

Planning Committee: 18 March 2014

Item Number: **12**

Application No: W 14 / 0170

Town/Parish Council: Bishops Tachbrook

Case Officer:

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Registration Date: 04/02/14

Expiry Date: 01/04/14

11 Court Close, Bishops Tachbrook, Leamington Spa, CV33 9RX

Demolition of existing garage & storm porch & construction of single storey side & rear extension to form larger Kitchen/Dining Room and garage plus loft conversion to form 2 no. bedrooms with ensuite shower room & dressing room
FOR Mr & Mrs Robin Oakes

This application is being presented to Committee due to an objection from the Parish/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 the demolition of the existing garage to the side of the dwelling and for its replacement with a 7.0 metre wide single storey side extension to provide an attached garage, utility room, storm porch and entrance hall. To the rear of the dwelling a single storey extension to a depth of 4.0 metres is proposed with the corner of the extension adjoining the neighbour at 9 Court Close being removed in order to comply with the Council's Residential Design Guide in relation to a 45 degree line from the neighbouring living room window. The application also proposes a dormer window to the side and the conversion of the loft space to provide two bedrooms and en suite bathroom.

THE SITE AND ITS LOCATION

The dwelling the subject of this application is a semi detached bungalow located in Court Close, Bishops Tachbrook. The bungalow is located on the south side of the road. Court Close is a sloping road with the junction with Holt Avenue being at a higher level than the eastern junction of the road with Kingsley Road. The application property is at a mid point between these two road junctions, resulting in the neighbour at 13 Court Close being at a higher ground level than the application site. The neighbour at 13 Court Close has a kitchen window on the side elevation overlooking the application site, with a view over the top of the existing garage towards the roof of the bungalow of the application site. The

boundary between the two properties is marked by a 1.2 metre fence panel covered in ivy.

The boundary between numbers 9 and 11 Court Close has a 1.8 metres high fence.

PLANNING HISTORY

W/13/1293 - Demolition of existing garage and storm porch and construction of single storey side and rear extension to form larger kitchen/dining room and garage plus loft conversion to form two bedrooms with en suite bathroom - Withdrawn 14th October 2013.

This application was similar to that currently under consideration, but the ridge height of the roof over the garage to the side was 5.0 metres in height and the front wall of the dormer window was only 0.5 metre up from the eaves of the bungalow. These details have been altered to a ridge height of 4.0 metres and for the dormer window to be set back higher up the roof by 1.5 metres and for the roof of the dormer windows to be hipped to reduce their bulk.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (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)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

County Ecology: Comments as previously (W/13/1293)

No evidence of bat activity has been found and the likelihood of roosting bats is considered to be very low or absent. However, as bats are a dynamic species group that can move onto a site at any time, the proposed works should be carried out sensitively. Should bats be found works must cease immediately and further guidance sought from Ecological Services as a licence from Natural England may be required.

Bishops Tachbrook Parish Council:

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

1. 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 dormer window has been reduced in size from the previous submission in 2013. The bulk of the structure has been reduced by pulling the front wall of the dormer further up from the eaves (now 1.5 metres) and by hipping the roof of the dormer. This element of the scheme could be substantively constructed using permitted development rights and the proposed side facing windows are proposed to be obscurely glazed (as would be the case if this element was constructed using those rights). The dormer window in this amended form is considered to be acceptable and not out of character within the surrounding area including relative to other similar dormer windows in the road built recently as permitted development.

The single storey side extension projects from the side of the bungalow to a distance of 1 metre from the boundary with the neighbour at 13 Court Close. The extension provides a storm porch and entrance hall with a garage and a utility room to the rear. A pitched roof is proposed over this structure with a ridge height of 4.0 metres. This height is reduced by 1.0 metre from the previous submission and it is considered that the amended design submitted with this application is acceptable in terms of the appearance in the street scene.

Taking these matters into consideration, in overall terms, the proposals are considered to be acceptable within the street scene achieving the requirements of Local Plan Policy DP1.

2. 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.

9 Court Close

The single storey rear extension has been amended to trim the corner of the proposed building in order that it does not significantly impact a 45 degree line taken from the mid point of the rear facing living room window at number 9

Court Close and is not considered to impact upon the amenities of that property to the extent that a refusal of planning permission could be sustained.

13 Court Close

The dormer window on the side elevation faces towards the kitchen window of number 13 Court Close. The central high level window on the dormer will serve the stairwell. The two other windows serve the bedrooms of the loft conversion. These windows would be fixed obscured glazed in order to prevent any overlooking with the neighbour. A window in the flank of the dormer window on the front elevation will provide light and a means of escape for the front bedroom. The rear bedroom has an existing window in the rear gable.

The proposed rear extension includes a kitchen window in the flank elevation facing towards 13 Court Close. There is a distance of 5 metres to the boundary fence and the garden of number 13 is at a higher level as a result there is no overlooking from this window.

The single storey side extension has a pitched roof with a ridge height of 4.0 metres. The roof is hipped reducing the impact on the adjoining the neighbour's view of the structure from their kitchen window.

In overall terms, whilst the proposals involve significant extensions to the application property adjacent to number 13, there is not considered to be any impact on the amenities of that property by reason of loss of privacy, outlook or visual intrusion to the extent that a refusal of planning permission could be sustained.

Properties in Holt Avenue

There is no material impact on the amenities of dwellings in Holt Avenue to the rear of the application site given the separation distance of over 25 metres between the dwellings.

Other Matters

Renewables: 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 put 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.

Ecology: In accordance with Local Plan Policy DP3, a bat informative note will be issued with any decision notice granting planning permission in order to protect such species from construction works.

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 drawings 1116/4, 1116/5A and 1116/3A, and specification contained therein, submitted on 5th February and 5th March 2014 respectively. **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 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.
- 4 Prior to the occupation of the development hereby permitted, the landing and bedroom windows in the dormer on the south western elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON :** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 5 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.

COURT CLOSE BISHOPS TACHBROOK LEAMINGTON SPA CV33





