**Planning Committee:** 27 May 2015 **Item Number:** **13**

**Application No:** W15/0334

**Registration Date:** 23/03/15
**Town/Parish Council:** Leamington Spa **Expiry Date:** 18/05/15
**Case Officer:** Helena Obremski
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**62 The Fairways, Leamington Spa, CV32 6PS**
Erection of two storey rear extension, erection of front porch and roof alterations including the erection of a pitched roof front dormer window to replace existing
FOR Mr Singh Malhi

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This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received. The application was deferred at the previous planning committee on 28 April 2015 to allow for a site visit by Members.

## RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

## DETAILS OF THE DEVELOPMENT

The applicant seeks to erect a two storey rear extension, pitched roof dormer window to the front roof slope and a porch to the front elevation. The proposal, as originally submitted, also included a detached outbuilding to form a gym / garage to be located in the rear garden together with a new site access. Following an objection from the WCC Highways department, the applicant has subsequently withdrawn these elements from the application.

## THE SITE AND ITS LOCATION

The application property is a two storey detached dwelling with driveway parking and integral garage. The application site is on a corner plot, positioned to the East of The Fairways, next to a round-about which serves Windermere Drive and The Fairways. The site is situated within a predominantly residential area.

## PLANNING HISTORY

W/74/0104 - application granted for a first floor side extension.

W/04/0208 - application withdrawn for the erection of a detached dwelling with integral double garage fronting Windermere Drive

W/04/1600 - application refused for the erection of a detached dwelling with integral double garage fronting Windermere Drive (resubmission).

W/05/0340 - application refused for the erection of a detached bungalow.

## RELEVANT POLICIES

- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- The Current Local Plan
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

## SUMMARY OF REPRESENTATIONS

**Royal Leamington Spa Town Council:** Object to the application for the following reasons: 1. The proposed extension appears to be an over-development of the property. 2. There are safety concerns regarding the positioning of the garage and gym at the end of the garden and the proximity to the road. 3. There appears to be no significant improvements to the earlier plans which were the subject of refusal of planning permission in 2004 and 2005.

**WCC Ecology:** No objection, subject to the inclusion of a bat note.

**WCC Highways:** Object to the application on the basis that it has not been demonstrated that the required visibility splays for the proposed new site access can be provided.

**Public Response:** 7 objections have been received on the following grounds - garage/ gym outbuilding out of keeping with the surrounding area, highway safety implications of the new access, overlooking, loss of outlook, detrimental impact on the street scene, concerns regarding the use of the gym and future potential for conversion to a new dwelling.

## ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The impact on the character and appearance of the area
- The impact on living conditions of nearby dwellings
- Parking
- Sustainability
- Ecological impact
- Health and wellbeing
- Other matters

The Impact on the Character and Appearance of the Area

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 adopted Local Plan 1996 - 2011 Policy DP1 and emerging Draft Local Plan 2011 - 2029 Policy BE1 reinforce the importance of good design stipulated by the NPPF as they require all development to respect surrounding buildings in terms of scale, height, form and massing and to harmonise and enhance the existing settlement. The Local Plans call 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. In addition, the Residential Design Guide SPG sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

Although the proposed two storey extension will be positioned on the rear of the application property, as the site is located on a corner plot, the development will be visible within the street scene of Windermere Drive. The proposed extensions will be constructed from materials to match those of the existing dwelling, which is considered to respect the character of the application property. The proposed pitch of the rear extensions also matches that of existing roof slope of the main dwelling which creates continuity and sits well against the application property.

The proposed pitched roof dormer to the front roof slope and front porch are considered to be modest additions to the application property which would not have a detrimental impact on the street scene. There are other examples of similar pitched roof dormer extensions within The Fairways and the porch has minimal impact on the character of this dwelling.

It is noted that Leamington Spa Town Council have objected to the proposed development as overdevelopment of the site. However, it is considered that the design respects the original character of the application property and would sit comfortably on the property and within the plot as a whole. The application site is a generous plot which would not be detrimentally impacted as a result of the proposed development. The proposed extensions are therefore not considered to be an over-development of the property.

The proposed development is therefore considered to comply with adopted Local Plan Policy DP1, emerging Local Plan Policy BE1 and the Residential Design Guide SPG.

