

**Planning Committee:** 06 April 2011

**Item Number:**

**Application No:** W 11 / 0106

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Jo Hogarth

**Registration Date:** 27/01/11

**Expiry Date:** 24/03/11

01926 456534 planning\_east@warwickdc.gov.uk

**283 Rugby Road, Leamington Spa, CV32 6EB**

Single storey extension and internal alterations to the rear of existing property  
FOR Mr McNulty

-----

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

**SUMMARY OF REPRESENTATIONS**

**Leamington Spa Town Council:** Objection as the proposed rear extension does not keep to the traditional pattern of a courtyard house.

**CAAF:** No comment, part II Item.

**WCC Ecology:** Recommend bat notes.

**RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

There have been no recorded planning application submitted for this site.

**KEY ISSUES**

**The Site and its Location**

The site relates to a detached property located just within the designated Conservation Area on the south side of the road. The boundary of the Conservation Area runs along the footpath in front of the house. The area is predominantly residential in character albeit there is a Vauxhall car showroom garage on the opposite side of the road and a solicitor's firm, Blythe Liggins, further down the road.

**Details of the Development**

The proposal seeks to construct a single storey rear extension to replace a lean-to toilet and store building to create an enlarged kitchen area.

## **Assessment**

I consider the main issues relating to this proposal to be the impact on neighbours and impact on the Conservation Area.

### Impact on neighbours

The new rear wall of the proposed extension would not project any further out than the line of the existing 'lean to' which it is to replace. Therefore, in terms of impact on number 285 Rugby Road, although the ridge height of the pitched roof would be some 600mm higher than the height of the existing 'lean to', due to its design which slopes away from the neighbours, the eaves line of 2.5 metres would be lower than the maximum height of the 'lean to' which is 3 metres. I am satisfied that this reduction in maximum height of 500mm along the shared boundary with number 285 Rugby Road would be an improvement to the current situation. Furthermore there is a high boundary wall which separates these two properties which means that effectively only the pitched roof of the proposed new extension will be visible from number 285 Rugby Road.

The neighbour to the east, number 281 Rugby Road has a 'light weight' conservatory style structure extension and a ground floor window looking onto the application site. There is, however, a substantial boundary wall some 2 metres in height which steps down along the garden boundary with the application site. In view of this situation and the siting/design of the proposed extension with its roof pitching away from number 281 Rugby Road I do not consider that their outlook would be significantly harmed such as to warrant refusal of permission.

### Impact on the conservation area

The site, which is to the rear of 283 Rugby Road, would not be seen from many public vantage points; it would read as an addition to the main dwelling and would retain a side access from the rear of the property to the front which is a common feature along this part of Rugby Road. I am satisfied that there would be no unacceptable harm to the Conservation Area.

### Other matters

No alterations are proposed to the parking arrangements and due to the retention of a side pedestrian access, storage of wheelie bins and recycling boxes could remain in the rear garden. Given the small scale and nature of the proposal as a modest extension to the main house, I do not consider that the introduction of renewables is triggered in this instance.

## **RECOMMENDATION**

GRANT, subject to the conditions listed below.

## **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON :** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 3093/04, and specification contained therein, submitted on 27 January 2011 unless first agreed otherwise in writing by the District Planning Authority. **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 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **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.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : For the avoidance of doubt, and to ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 5 All window and door frames shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 6 All rainwater goods for the development hereby permitted shall be metal. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.

## **INFORMATIVES**

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

-----