

**Application No:** [W 23 / 1316](#)

**Town/Parish Council:** Cubbington  
**Case Officer:** Thomas Senior  
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**Registration Date:** 06/09/23  
**Expiry Date:** 01/11/23

**106 Leicester Lane, Cubbington, Leamington Spa, CV32 7HH**

Erection of two storey side extension, single and two storey rear extension, front door canopy and the application of render and timber cladding to the external walls FOR Nigel Bishop

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This application is being presented to Planning Committee as the applicant is a former employee of Warwick District Council.

**RECOMMENDATION**

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

**DETAILS OF THE DEVELOPMENT**

The applicant seeks planning permission for the erection of a two-storey side extension, single and two-storey rear extension, front door canopy and the application of render and timber cladding to the external walls of the property.

**SITE AND LOCATION**

The application site relates to a two-storey detached dwellinghouse with a recessed single storey pitched roof side extension and flat roof garage visible within the immediate streetscene. The properties along this section of Leicester Lane are characterised by detached properties, ranging from bungalows to two-storey dwellings of various designs with a mix of external finishes set on relatively large plots. The application property and its immediate neighbours are set back a considerable distance from the highway, with the application property having a good-sized front garden and driveway set behind the existing deep highway verge and pedestrian footpath.

**PLANNING HISTORY**

W/13/1629 – Construction of a front extension to the existing side garage such that it would align with the existing side extension. Replacing the flat roof of garage with a pitched roof in line with and adjoining with the side extension - Granted.

**RELEVANT POLICIES**

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design

- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- TR3 - Parking
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)

## **SUMMARY OF REPRESENTATIONS**

**Cublington Parish Council** - No objection

**WCC Ecology** - Requested a Preliminary Roost Assessment.

**Public Response** - One objection received from the occupier of 102 Leicester Lane on grounds of loss of privacy, noise and disturbance during the construction phase and concerns with access to the neighbouring Severn Trent Pumping Station.

## **ASSESSMENT**

### Design and impact on character and appearance of the streetscene

The NPPF (2021) places an increased emphasis on the importance of achieving good quality design as a key aspect of sustainable development. Paragraph 130 states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate external facing materials. Development is expected to function well and add to the overall quality of the area by appearing sympathetic to the local character and history.

Local Plan Policy BE1 echoes paragraph 130 of the NPPF and states that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Proposals are expected to demonstrate that they harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use. Proposals are also expected to reinforce or enhance the established urban character of streets and reflect, respect and reinforce local architectural distinctiveness.

The Residential Design Guide SPD sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The Residential Design Guide SPD sets out a number of design requirements which proposals for two-storey side extensions are required to adhere with. The proposed two storey side extension has been amended so that the entire side extension is set away from the shared boundary with 108 Leicester Lane by 1 metre at first floor level as required by the SPD to avoid the creation of a terracing effect. In addition, the first floor of the proposed two-storey side extension is set back from the front façade of the property by well over the required 450mm outlined within the Residential Design Guide SPD and is also appropriately set down from the ridge line of the original dwellinghouse (over 225mm) to create a

subservient design. The Residential Design Guide SPD also sets out how side extensions should be no more than 2/3 of the width of the original property, with the proposed side extension also being in accordance with this design requirement. As amended, the proposed side extension is considered acceptable from a design perspective, providing a subservient addition to the original dwellinghouse that both maintains and reinforces the overarching character of the wider streetscene.

The proposed scheme also includes the erection of a single and two-storey rear extension. Due to the siting to the rear of the property, these extensions will have a limited impact on the streetscene. Nevertheless, the two-storey rear gable extension is considered to be acceptable and appropriate in design terms, providing an addition that is of a suitable scale and form, with the proposed single storey rear extension also considered to represent an extension of an appropriate design.

The scheme also proposes the erection of a flat roofed, timber clad front door canopy. As existing the property benefits from the provision of a flat roof garage to the side of the property, with the immediate streetscene containing a number of flat roof parapet walls to the front elevation of properties. Consequently, when considering the presence of a number of flat roof designs within this heavily mixed streetscene and combining that with the existing presence of a flat roof garage at the application property, the erection of a flat roof front door canopy, of a very small scale, is not considered to result in harm to the character of the streetscene and is subsequently considered to be an acceptable addition to the property from a design perspective.

Finally, the proposed scheme also seeks planning permission for the application of render and timber cladding to the external walls of the property. At present the application property is comprised of red brick, with the immediate neighbour (108 Leicester Lane) containing a rendered finish to the front gable of their property. As well as the presence of render to the immediate neighbour, the streetscene itself contains a number of properties that are comprised of a rendered finish with sections of timber cladding also present on numerous dwellings. The presence of this variety of finishes means that the proposed external finishes would not appear incongruous within this mixed streetscene. Whilst the application of timber cladding is supported on specific sections of the development, it is considered appropriate to add a condition to restrict the application of timber cladding to the sections set out within the approved plans, rather than there being an opportunity present to clad the entire property with timber through using the applicants permitted development rights.

In light of the above assessment, it is considered that the amended scheme would be in accordance with Local Plan Policy BE1 and the Residential Design Guide SPD

#### Impact on neighbouring properties and the current and future occupiers of the development

Warwick District Local Plan Policy BE3 requires that development must 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 how extensions should not breach a 45-degree line taken from the nearest habitable room of the neighbouring property. This aims to prevent any unreasonable effect on the neighbouring dwelling, by reason of loss of light, unneighbourly effect or disturbance/intrusion from nearby uses. Policy BE3 also requires that all development should ensure that acceptable standards of amenity space are provided for existing and future occupiers of the development site.

