

Planning Committee: 26 November 2013

Item Number: 11

Application No: W 13 / 1502

Town/Parish Council: Whitnash

Case Officer: Sally Panayi

01926 456541 Sally.Panayi@warwickdc.gov.uk

Registration Date: 21/10/13

Expiry Date: 16/12/13

53 Home Farm Crescent, Whitnash, Leamington Spa, CV31 2QZ

Erection of single storey rear extension, front porch and canopy roof on front elevation FOR Mr Gurdip Kahlon

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

RECOMMENDATION

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

Details of the Development

The proposal subject of the current application is for a single storey rear extension, 9.75 metres in width and 6.75 metres in depth along the boundary with number 55 and 6 metres along the boundary with number 51 Home Farm Crescent. The reason why the rear extension requires planning permission is because of the section to the rear of the garage. In addition, the current application proposes a porch on the front elevation of the dwelling with a lean-to roof to a ridge height of 4 metres, together with a pitched roof canopy across the remainder of the front elevation.

THE SITE AND ITS LOCATION

The dwelling subject of this application is a semi-detached house located in Home Farm Crescent close to where the road bends and slopes up to the hill towards the junction with Green Close. The house is of brick and tile construction with timber cladding at first floor. The street scene is characterised by houses and bungalows of a mixture of designs and brick colours. The site is located on a slope, with the neighbour at 55 Home Farm Crescent being at a higher level and at an angle to the application site. There is a boundary fence between numbers 53 and 55 which is approximately 3 metres in height when viewed from the applicant's garden as a result of the difference in ground levels between the two properties. The attached neighbour, number 51, benefits from a rear conservatory on the shared boundary, with a solid side elevation facing the boundary. The boundary between nos. 51 and 53 Home Farm Crescent has a 1.8 metres high fence.

PLANNING HISTORY

W/79/1271: Erection of a two storey side extension to form garage with bedroom over - Refused 7/11/79

W/79/1469: Two storey side extension - Approved 18/12/79

W/87/1338: Erection of a dining room, kitchen, laundry room, lobby and w/c - Approved 22/12/87

W/92/0172: Single storey rear extension - Approved 24/03/92.

W/10/1640: Erection of single storey rear extension - Approved 26/04/11

W/13/0714: Single storey rear extension - Approved 01/08/13

W/13/1219: Application for larger home extension - Too large to be considered under this form of application.

W/13/1281: Application for larger home extension - Approved as permitted development 9/10/13

The two storey side extension approved in 1979 was built in accordance with the plans at that time. There is a single storey rear extension on the property at present which is of timber construction. This structure was not replaced by the approvals for single storey rear extensions granted in 1992 and 2010.

Approval was granted in August 2013 for a single storey rear extension which required the removal of the existing brick built store and the timber conservatory. The proposed extension spanned the full width of the existing property, including the two storey side extension and would have projected into the rear garden by approximately 3.6 metres on the boundary with number 51. There was no conflict with the Council's 45 degree policy with the rear conservatory at number 51. The extension then stepped away from the boundary with number 51 before extending a further 3.2 metres in depth. The total depth of the extension on the boundary with number 55 extended to 6.7 metres. Given the proposal being flat roofed and the ground level difference between the two dwellings there was considered to be no impact on number 55.

Subsequent to this approval being granted two applications under the larger home extension scheme were submitted. In the first the proposal was too large to be considered as permitted development under the scheme. A second application was then submitted for a smaller proposal to which no objections were received following the necessary consultations. A letter stating that prior notification was not required was issued on 9/10/13. This single storey proposal extended to a depth of 6 metres along the boundary with the neighbour at 51. This depth being the maximum allowed for semi detached and terraced dwellings under the new permitted development rules as set out in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 1995 (as amended).

RELEVANT POLICIES

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Whitnash Town Council: Objection on grounds of overdevelopment.

ASSESSMENT

The main issues in the determination of this application are:

1. The principle of the development and the impact on the streetscene
2. The impact on the amenity of the neighbouring residents

The principle of the development and the impact on the streetscene

Local Plan Policy DP1 requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design, while Paragraph 58 of the National Planning Policy Framework places a strong emphasis on good design and promotes development that reflects the appearance and character of the surrounding area.

The rear extension proposed is not readily visible from public vantage points and as such does not have a material impact on the street scene. The porch and canopy to the front of the house are not considered to be out of character in the street scene. Other dwellings in the street have a pitched roof over a porch or forward projecting garage in keeping with the character of the dwellings. Taking these matters into consideration, the proposals are considered to meet the requirements of Local Plan Policy DP1 and would have an acceptable impact on the character and appearance of the area.

The impact on the amenity of the neighbouring residents

Local Plan Policy DP2 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of outlook and light. The Council's Residential Design Guide SPG provides a design framework for Policy DP2 and states that extensions should not breach a 45 degree line taken from the nearest habitable room of a neighbouring property.

The proposal under consideration is a single storey extension spanning the full width of the house and adjoining the boundary with both neighbouring properties (numbers 51 and 55 Home Farm Crescent). While the depth of the proposal

extends to 6.75 metres along the boundary with no. 55 there is no conflict with the 45 degree line as a result of the difference in ground levels between the two properties. The boundary fence on the applicant's side is 3 metres in height and so higher than the height of the proposed flat roof extension. No objection has been raised by the neighbour.

In terms of the impact on no. 51, the proposal extends to 6 metres along the boundary and the 45 degree line when taken from the rear conservatory is significantly breached. However, the proposed extension is to the north and is unlikely to have a material impact in terms of loss of light. There maybe an adverse impact in terms of outlook, however, this part of the proposal has been approved as permitted development through the neighbour consultation scheme for larger home extensions introduced in May 2013 as the neighbour at no. 51 raised no objection. It is therefore considered that it would be unreasonable for the Local Planning Authority to refuse planning permission for the whole development on the basis of the element of the scheme which could otherwise be built without planning permission.

Other Matters

The scale of the extension is such that there would be a material increase in the energy demand of the property. No renewables have been out forward as part of the application in order to comply with the requirements of Policy DP13 and the associated SPD to provide 10% of the predicted energy requirement of the development through renewable energy. However, it is considered that this can be secured through a pre-commencement condition.

Summary/Conclusion

In the opinion of the Local Planning Authority, the development respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

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 01, and specification contained therein, submitted on 21st October 2013. **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 The development hereby permitted shall not be commenced unless and

until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

REASON : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in 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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