Planning Committee: 10 November 2010 **Item Number:**

Application No: W 10 / 1101

Registration Date: 10/09/10

Town/Parish Council: Leamington Spa **Expiry Date:** 05/11/10

Case Officer: Alex Smith
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104 Northumberland Road, Leamington Spa, CV32 6HG

Erection of a single storey rear extension to existing kitchen and conversion of existing garage to a bedroom / study with associated roof alterations. Two storey side extension to provide double garage at ground floor with master bedroom above. FOR Dr Bhandal

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

SUMMARY OF REPRESENTATIONS

CAAF: Concern was expressed at the scale of this extension and the closeness to the adjacent property. It was felt that the spaces between houses are important in Northumberland Road and this extension clearly eroded the quality of Northumberland Road. It was felt to be overpowering, particularly bland with the very large garage door. The symmetrical designs of this house would be spoilt by this large extension. Drawings were poor quality and did not reflect adequately the design. It was felt to be no enhancement to the conservation area and CAAF members felt they should strongly object to this proposal. (DAP 9 applies).

Leamington Spa Town Council: An objection is raised for the following reason:

The proposal will have a deleterious impact on the street scene in this part of the Conservation Area where the properties are traditionally spaced some distance apart whereas this proposal is likely to produce a terracing effect.

Ecology: A pre-determinative bat survey is recommended for this application, as there are bat records and suitable foraging habitat in the surrounding area.

Public Response: No comments. [N.B. The above representations all relate to the application as originally submitted.]

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (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)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

PLANNING HISTORY

W/88/1316 - Granted - Erection of a rear lounge extension.

W/03/0242 - Granted - Erection of a two storey side extension and detached garage.

W/04/0325 - Withdrawn - Demolition of existing dwellings and erection of properties to create 45 two and three bedroom apartments with new road access and provision for 68 parking spaces.

KEY ISSUES

The Site and its Location

The application relates to two storey detached house which is located on the south-eastern side of Northumberland Road, towards the Kenilworth Road end of the street.

Northumberland Road is composed of predominately large residential properties which are set back from the highway. Each property has a unique architectural style, which is one a key features of the streetscene. The applicant property has a large amount of foliage on the front boundary which ensures the view of the house is restricted from large areas of the public domain.

The property sits within the Leamington Conservation Area and has a large area of driveway in front of the dwellinghouse. There is a feature gable in the principle elevation, which includes timber frames at first floor level and above the front door at ground floor level. A key feature in the design of the property is the symmetry created by the feature gable and bay windows either side of this at ground floor level. An existing garage is attached to the northwestern side elevation, this incorporates a small gable in the roofline of the principle elevation which is reflective of the gable of dwellinghouse and is a feature of styling of this traditional house.

Details of the Development

The application as amended proposes the development of a two storey side extension with two 'steps' in the roofline. This side extension would create a double garage at ground floor level (incorporating 2 single garage doors) and a master bedroom with en-suite and wardrobe space at first floor level. The proposed development would also increase the size of an existing rear extension and would redevelop the existing garage into a single storey additional study/bedroom.

The single storey side extension (replacing the existing garage) would have a hipped roof and would adjoin the boundary of 106 Northumberland Road. The two storey extension would also have a hipped roof and would be 1.35 m from the single storey garage serving No. 102 Northumberland Road.

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 the living conditions of the neighbouring dwellings.

- Provision of 'renewable' energy.

- Provision of 'pre-determinative' bat survey.

The impact on the character and appearance of the area

Policy DAP 9 of the Warwick Local Plan states that alterations or extensions to unlisted buildings which adversely affect the character, appearance or setting of a conservation area will not be permitted. Therefore it must be considered if this application contravenes this policy.

As part of the consultation process comments were received from both Warwick District Councils Conservation Officer and also CAAF who both raised objections to the proposal. CAAF raised concerns over the scale of the extension and the proximity to the neighbouring property. They also felt the extension was bland, eroded the quality of the streetscene and the garage door would be overly large. Following negotiations, amended plans were submitted on the 12th October for consideration in this application.

The major consideration for this application is the reduction is separation between the applicant property and the adjacent property, 102 Northumberland Road. Whilst the amended plans would create an improved scheme more in keeping with the Conservation Area, the proposed distance separation between the properties would remain unaltered at 1.35 metres. This would be a reduction in the existing distance separation which currently stands at 8.9 metres.