In respect of the proposed scheme, there is no breach of the 45-degree line when taken from either neighbouring occupier, demonstrating how the extension is considered to have an acceptable impact on the amenity of neighbouring occupiers in terms of light and outlook.

An objection comment has been received from the occupier of No.102 Leicester Lane, with one section of the objection on grounds of how the proposed development will result in the loss of privacy. Comments are made in relation to the proposed windows that are set to be installed on the side elevation of the proposed two-storey side extension serving the "Master Bedroom". The objector has stated that these windows will overlook into the rear garden of their property and into windows that serve habitable rooms. Whilst these comments have been considered, the proposed windows are set to be approximately 11m away from the shared boundary between the two properties, with this 11m distance considered to be a sufficient distance between garden boundaries and is thus not considered to result in unacceptable levels of overlooking into the neighbouring property in question.

The objector has also raised concerns in relation to the provision of a "Juliet Balcony" that is set to serve this Master bedroom and how this may provide a direct viewpoint into their rear garden and noise pollution concerns. Whilst Officers appreciate these concerns, the proposed Juliet Balcony will not involve any external area that would enable an occupier to stand on the balcony, instead being a modern design feature that is commonplace in urban areas and akin to a window and is considered not to result in unacceptable harm to neighbouring amenity levels.

Comments have also been raised in relation to the absence of the existing window on the side elevation of the application property that faces 102 Leicester Lane. Whilst the proposed floor plans show that a window is set to be blocked up on this elevation, we would not require any further information on this aspect of the proposal as the removal of this window is something that would not require planning permission as it would constitute permitted development.

The impact the proposal will have on the amenity of current and future occupiers is considered to be acceptable, with there also being ample private amenity space present, which is comfortably in accordance with the requirements that are set out within the Residential Design Guide SPD.

Overall, with regard to the above noted considerations, it is viewed that the scheme would not result in the generation of material harm to neighbouring amenity, by way of loss of light, outlook, or privacy and as such lies in accordance with Local Planning Policy BE3.

## Ecology

Local Plan Policy NE2 of the Warwick District Local Plan 2011-2029 states that development will not be permitted that will destroy or adversely affect protected, rare, endangered or priority species unless it can be demonstrated that the benefits of the development clearly outweigh the nature conservation value or scientific interest of the site and its contribution to the wider biodiversity objectives and connectivity. Policy NE2 goes on to state that all proposals likely to impact on these assets will be subject to an ecological assessment.

The County Ecologist has recommended that a Preliminary Bat Roost Assessment should be carried out before determining the application. Having considered this request and noting that the property is located within Lillington adjacent to many similar dwellings, it is not considered appropriate or reasonable to request a bat survey to be submitted in this instance. Further to this, when visiting the site the roof was determined to be in a very good condition, with no notable gaps or access points identified. In coming to this conclusion, I am mindful of the location of the property, the characteristics of the local area, and the fact that bats are a protected species under separate legislation and a duty of care by the applicants to ensure protected species are not harmed by the proposal. As a result, I consider that the imposition of an explanatory note regarding the applicant's responsibility with regard to protected species is sufficient.

The proposal is therefore considered to be in accordance with Local Plan Policy NE2.

## Parking

Local Plan Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant Parking Standards SPD. The proposed scheme will increase the number of bedrooms in the dwellinghouse from three to four. This increase will result in the additional need of one car parking space to be in accordance with the Parking Standards SPD, with a three-bed dwelling requiring 2 allocated spaces and a four bed property requiring 3 allocated spaces. The application property has ample space within the curtilage of the dwellinghouse to accommodate three vehicles comfortably. The proposal is therefore considered to accord with the Parking Standards SPD and is therefore also in accordance with Local Plan Policy TR3.

## Other Matters

The objection comment from the occupier of 102 Leicester Lane also refers to the impact the proposed development will have in relation to noise pollution and traffic generation during the period of construction and how this may have a harmful impact upon neighbouring amenity. Additionally, concerns are also raised in relation to parking demand and the need to keep access available at all times to the neighbouring Severn Trent Pumping Station that lies between the two properties. Whilst it is acknowledged that this may be the case, the scale of development is small, and the period of construction work is likely to be relatively short and therefore it would not be appropriate or necessary to condition the submission of a Construction Management Plan for a householder development. However, any planning approval will contain advisory notes on good working

practices. In regard to parking, this impact again is short lived and the workers have a responsibility to park in a safe manner in accordance with the highway code thus, this is not considered a suitable reason for refusal nor it is necessary for this to be addressed via a condition.

### **SUMMARY AND CONCLUSION**

The proposal is considered to constitute good quality design in respect of providing a subservient addition which enhances the existing dwellinghouse whilst respecting the surrounding buildings in terms of its scale, form and adoption of appropriate materials. The proposal is also considered to have an acceptable impact on neighbouring amenity levels, ecology and parking. As such, the proposal is in accordance with the aforementioned policies, and it is therefore recommended for approval.

### **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) 1975-PL03 REV A and 1975-PL04 REV A, and specification contained therein, submitted on 23/11/2023. **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.
  
  - 3 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no part of the dwellinghouse shall be clad in timber other than as shown on the approved drawings. **Reason:** To secure a satisfactory form of development in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
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