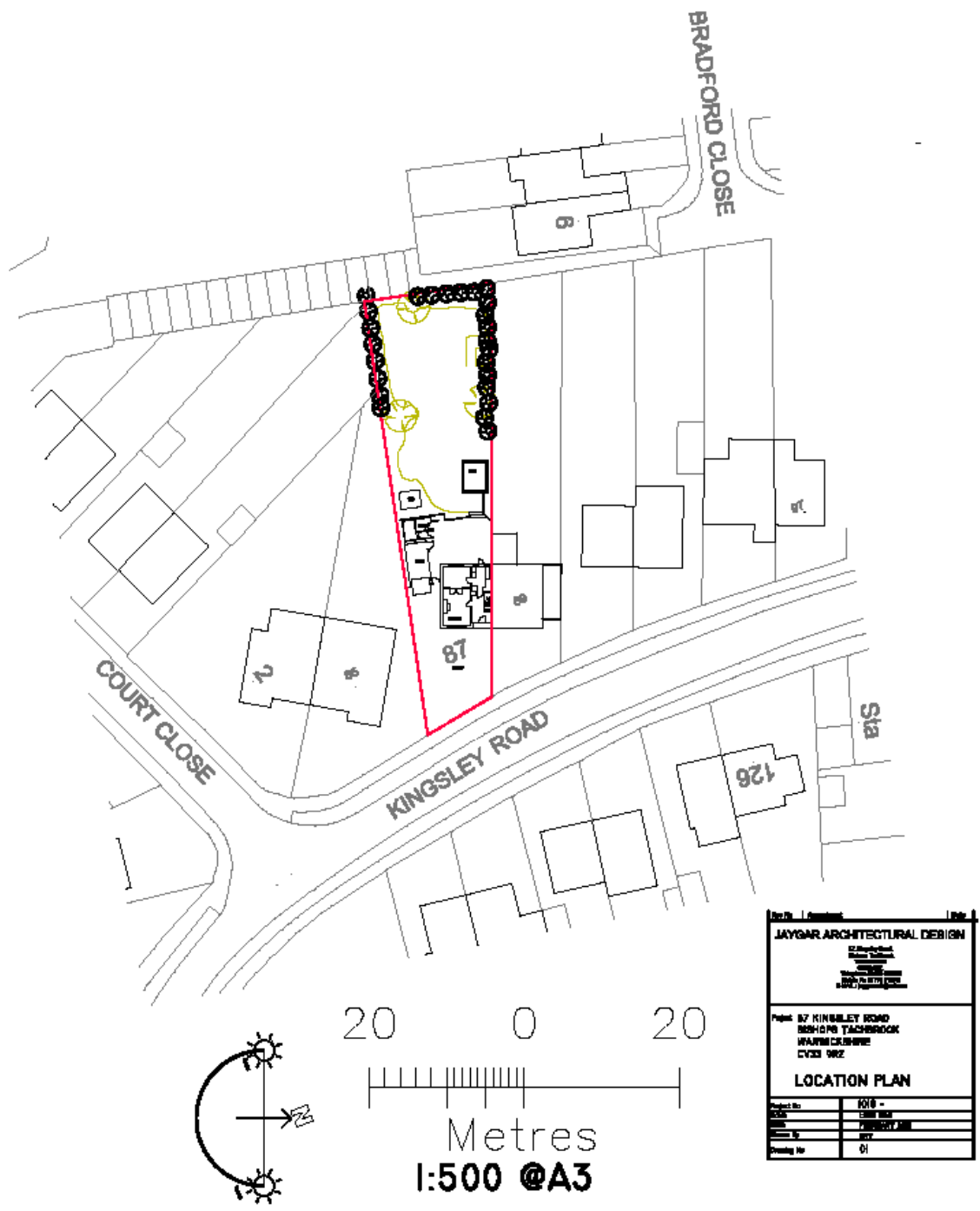
SUMMARY/CONCLUSION

In the opinion of the Local 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.

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 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.

- 3 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 02 and 04B, and specification contained therein, submitted on 14/02/13 and 10/04/13. **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.
 - 4 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this 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. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
 - 5 The proposed development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 78 Kingsley Road and shall only be occupied by members of the family occupying 78 Kingsley Road and shall not be used as a separate dwelling without the prior written approval of the local planning authority. **REASON:** That the site is incapable of providing satisfactory off-street parking facilities and a satisfactory level of amenity space for two separate dwellings in accordance with Policies DP1 & DP8 of the Warwick District Local Plan 1996-2011.
 - 6 Notwithstanding the first floor window to be formed in the south facing elevation of the dwelling house hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
-



LOCATION PLAN 87 KINGSLEY ROAD