The Impact on Living Conditions of Nearby Dwellings

Warwick District adopted Local Plan Policy DP2 and emerging Local Plan Policy BE3 require 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. There is a requirement for new development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide provides a framework for Policy DP2, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

60 The Fairways is positioned to the North of the application site and sits further back than the application property. This neighbour also benefits from a single storey rear extension, which the proposed development at the rear will not extend past. Therefore, there will be no conflict with the Council's adopted 45 degree guideline at ground floor or first floor. This neighbour has two ground floor side facing windows, one of which is obscure glazed and one of which is a secondary light source. There are no first floor side facing windows which could be impacted as a result of the proposed development. Therefore, it is considered that the proposed development would not have a detrimental impact on the living conditions of the occupiers of Number 60.

25 Windermere Drive is positioned to the rear of the application site. The proposed development meets the minimum distance separation required for a two storey rear extension, therefore it is not considered that the proposed development would have a detrimental impact on the living conditions of the occupiers of Number 25.

No neighbours would be impacted as a result of the proposed front facing dormer window or porch extension.

Therefore, it is considered that the proposed development complies with adopted Local Plan Policy DP2, emerging Local Plan Policy BE3 and the Residential Design Guide.

Parking

The addition of a bedroom does not result in a requirement for additional parking provision in line with the Council's adopted Vehicle Parking Standards SPD. It is therefore considered that there is sufficient off street parking to the front of the property and that the proposal complies with adopted Local Plan policy DP8 and emerging Local Plan policy TR4.

Sustainability

The applicant has indicated that a fabric first approach shall be taken to reduce energy demand and CO2 emissions. However, further information is required to ensure that the required 10% reduction is met, which can be secured by condition.

Ecology

WCC Ecology have commented on this application site, however, they consider that a cautionary bat note would be sufficient and that this application in its present form is acceptable and complies with Warwick District Council Policy DP3.

Other Matters

There have been concerns raised by 7 members of the public, Leamington Spa Town Council and the WCC Highways department that the proposed outbuilding may be used as a separate residential dwelling and that this may create highway safety implications. However, as the proposed new site access and outbuilding have been removed from the proposal, it is considered that these concerns have been addressed.

## CONCLUSION

In conclusion, the proposed two storey rear extension, pitched roof dormer window extension to the front roof slope and front porch extension are considered to be of acceptable design and scale which would not impact adversely on the on the character or appearance of the street scene and do not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

## CONDITIONS

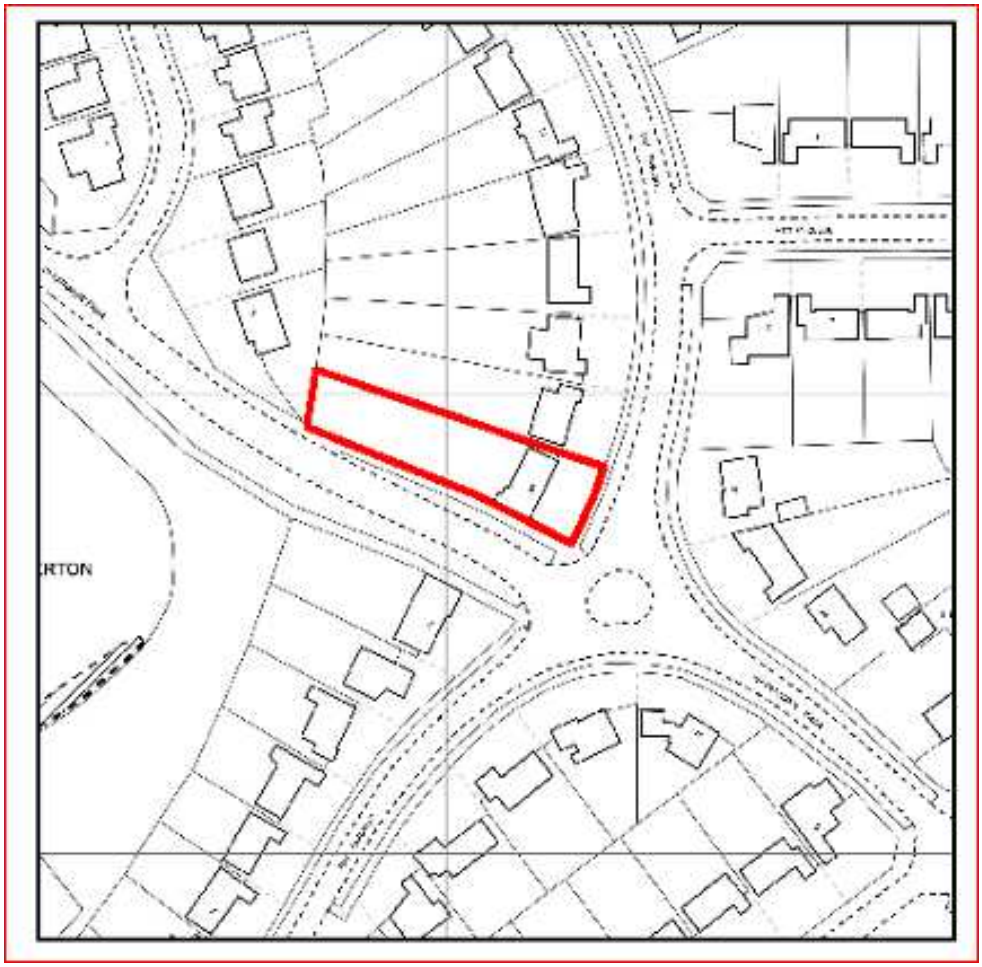
1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

