

**Planning Committee:** 09 November 2022

**Item Number:** 8

**Application No:** [W 22 / 1521](#)

**Town/Parish Council:** Lapworth  
**Case Officer:** Theo Collum

**Registration Date:** 20/09/22

**Expiry Date:** 15/11/22

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**1 St Chads Cottage, Old Warwick Road, Lapworth, Solihull, B94 6LH**  
Erection of two storey side/rear extension plus alteration to fenestration FOR Mr  
T Daplyn

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

### **RECOMMENDATION**

Committee are recommended to grant planning permission.

### **DETAILS OF THE DEVELOPMENT**

The erection of a two-storey rear extension and a single storey side extension.

### **THE SITE AND ITS LOCATION**

The application site relates to a semi-detached house within a large plot. The site is adjacent to the canal but not within the Canal Conservation Area, and Lapworth is a growth village removed from the Green Belt.

### **PLANNING HISTORY**

W/20/0384 – erection of a two-storey rear extension – submitted on 27/03/20, granted on 05/09/2020

W/20/1260 – Erection of a two-storey rear and side extension – submitted on 28/08/2020 and granted on 27/10/2020

### **RELEVANT POLICIES**

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

## **SUMMARY OF REPRESENTATIONS**

**WCC Ecology** - object pending photos to determine a bat survey

**WDC Conservation** - no comment

**Lapworth Parish Council** - object on grounds of overdevelopment

## **ASSESSMENT**

### Design

Local plan policy BE1 details that planning permission will only be granted where the proposals harmonise with the existing street scene. The Council's Residential Design Guide offers more specific details on how this is achieved, including criteria for the subservience of proposed extensions to existing dwellinghouses.

This proposal is very similar to the proposal for which permission was granted under application W/20/1260, however it is slightly smaller by 15m<sup>2</sup>, and removes a flat-roofed balcony feature in favour of a single-storey glazed lean-to section at the side. The two-storey rear extension would not be visible from the Old Warwick Road.

Lapworth Parish Council objected on the basis that they considered this overdevelopment, in close proximity to the Canal Conservation Area and the Green Belt. While the added floor space is large as a proportion of the existing building, it is, as noted, smaller than the proposal granted permission under W/20/1260. In addition, the plot is very large, and the development is concentrated behind and close to the existing house. The Green Belt and Canal Conservation Area do run alongside the property but the property itself is not in either area, therefore rules regarding extensions to dwellings in the Green Belt do not apply in this case. Furthermore, the proposal is considered to have an acceptable impact on the setting of the conservation area. The proposal is therefore considered acceptable under policy BE1.

### Impact on the Amenity of Neighbouring Occupiers

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. There is no conflict with the 45-Degree Guideline or the Distance Separation Standards, and therefore the proposals are considered not to cause any material harm in terms of outlook or loss of light and privacy for neighbouring occupiers. Local Plan Policy BE3 is complied with.

### Ecology

The County Ecologist has recommended a Preliminary Bat Survey be undertaken. However, Officers are mindful that there are no specific bat records for the application site itself, the roof space could be converted without the need for planning permission, and the property is well sealed and situated in a built-up area. Moreover, bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species

Regulations 2010. It is a criminal offence to recklessly disturb or destroy a bat 'roost'. Where a bat 'roost' is present a licence may be necessary to carry out any works. If evidence of bats is found whilst carrying out works, there is a legal requirement to stop work and notify Natural England. A note advising the applicant of this will be added to any approval granted.

## **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(s) 5928/01 C, and specification contained therein, submitted on 20/09/2022. **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.
  - 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 BE1 of the Warwick District Local Plan 2011-2029.
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