During the consultation process Leamington Spa Town Council objected to the plans as originally submitted on the grounds that the reduction in this distance separation would create a terracing effect on the property. Whilst the Town Council's objections have been noted, the minimum required distance separation outlined in the Residential Design Guide (1 metre) has been met by this application. In addition the neighbouring property has a single storey garage extension built up to the boundary line shared with the applicant property. The applicant property is currently set back 20 metres from the highway of Northumberland Road. This distance combined with the existing foliage on the northern boundary line ensures that there would be no unacceptable sense of enclosure on the street, caused by the erection of this extension. Northumberland Road is by its nature a very wide and spacious road, and the introduction of this extension would in my opinion not reduce this sense of openness to an extent that would warrant a refusal of this application.

In the existing streetscene of Northumberland Road there are a number of examples of existing properties which have been built up to the side boundary lines. The street is characterised by the mixture of architectural styles in the streetscene, the mature trees and grass verges and the width of the road with houses set far back from the pavement. This is a view which was shared by the Planning Inspectorate on an appeal for a similar application for a large two storey side extension for 41 Northumberland Road. The inspector was of the opinion that the distance separation was a secondary consideration and the refusal of this application on the grounds of lack of distance separation between properties was overturned and granted on appeal by the Inspector on 21st June 2010.

Whilst the erosion of distance separation between the properties is not ideal for such a prominent street in a Conservation Area. I am of the opinion that this extension has provided sufficient distance separation for this application not be refused on these grounds. Of far more importance is the design of the extension

to retain the traditional characteristics of the dwellinghouse and I consider that the amended design negotiated by the Council's Conservation Officer has successfully achieved an acceptable design.

I am therefore of the opinion that the amended plans provide a well designed extension that would not be contrary to policies DP1 or DAP 9 of the Warwick Local Plan and would have an acceptable impact on the Conservation Area.

The impact on the living conditions of the neighbouring dwellings

Policy DP2 of the Warwick Local Plan states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby users and residents. It must therefore be considered if this application would be contrary to this policy.

Due to the location of the proposed works the main consideration is for the two storey side extension which would be built 1.35 metres from the boundary line, which is shared with 102 Northumberland Road.

As previously stated this property has a single storey garage built up to the boundary line, which is attached to the northwestern side elevation of the main dwellinghouse. This adjacent dwelling has no side facing windows within the side elevation, which faces the applicant property. In addition this side extension would create no conflict of the 45 degree conflict.

I therefore conclude that there would be no overbearing effect, loss of light, outlook or privacy to this property that would warrant an refusal of this application.

106 Northumberland Road shares a northwestern boundary line with the applicant property. The application would create a new lean to roof on the existing garage which would be higher than the existing shallower lean to roof. However, due to this being a single storey structure, this would not have sufficient impact on the light or outlook from this neighbour to warrant a refusal of this application. Whilst the rear single storey extension would be extended across the width of the applicant property, to be closer to this neighbouring dwelling, the increase in proximity would not breach the 45 degree guideline and therefore the impact to this neighbour would be minimal.

I am of the opinion that the developments proposed in this application would not be unneighbourly or contrary to policy DP2 of the Warwick Local Plan.

Provision of the renewable energy requirement

Policy DP13 of the Warwick Local Plan require appropriate residential developments to produce 10% of the predicted energy increase to be produced on-site, or in the locality, from renewable energy sources.

Having spoken with the agent for this application he is aware that this scale of development requires 10% of the additional energy requirement for the extension to be from a renewable source. He has therefore submitted amended plans and a sustainable building statement outlining that this renewable energy requirement would be produced from solar panels mounted on the south-east roof elevation.

The applicants agent has acknowledged however that the Sustainable Buildings Statement is not fully detailed and therefore I recommend that a pre-commencement condition requiring a 10% renewable energy scheme be imposed on any grant of planning permission.

'Pre-determination bat survey

I note that Ecology have requested a pre-determination bat survey. In this instance where there is no evidence of a bat roost in this building and having regard to the particular details of the design of this scheme, I consider that a pre-commencement condition requiring a full bat survey before any works are first commenced would be acceptable in this instance.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 3536/03 A, and specification contained therein, submitted on 12th October 2010 unless first agreed otherwise in writing by the District Planning Authority. **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 Before any works for demolition are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON**: To ensure the protection of bats and compliance with Policy DP3 of the Warwick District Local Plan 1996-2011.

4 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.

5 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.