

**Planning Committee:** 12<sup>th</sup> September 2017

**Item Number: 10**

**Application No:** [W/17/1163](#)

**Town/Parish Council:** Leamington Spa

**Case Officer:** Rebecca Compton

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**Registration Date:** 24/07/17

**Expiry Date:** 18/09/17

**104 Telford Avenue, Lillington, Leamington Spa, CV32 7HG**

Application for the variation of condition 2 (plan numbers) for planning permission W/15/0764 (retrospective) to include raising the ridge height by a further 0.5m, alterations to front and rear dormers, extend the rear extension by a further 0.3m and other minor alterations. FOR Mrs. Jackie Doxey

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This application is being presented to Committee due to the number of objections received and an objection from the Royal Leamington Spa Town Council.

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

This retrospective application has been submitted to allow for flat roof dormers to the front and rear which were previously approved as pitched, to raise the ridge height by a further 0.5m, extend the previously approved rear extension by a further 0.3m, remove one ground floor side facing window to the eastern elevation and insert two ground floor side facing windows to the proposed rear extension on the eastern elevation and the removal of one previously approved roof lantern to the rear extension. The roof terrace and patio doors at first floor that were originally applied for have since been removed and replaced with a Juliet balcony and inward opening french doors.

**THE SITE AND ITS LOCATION**

The application property is located at the north-western end of Telford Avenue, midway between the junctions with Stirling Avenue and Leicester Lane. The road slopes gently down towards the north, with the application property being at a lower ground level than the adjoining bungalow at 102 Telford Avenue. There are a number of bungalows in the area, including the two properties to the south-east and the three properties on the opposite side of the road.

**PLANNING HISTORY**

W/04/1877 - Erection of rear ground floor and first floor extension - Refused 09/12/04, for the following reasons: Unacceptable adverse impact on the amenity of nearby residents by reason of its increased height, scale and mass,

creating an overbearing dominant impact on the adjacent properties, overdevelopment of the site and an adverse impact on the street scene.

W/14/0954 - Two storey side and rear extension, raising the ridge height, erection of chimney and front porch. Withdrawn 27/08/14, to allow further negotiations with the Local Planning Authority.

W/15/0163 - Erection of two storey side and single storey rear extension, raising of roof and insertion of front and rear dormers to create first floor accommodation and erection of front porch. Refused 02/04/15

W/15/0764 - Proposed first floor extension, ground floor rear extension, single storey side extension and a front porch - Granted 08/07/2015

### **RELEVANT POLICIES**

- National Planning Policy Framework

#### The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

#### The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

#### Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

### **SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council:** Object to the increase in ridge height and rear roof terrace.

**Public response:** 7 Objections have been received from neighbours in relation to the rear roof terrace and overlooking issues, the fact the works are being applied for retrospectively, the increase in the ridge height and the resulting size and scale of the extended bungalow.

## **Assessment**

### Design

The increase in ridge height as now proposed is considered to be similar in character to the nearby bungalows at number 102 and 100 Telford Avenue which have both had an increase in ridge height. The area is predominantly characterised by two storey dwellings, therefore the increase in ridge height is considered acceptable in terms of the street scene.

The proposed flat roofed dormers are considered to be acceptable as there is a mix of designs in the street scene and the proposed dormers are of an appropriate scale and size to sit comfortably within the roof slope. The single storey rear extension as now proposed is 6 metres in depth, 0.3 metres deeper than the rear extension previously approved, the extension is proposed in render.

The original property was rendered to the front and there are several examples of render in the area, the proposed render is therefore considered an appropriate choice of material for this property.

The additional side facing windows at ground floor are considered acceptable as there are existing side facing windows on the eastern elevation and is not considered to result in overlooking to an extent that would warrant a refusal.

The removal of the rear roof lantern is considered an acceptable change. The proposed design changes are therefore considered acceptable in accordance with Local Plan Policy DP1.

An objection has been received from the Royal Leamington Spa Town Council with concerns regarding the rear roof terrace and the increase in ridge height.

### Impact on neighbouring properties

The proposed rear extension will not breach the 45° line to the neighbouring property at no.102 Telford Avenue. It is considered that the proposed changes do not materially impact upon the amenity of neighbouring properties.

A number of objections have been received with concerns regarding the increased ridge height and a roof terrace above the rear extension that was originally applied for. Since receiving these objections the rear patio doors at first floor have been amended on the drawings to open inwards with a Juliet balcony to restrict any access to the rear roof due to potential loss of privacy and overlooking that would be caused by the roof terrace. As previously stated the increase in ridge height is considered acceptable due to the height of the immediate neighbouring properties and surrounding street scene. The proposal is therefore considered acceptable in accordance with Local Plan Policy DP2.

There is no distance separation issue to the neighbouring property at no.106 Telford Avenue.

There is no distance separation issue to no.70 and no.72 Leicester Lane.

## Summary/Conclusion

The proposed changes are therefore considered of an acceptable design and will not cause a detrimental impact to the amenity of neighbouring properties in accordance with Local Plan Policy DP1 and DP2.

## **CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of planning permission ref: W/15/0764, i.e. 08 July 2015. **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 drawings and specification contained therein, submitted on . **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.
  - 3 Noise arising from the air source heat pump hereby permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
  - 4 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.
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