

Planning Committee: 10 October 2017

Item Number: 9

Application No: [W 17 / 1402](#)

Town/Parish Council: Cubbington

Case Officer: Rebecca Compton

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Registration Date: 02/08/17

Expiry Date: 27/09/17

94 Stirling Avenue, Cubbington, Leamington Spa, CV32 7HS

Erection of a single storey rear extension, single storey front extension, replace the roof over the existing side extension with two roof lanterns and render to entire property. FOR Mr Penrice

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application proposes to render the entire property, a single storey rear extension, a single storey front extension and the replacement of the roof over the existing side extension to a flat roof with two roof lanterns. The proposal originally included a hip to gable roof extension and rear box dormer which have since been removed.

THE SITE AND ITS LOCATION

The application property is a two storey dwelling which is one of a pair of semi-detached dwellings with hipped roofs. The property is located on the junction where Kelvin Roads meets Stirling Avenue, Leamington Spa.

PLANNING HISTORY

No relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)

- TR4 - Parking (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Cubbington Parish Council: Object as the proposal is not in keeping with the street scene.

WCC Ecology: Recommend bat survey.

Public response: Two letters of objection have been received from neighbouring residents with concerns over the hip to gable roof extension and the conversion of the existing store to living accommodation.

Assessment

Design

The proposed single storey rear extension is considered acceptable in terms of design and scale. The proposed front extension is considered acceptable as there are a number of front extensions within the street scene and there is no strong building line.

The property currently benefits from a large side extension which is currently used as a store and runs along the boundary between the application property and no.111 Kelvin Road. The proposal seeks to convert the store into living accommodation which in itself does not require planning permission. The roof will be replaced with a flat roof however the overall height of the roof will not be increased, the addition of two roof lanterns is also considered acceptable.

The use of render on the property is considered acceptable as there are a number of examples of render in the immediate street scene with one property opposite the site being fully rendered. The proposal is therefore considered to comply with local plan Policy BE1.

The impact on the living conditions of the occupiers of the neighbouring properties

The single storey rear extension will breach the 45° line, however, as it is 3m in depth, this element of the proposal would otherwise be permitted development under the Government's impact based permitted development rights if it were amended to not be attached to the existing store. On the basis of this scenario which would present a 3 metre wall along the boundary with the neighbour, the

impact of the proposed extension would not warrant the refusal of planning permission in this particular case.

Two objections have been received from neighbouring residents with concerns over the hip to gable extension that was originally applied for and loss of privacy caused by the conversion of the store.

Since receiving these objections the hip to gable roof extension has been removed from the proposal.

Whilst I acknowledge the concerns from the neighbouring residents regarding the conversion of the store, given that this could be converted without planning permission a refusal on this basis is not considered justifiable. In addition there will be no increase in the overall height of the building so there will be no further impact on loss of light than what currently exists; the proposed roof lanterns will not impact upon the amenity of neighbouring properties.

It is therefore considered that the proposal complies with local plan Policy BE3.

Parking

The proposed development will not affect the current driveway parking; therefore it is considered that the proposal has sufficient provision for off-street parking for 2 cars, in accordance with Vehicle Parking Standards SPD.

Ecology

The County Ecologist has recommended that a preliminary bat survey is required prior to the determination of the application. I have considered this request and note that the existing dwelling is located within a built up area with other dwellings in close proximity to the dwelling.

On this basis, I do not consider that it is appropriate or practicable to request a bat survey be submitted. In coming to this conclusion, I am mindful of 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.

On the basis of the above, I consider that the imposition of an explanatory note regarding the applicant's responsibility with regard to protected species is sufficient in this case.

Summary/Conclusion

In conclusion it is considered the proposal is of an acceptable design and scale and whilst I acknowledge the concern of the neighbouring residents, I am satisfied that it will not result in sufficient negative impact upon the amenity of the neighbouring properties to warrant the refusal of the application.

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 drawings 3595-02J, and specification contained therein, submitted on 26/09/2017. 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.
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