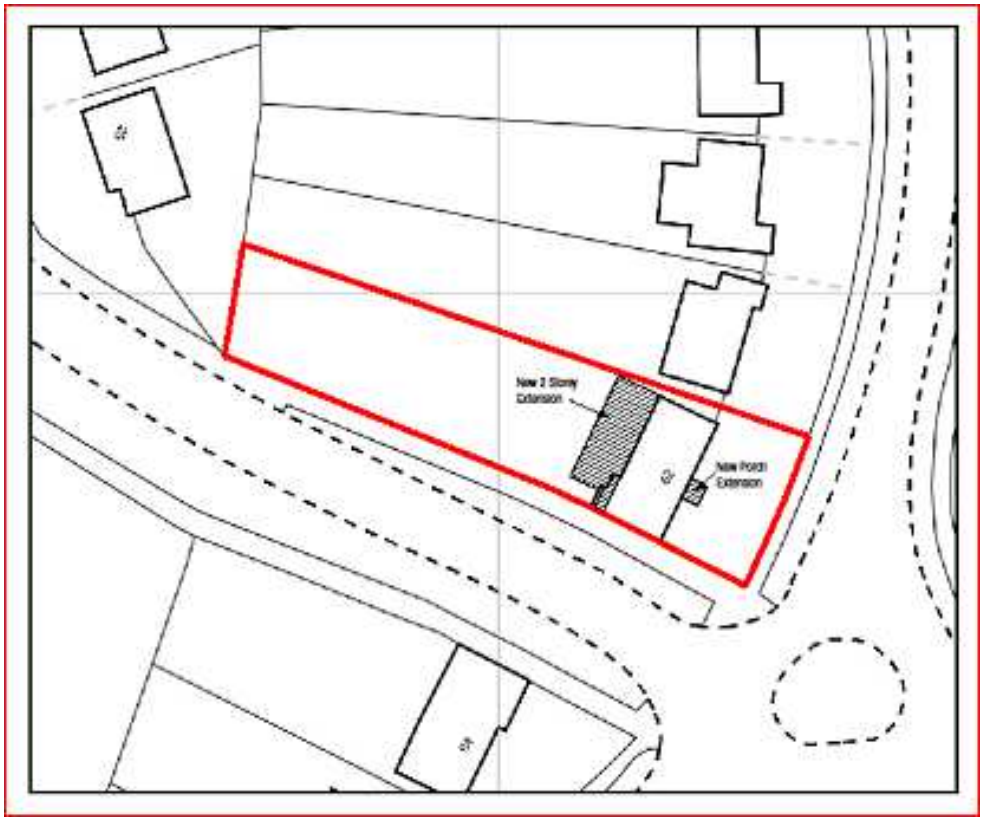
2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing GD1486/02, and specification contained therein, submitted on 4th March 2015. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

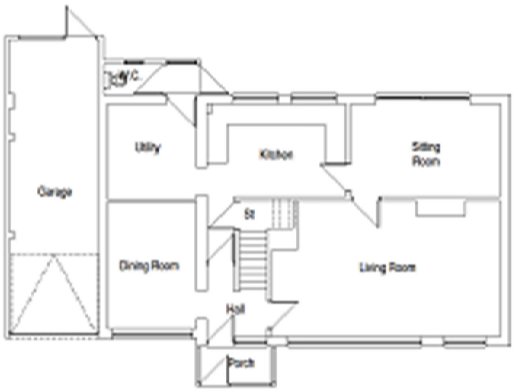
3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its $CO^2$ emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

