Planning Committee: 27 May 2015 **Item Number:** **12**

Application No: W 15 / 0178

Registration Date: 09/03/15

Town/Parish Council: Bishops Tachbrook **Expiry Date:** 04/05/15

Case Officer: Helena Obremski
01926 456531 Helena.Obremski@warwickdc.gov.uk

24 Church Hill, Bishops Tachbrook, Leamington Spa, CV33 9RJ

Proposed demolition of an existing attached garage and the construction of a two storey side extension. FOR Mr Edworthy

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This application is being presented to Committee due to an objection from the Parish Council having been received. This application was deferred from the previous committee meeting held on 28th April 2015 pending a site visit from members.

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The applicant seeks to construct a two storey side extension to accommodate a store room and extended kitchen to the ground floor and additional bedroom with ensuite bathroom above.

THE SITE AND ITS LOCATION

The application property is a two storey, semi-detached dwelling, positioned on a corner plot and sits on the boundary of the Conservation Area, but not within it. The application property benefits from a single garage and driveway parking to the front of the property. The application property sits in an elevated position from the main road, so is in a prominent position between Church Hill and Kingsley Road.

PLANNING HISTORY

There is no relevant planning history relating to this site.

RELEVANT POLICIES

- National Planning Policy Framework

Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

- 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)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

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)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council: objects to the application due to the fact that the proposed development should fall in line with the main ridge line of the property, rather than being set down.

WCC Ecology: no objection, subject to the inclusion of bat and nesting bird notes.

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
- The Impact on the Wider Views of the Conservation Area.
- Parking

- Sustainability
- Ecological Impact
- Health and Wellbeing

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 Local Plan 2011 - 2029 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 and should harmonise and enhance the existing settlement. The Local Plans call for development to be constructed using the appropriate materials and seek 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. Finally, the Residential Design Guide sets out guidance directed at achieving 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.

The proposed extension will be positioned on the side of the application property, so will be visible within the street scene. The extension has been designed so that the proposed pitched roof mirrors the gradient of the existing roof slope of the application property and will be constructed from matching materials to those of the existing dwelling, which respects the character of the original dwelling. The roof line of the proposed development is set down from the main ridge line of the application property and the principle elevation of the extension is set in from the front elevation of the main dwelling, which creates a subservient form of extension and is accordance with the Residential Design Guide.

Bishops Tachbrook Parish Council have objected to the application and requested that the proposal is amended so that the proposed roof line is aligned with the main ridge line of the application property. The Parish Council consider as the application property is positioned immediately adjacent to the Conservation Area, that the proposed development would sit more comfortably within the street scene and wider surroundings if the extension was better integrated. The Parish Council consider that the guidance shown in the Residential Design Guide is not appropriate to apply in this context and that emerging Neighbourhood Plan policy BTHE2: the enhancement of Bishop's Tachbrook Conservation Area requires a high standard of design for the setting of a Conservation Area. Furthermore, the Parish Council also makes reference to emerging Neighbourhood Plan policy BTHE2 B stipulating that alterations and extensions to listed buildings in the Conservation Area which adversely affect the character, appearance or setting of the area should not be permitted.

As the proposed design conforms with the guidance set out in the adopted Residential Design Guide, it would not be considered appropriate to request the applicant to amend the design to meet the Parish Council's requests. The emerging Neighbourhood Plan which the Parish Council make reference to has minimal weight in relation to this application so these policies cannot be taken into consideration when assessing the proposed development. The proposed development has been designed sensitively to respect the character of the original dwelling and the wider surroundings. The proposed extension will be constructed from matching materials and the windows are of the same design and positioning, creating symmetry and continuity. As the application property is in a prominent position, it is considered important to set down the ridge line of the proposed development so that the original property can be easily read against the original dwelling.

Therefore, it is considered that the proposed development complies with the Council's adopted Local Plan policy DP1, emerging Local Plan policy BE1 and the Residential Design Guide.

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 responsibility for 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.

Number 26 Church Hill is positioned to the South Eastern boundary of the application site and is the other half of this pair of semi-detached dwellings. As the proposed development will be positioned on the opposite side of the application property to this neighbour and will not protrude any further forwards or to the rear than the application property, there will be no possible conflict with the Council's adopted 45 degree guidance. It is considered that there would be no material harm to the living conditions of the occupiers of Number 26 Church Hill.

Number 1 Kingsley Road is positioned to the South Western boundary of the application site and sits at a 90 degree angle to the application property. The relationship between these properties is reasonably tight, in that the proposed development will be positioned closely to the boundary shared by the two properties. However, this neighbour benefits from a garage which sits next to the shared boundary and at first floor, there are two obscure glazed windows which are positioned nearest to the proposed development. Therefore, there will be no conflict with the Council's adopted 45 degree guidance as a result of the proposed development. The additional proposed first floor windows will be conditioned to be permanently obscure glazed and non-opening unless above 1.7

metres in height above the floor level to ensure that there is no increased perception of overlooking or loss of privacy. Furthermore, due to the orientation of the properties, it is unlikely that there would be a significant loss of light to this neighbour as a result of the proposed development.

The proposed development meets the required distance separation guidance to the nearest property.

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.

The Impact on the Wider Views of the Conservation Area.

Warwick District Council's current Local Plan policy DAP8 and emerging Local Plan policy HE2 require development to respect the setting of Conservation Areas and to not impact on important views or groups of buildings from inside and outside of the boundary. Emerging Local Plan policy HE2 states that alterations or extensions to unlisted buildings which adversely affect the character, appearance or setting of a Conservation Area should not be permitted.

