

**Planning Committee:** 19 July 2022

**Item Number:** 14

**Application No:** [W 22 / 0701](#)

**Town/Parish Council:** Warwick  
**Case Officer:** Lucy Shorthouse  
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**Registration Date:** 26/04/22  
**Expiry Date:** 21/06/22

**7 Arundel Close, Warwick, CV34 5HZ**

Erection of single storey front extension and conversion of garage FOR Mr I Davy  
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This application is being presented to Committee as the applicant is an employee of Warwick District Council.

**RECOMMENDATION**

Planning Committee is recommended to refuse permission for the reason set out at the end of this report.

**DETAILS OF THE DEVELOPMENT**

The applicant seeks planning permission for the erection of a proposed single storey front extension and conversion of existing garage.

**THE SITE AND ITS LOCATION**

The application site relates to a two-storey mid terrace dwelling located on the west side of Arundel Close, Warwick. Dwellings within the street all date from the same period and are similar in appearance.

**PLANNING HISTORY**

W/20/1213 - Erection of proposed single storey front extension – Granted 8th Nov 2020. Proposals were amended from a pitched roof to a flat roof and were subsequently given permission.

**RELEVANT POLICIES**

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Parking Standards (Supplementary Planning Document- June 2018)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)

## **SUMMARY OF REPRESENTATIONS**

**Warwick Town Council:** No objection

**WCC Ecology:** No objection, recommend notes attached

**Public Response:** None received

## **ASSESSMENT**

The key issues for consideration are:

- Design
- Impact on amenity neighbouring properties
- Ecological impacts

### Design and impact on the street scene

Local Plan Policy BE1 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. The adopted Residential Design Guide SPD also sets out design principles to which development proposals will be expected to comply.

By virtue of its scale and design, the extension is considered sympathetic to the character of the original dwelling. The proposed extension is considered to constitute good quality design and will not result in harm to the character of the street scene.

It is therefore considered the proposals are acceptable and in accordance with Local Plan Policy BE1.

### Impact on neighbouring properties

Warwick District Local Plan Policy BE3 requires that development to have acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unneighbourly impact on neighbouring properties by reason of loss of light or outlook.

The proposal breaches the 45-degree line taken from the ground floor window on the front elevation of the adjacent property at No.8

The adjoining property at No.8 sits lower than the application site and there is an existing breach of the 45-degree line from a single storey retaining wall between the application property and No.8. While the existing wall already breaches the 45-degree line from this window, the proposal subject of this application increases the height of this structure, and the pitched roof will be seen above it. As a result, it is considered that the front extension proposed with a pitched roof would result in additional harm to the amenity of this neighbour, by reason of exacerbating an

already sub-standard level of amenity in terms of light and outlook, effectively making a bad situation worse and creating an overbearing feature. It is therefore considered that the proposal does not comply with Warwick District Local Plan Policy BE3.

### Ecology

Policy NE2 of the Warwick District Local Plan 2011-2029 states that development will not be permitted that will destroy or adversely affect protected, rare, endangered or priority species unless it can be demonstrated that the benefits of the development clearly outweigh the nature conservation value or scientific interest of the site and its contribution to wider biodiversity objectives and connectivity. Policy NE2 goes on to state that all proposal likely to impact on these assets will be subject to an ecological assessment.

Warwickshire County Council Ecology recommended that in the event of an approval, a qualified bat worker should be present on site during works. However, Officers are mindful that there are no bat records at the site itself and the property is in good overall condition. Bats are also protected under the EU Law and if the applicant found evidence of bats when carrying out works, they would be required to stop and seek relevant advice. An explanatory bat note is therefore considered sufficiently proportionate to the scale of works being carried out.

Warwickshire County Council have also recommended a note relating to birds and hedgehogs be attached to any approval granted.

### **SUMMARY/CONCLUSION**

The proposal is considered harmful to neighbouring residential amenity by reason of loss of light and outlook. The development is therefore contrary to Local Plan Policy BE3 and is recommended for refusal.

### **CONDITIONS**

- 1 Policy BE3 of the Warwick District Local Plan 2011-2029 requires development to have acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. The Council has also adopted The Residential Design Guide as a Supplementary Planning Document (SPD).

In the opinion of the Local Planning Authority, the proposals would result in material harm to the amenity of the neighbour at No.8, by reason of exacerbating an existing breach of the 45-degree line and an already sub-standard level of amenity in terms of light and outlook, effectively making a bad situation worse and creating an overbearing feature.

The development is therefore contrary to the Residential Design Guide SPD and Local Plan Policy BE3.