5 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

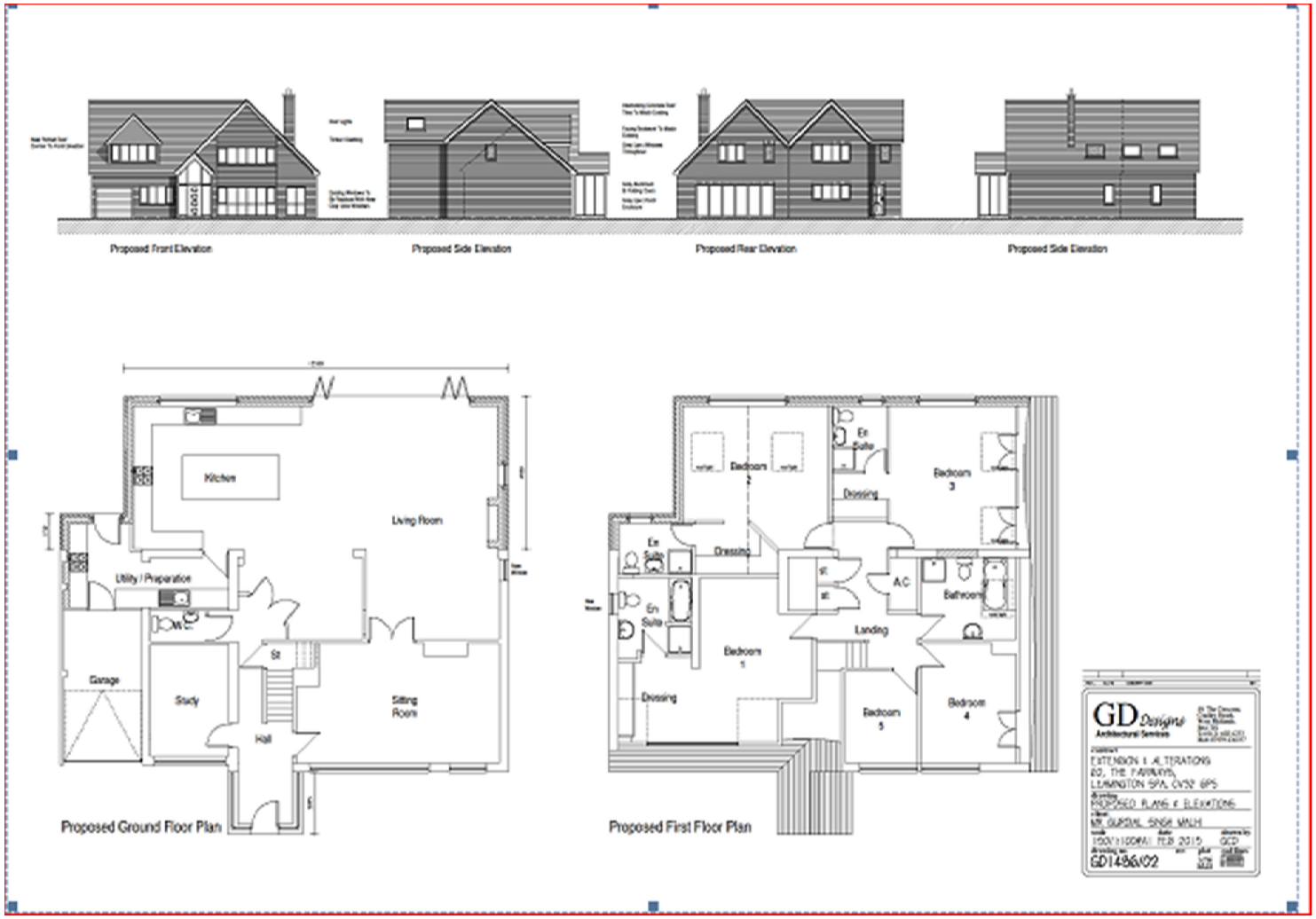



New 2 Storey Extension
New Porch Extension




Existing Ground Floor Plan

Existing First Floor Plan


Proposed Front Elevation
Proposed Side Elevation
Proposed Rear Elevation
Proposed Side Elevation
Kitchen
Living Room
Utility / Preparation
WC
Garage
Study
St
Hall
Sitting Room
Proposed Ground Floor Plan
Bedroom 2
En Suite
Dressing
Bedroom 3
En Suite
Dressing
St
St
A.C
Bathroom
En Suite
Bedroom 1
Landing
Dressing
Bedroom 5
Bedroom 4
Proposed First Floor Plan
GD Designs
Architectural Services
EXTENSION & ALTERATIONS
82, THE FAIRWAYS,
LEAMINGTON SPA, CV32 6PS
PROPOSED PLANS & ELEVATIONS
MR GURSHAL SINGH MALHI
1:50/1:100@A1 FEB 2015 GD
GD1486/02