

Planning Committee: 13 February 2024

Item Number: 9

Application No: [W 23 / 1651](#)

Town/Parish Council: Cubbington
Case Officer: Theo Collum

01926 456526 theo.collum@warwickdc.gov.uk

Registration Date: 15/11/23

Expiry Date: 10/01/24

2 Pinehurst, Cubbington, Leamington Spa, CV32 7XA

Two storey side extension and conversion of existing garage. Resubmission of W/23/0558. FOR Ms S Ananth

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are 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 two-storey side extension. This application is a resubmission to make changes to the front elevation approved under W/23/0558.

THE SITE AND ITS LOCATION

The application site relates to a semi-detached house in Cubbington, Leamington Spa.

PLANNING HISTORY

W/23/0558 Erection of a two-storey side extension - granted

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity
- TR3 - Parking
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- [Guidance Documents](#)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)

SUMMARY OF REPRESENTATIONS

WCC Ecology - object pending a Preliminary Bat Roost Assessment

Public Response - 10 objections on the basis of parking, design, and other matters not related to planning

ASSESSMENT

Design

Local Plan Policy BE1 requires all development to relate harmoniously to the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design. The adopted Residential Design Guide SPD also sets out design principles to which development proposals will be expected to comply.

The proposed extension within this application is very similar to that approved in previous application W/23/0558, with the only change proposed in this application the replacement of two garage doors with windows, and the use of the interior space that was previously proposed to be a garage as a sitting room. The change to the interior use would not be considered development and as such does not require planning permission. The change of the garage doors to windows is not considered to result in harm to the street scene. Every other aspect of the extension was previously approved under W/23/0558, and therefore this application is considered to be acceptable under Local Plan Policy BE1.

Amenity

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. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and states that extensions should not breach a 45 degree line taken from the nearest habitable room of a neighbouring property. This aims to prevent material harm to neighbouring dwellings, by reason of loss of light or outlook.

The footprint, bulk and mass of this proposal is unchanged from previous application W/23/0558, which was not considered to result in any harm to neighbour amenity as the proposed development would not result in a breach of the 45 degree line to any of its neighbours. It was also not considered that the development would result in an unacceptable level of overlooking to any neighbour's garden. No windows were proposed in any side elevation, and the line of sight from the new rear windows over adjoining gardens was not considered to be abnormal or excessive. Nothing is proposed in the current application that would alter this view.

Therefore, this proposal is also considered acceptable in accordance with Local Plan Policy BE3.

Parking

Policy TR3 of the Warwick District Local Plan states development will only be permitted that does not result in on-street parking that is detrimental to highway safety and the Parking Standards SPD requires that garages are not considered as part of the parking provision of a development.

The proposal would not result in any additional need for parking or any loss of usable parking relative to the previously approved plans. Per the Parking Standards SPD, garages should not be considered as parking spaces, reflecting the way garages are used predominantly for other storage. Additionally, this interior change could be made after the completion of the extension without needing permission.

As explained in the report accompanying the previous application, the existing carport would not be considered a usable parking space, being enclosed on both sides and narrower than 3.5m, as stated in the Parking Standards SPD. Therefore, no usable off street parking space is lost as a result of the proposed development. The proposal does also include the provision of two new bedrooms, increasing the number within the dwelling from 4 to 6, this is not associated with an increase in the parking spaces required to be provided by a dwelling, as laid out in the Parking Standards SPD. Therefore, the proposed development is acceptable under Local Plan Policy TR3.

Ecology

The County Ecologist has recommended a Preliminary Bat Survey be undertaken. However, given that an application for largely identical works has already been granted, and work commenced, it is considered unnecessary to insist on a survey for this application, which does not introduce any features that would cause any harm to bat habitats beyond those already approved in W/23/0558.

Public Response

A number of objections were received on the basis of parking and design, which have been considered above. A number of comments also pointed out possible discrepancies between the plans as submitted and the extension as it looks to be being built. There is a currently open enforcement case considering this, however for the purpose of this application, the determination is solely based on the drawings that have been submitted and whether they would be acceptable in planning terms. Other comments raised issues more appropriately dealt with by building control.

Summary

The proposed development would have an acceptable impact under policies BE1, BE3, and TR3, and as such is recommended for approval.

CONDITIONS

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 4242-02B, and specification contained therein, submitted on 15/11/2023. **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.

 - 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 BE1 of the Warwick District Local Plan 2011-2029.
-