

Planning Committee: 17 July 2018

Item Number: 5

Application No: [W 18 / 0400](#)

Town/Parish Council: Cubbington
Case Officer: Holika Bungre

Registration Date: 03/04/18

Expiry Date: 29/05/18

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85 Rugby Road, Cubbington, Leamington Spa, CV32 7JH

Erection of a two storey and a single storey rear / side extension and a porch.
FOR Mrs S Warrington

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

RECOMMENDATION

The Planning Committee are recommend to Grant the application subject to conditions.

DETAILS OF THE DEVELOPMENT

This amended application seeks planning permission for the erection of a two storey rear extension (of 6.5m depth from the first floor rear wall of the main house) and a single storey rear/side extension (of 4.3mm depth from the ground floor rear annexe wall), and a replacement porch. These depths have been decreased by 1.5m and 1m respectively so that the first floor element would not breach the 45 degree angle to the new dwelling (approved by extant permission W/16/0754 at No. 87) if built.

While the single storey rear element will extend an existing annexe, the upper floor of the annexe will be closed off and become part of the main house. 2 No. Juliet balconies are proposed at the rear of the two storey element (in place of the originally proposed recessed balcony which has been removed in order to decrease the depth as per the above).

THE SITE AND ITS LOCATION

The application site relates to a detached residential dwelling located to the north west side of Rugby Road in Cubbington, near to the corner of Kenilworth Road. The property currently benefits from a two storey side extension that formed an annexe, and a single storey rear conservatory.

PLANNING HISTORY

W/07/0397 - Granted (not implemented) - Erection of two storey front extension.

W/04/1874 - Granted - Erection of a two storey side extension, rear conservatory and pitched roof over porch and creation of new vehicular access onto Rugby Road.

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)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Cubbington Parish Council: Objection to original scheme on grounds of overdevelopment. Proposals are considerable upon an already extended property.

WCC Ecology: Recommend initial bat survey.

Public Response: 3 objections to original scheme:

- Significant extensions to the rear past rear building line.
- Overlooking from rear balcony.
- Separation distances not met to No. 2 Kenilworth Road.
- Extensions will be overbearing to property and gardens.
- Plans do not show all outbuildings in applicant's garden.
- Other comments non-material to the planning application were raised.

ASSESSMENT

Design, Scale and Impact on the Street Scene

The porch works are considered acceptable and suitable in scale and design, and will not be harmful to the street scene.

While the proposals are fairly deep to the rear, they are subservient to the house. They are not considered harmful to the property overall, and are not considered to be overdevelopment, having taken into account the Parish Council objection and other comments, especially as amended. The adopted Residential Design Guide does not give specific guidance on restrictions of depths or building lines to the rear and it is considered that a refusal on the ground of overdevelopment could not be sustained on appeal.

Furthermore, a substantial private rear amenity area will remain; based on the upcoming Residential Design Guide, the private outdoor area that should remain for a house with this resulting number of bedrooms would be 60 sq m, whereas 355.2 sq m will remain; substantially over the upcoming requirement. Furthermore, the extensions will not be visible from the street scene, and so will not cause harm to it.

Impact on Neighbour Amenity

There will be no breaches of the 45 degree angle by way of the proposals, and so the extensions will not be overbearing or cause a loss of light to the neighbour adjacent at No. 87. The depth of the two storey element has been decreased by 1.5m (from 8m down to 6.5m) to ensure that it would not breach the 45 degree angles to any part of the new dwelling approved at No. 87 adjacent, if the dwelling was built.

The required separation distances are exceeded to No. 2 Kenilworth Road. Where the required distance is 12m (between the rear of No. 2 and the side of the two storey element), 13.5m-15.6m has been provided, and therefore the two storey extension will not be directly overbearing or cause a direct loss of light to No. 2 Kenilworth Road. Furthermore, the extensions are also at a slight outward angle to this neighbour, further lessening the impact on this property and garden. No separation distances apply between the single storey extension and No. 2.

There will be no cause for overlooking as there are no first floor windows proposed to the side. The rear balconies are Juliet balconies and so do not provide a platform to stand on. As such they only directly overlook the applicant's own garden, and therefore no material harm will be caused to neighbouring gardens or properties here.

Ecology

While County Ecology have recommended an initial bat survey, it is considered reasonable and sufficient that a bat note is added for this.

Other Matters

While it is acknowledged that all of the applicant's outbuildings are not shown on the plans, they are not required to be and will not impact upon the assessment of the application in any of the above respects.

SUMMARY/CONCLUSION

The proposed extensions will be suitable in design and scale for the main property overall, and will not impact upon the street scene. They will not cause material harm to the surrounding neighbours nor the dwelling which could be built under an extant planning permission at no. 87 and therefore the application should be approved.

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 001, 050 and 200 submitted on 28th February 2018, drawings 100A, 150A, 300A and 400A submitted on 2nd July 2018 and drawing 151B submitted on 3rd July 2018 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.
 - 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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