

**Planning Committee:** 05 December 2017

**Item Number: 15**

**Application No:** [W 17 / 1829](#)

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Holika Bungre

**Registration Date:** 03/10/17

**Expiry Date:** 28/11/17

01926 456541 Holika.Bungre@warwickdc.gov.uk

**41 The Fairways, Leamington Spa, CV32 6PP**

Erection of single storey rear extension, two storey side and rear extension, loft conversion including erection of front and rear dormers., garage conversion and erection of pitched roofs over garage and front entrance, application of render and timber cladding to existing elevations (resubmission of application ref: W/17/0044) FOR Mr Jeevan Virk

-----

This application is being presented to Committee due to the number of objections having been received.

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

This application is a resubmission of the planning permission reference W/17/0044 which granted for "erection of a single storey rear extension, a two storey side and rear extension, and the application of render and timber cladding to existing elevations". The number of bedrooms remained at 4 as part of that proposal and no increase in ridge height was proposed.

The current application retains all of the previous proposals, but also includes the following:

- The erection of 2no. front dormers and 1no. rear dormer to facilitate the conversion of the loft to provide 2no. additional bedrooms and a bathroom;
- The conversion of the garage to provide a guest room and ensuite - (permitted development not requiring planning permission);
- Erection of pitched roofs over garage and front entrance;
- Installation of new windows and doors to the porch area.

Those aspects approved as part of the previous permission are already established as acceptable, and therefore only the additional works proposed will be assessed as part of this application.

## **THE SITE AND ITS LOCATION**

The application relates to a large detached dwelling located on the south side of The Fairways close to its junction with Windermere Drive. The immediate and wider street scene within The Fairways is one of predominantly large detached dwellings with a range of designs and palette of materials, many of which have been which have been altered, improved and extended.

## **PLANNING HISTORY**

W/17/0044 - Erection of single storey rear extension, two storey side and rear extension with replacement front entrance canopy and application of render and timber cladding to existing elevations - Granted, 8 March 2017.

## **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)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)

### Guidance Documents

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

## **SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council:** No objection

**WCC Ecology:** Recommend bat and bird notes and that the roof is removed carefully by hand.

**Public Response:** 16 objections have been received on the following grounds:

- Front and rear dormer windows will cause overlooking.
- Proposals change the character and purpose of the dwelling beyond what is normal in the residential environment of The Fairways which has family houses.
- Speculation that the proposal for seven bedrooms would mean that the property could be used for commercial letting purposes, and implies the possibility of multiple occupation in future and a precedent for this could be set in the road. This could irreversibly change the street from being one of

mainly family houses, and would change the play environment for children in the close.

- Proposed number of bedrooms (7) could result in up to 13 occupiers.
- Proposed number of bedrooms will result in a lack of parking, even if the whole of the front drive was converted into driveway space. This will cause further parking issues within what is a narrow road, where access will be more restricted (including for refuse, delivery or emergency vehicles) and adversely affecting highway safety and obstructing the public footpath. It has been speculated that up to 15 cars could need to be parked for the property at any one time.
- Loss of garage will exacerbate lack of space for parking.
- A loft extension with a front dormer is uncharacteristic of the street, and dormers in the street are only generally found at two storey level (proposed is at three storey level).
- The proposed loft conversion would involve an increased ridge height, which would be uncharacteristic of the street, as would a third storey.
- The proposed dormer windows are unsightly.
- Overdevelopment of the site.
- The scale of proposed works are uncharacteristic of the cul-de-sac.
- Will impact on openness.
- Property will tower over existing properties and will be overbearing.

## **ASSESSMENT**

### Design and Impact on the Street Scene

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan Policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

As there are other dormer windows within the streetscene, of various designs, the creation of front dormers is considered acceptable in principle. The proposed front dormers are considered relatively small scale additions to the property and are appropriate in scale. The rear dormer is considered proportionate and suitably designed and will have no impact on the street scene.

The proposed pitched roofs to the front entrance canopy and the garage are considered in design terms to constitute a visual improvement to the property when compared with the existing flat roofs.

Objections on grounds of overdevelopment of the site are noted. However, it is considered that the additional works proposed taken together with those previously approved do not result in an overdevelopment of the site as the proposals are of a scale which will sit comfortably on the property and within the wider streetscene and comply with the provisions set out in the Residential Design Guide SPG.

#### Impact on Neighbour Amenity

Warwick District Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development.

The objections to the proposed dormers on grounds of loss of privacy are noted. However, officers are mindful that a full width rear dormer could be constructed under permitted development (subject to the resulting roof space not increasing above 50 cubic metres). Notwithstanding this, the proposed dormers would not look directly into neighbouring properties but rather onto the garden of the application property. Furthermore, the separation distance required between the fronts and backs of a two storey and a three storey dwelling is 27m, whereas the distance to the property to the rear at No. 39 Beverley Road ranges between 39.5m-41m, well in excess of the minimum requirement set out in the SPG.

In terms of the front dormer, while there will be a front-front relationship with No.64 the Fairways opposite, it will only be at an oblique angle. The separation distance which would be required here is 27m and 32.5m-33m is provided.

Therefore, it is not considered that the proposed dormers will result in material harm by reason of overlooking and loss of privacy. There will be also be no material harm caused in terms of loss of light or outlook as a result of the of the other works proposed as part of this application.

#### Parking

The Council's Vehicle Parking Standards SPD requires 2no. car parking spaces for dwellings with 4+no. bedrooms. The parking provision has not changed from the previous approval, which was considered acceptable for a 4no. bedroom house. The parking is therefore considered to be sufficient for the proposed development.

Comments relating to the loss of the garage and its impact on parking are noted. However, the conversion of the garage does not require planning permission and in any case, 2no. parking spaces will remain on the driveway in accordance with the parking standards.

#### Other matters

Comments relating to a seven bedroom house, as proposed, being out of character with the area are noted. The design and appearance of the proposed works is considered to be acceptable as discussed above. There is no planning policy which restricts the number of bedrooms in a dwelling and it would be

unreasonable to refuse planning permission on this basis. The potential for the property to be used as a HMO is also noted, however, as the property is covered by an Article 4 Direction, planning permission would be required and the merits of such a proposal would be assessed on its merits at such time that an application was submitted.

### **SUMMARY/CONCLUSIONS**

For the reasons set out above, it is recommended that planning permission should be granted, subject to conditions.

### **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 '1770-01', '1770-03', 'Existing Ground Floor Plan and Existing First Floor Plan' and 'Existing South East Elevation...Existing North East Elevation' submitted on 3rd October 2017 and '1771-04A' submitted on 23rd November 2017, and specification contained therein. **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.

-----