The application property is located on the boundary of the Conservation Area, but does not lie within it. The proposed development is considered to respect the character of the application property and wider surroundings. The proposed extension will be constructed using appropriate materials and would not have a detrimental impact on the wider views of the Conservation Area. It is considered that the proposed development would not have a detrimental impact on the street scene and complies with adopted Local Plan policy DAP8 and emerging Local Plan policy HE2.

Parking

The proposed development will result in the loss of a parking space as the garage will be converted to a store and habitable living space. However, the proposed development does not increase the requirement for parking provision at the site and it is considered that there is sufficient off-street parking to the front of the property to comply with Warwick District Council adopted Local Plan Policy DP8, emerging Local Plan policy TR4 and the Councils adopted Vehicle Parking Standards.

Sustainability

Due to the scale of the proposed extensions, the applicant has submitted details to indicate that the required 10% of renewable energy provision will be through solar panels. Full details on a scheme to show that this meets the 10% obligation is required which will be secured by conditioned.

Ecological Impact

WCC Ecology have commented on this application site, however, they consider that a cautionary bat note and nesting bird note would be sufficient and that this application in its present form is acceptable and complies with Warwick District Council adopted Local Policy DP3 and emerging Local Plan policy NE2.

Health and Wellbeing

N/A

CONCLUSION

In conclusion, the proposed two storey side extension is 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 does 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 P001, and specification contained therein, submitted on 9th 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.

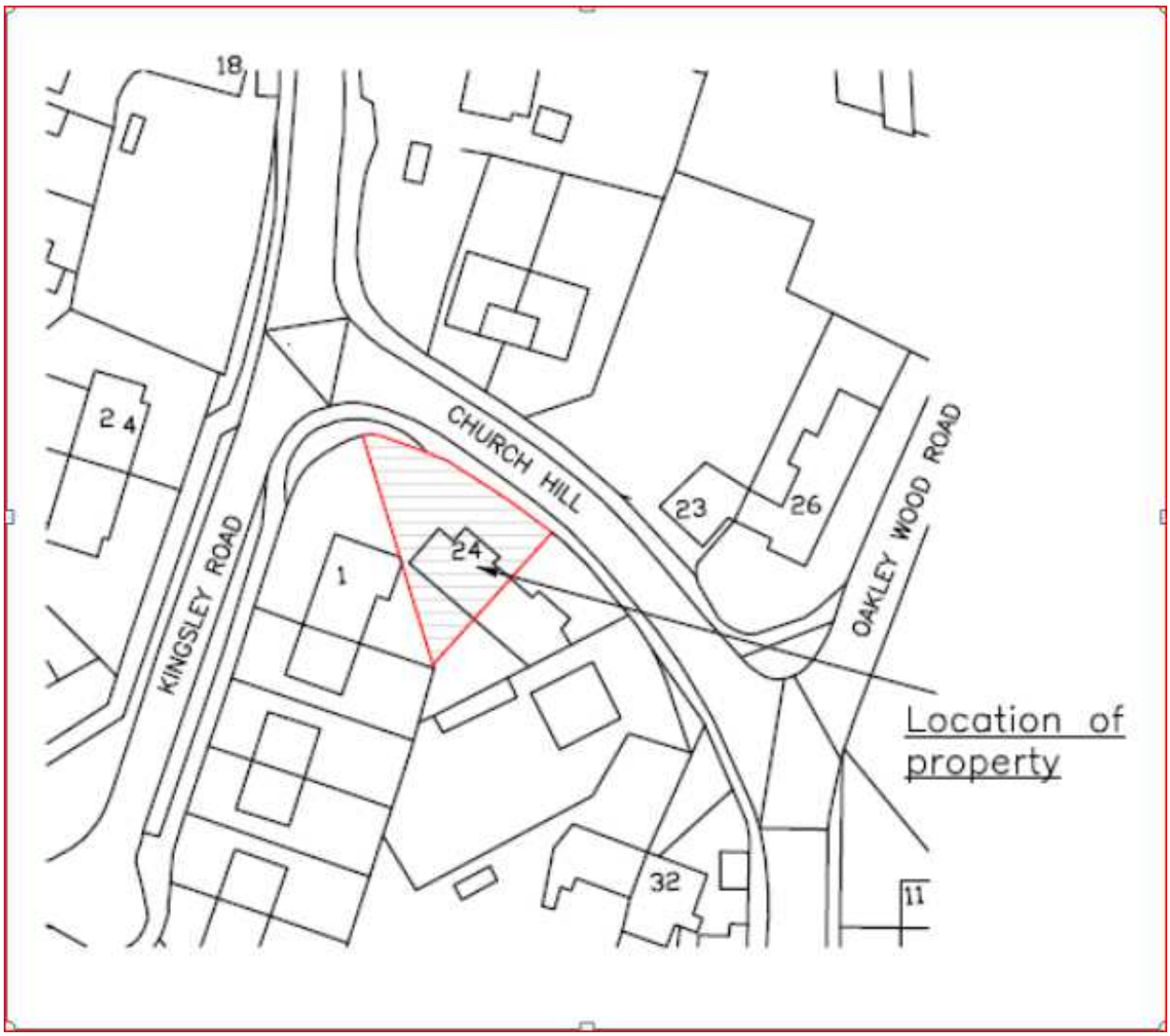
3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local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

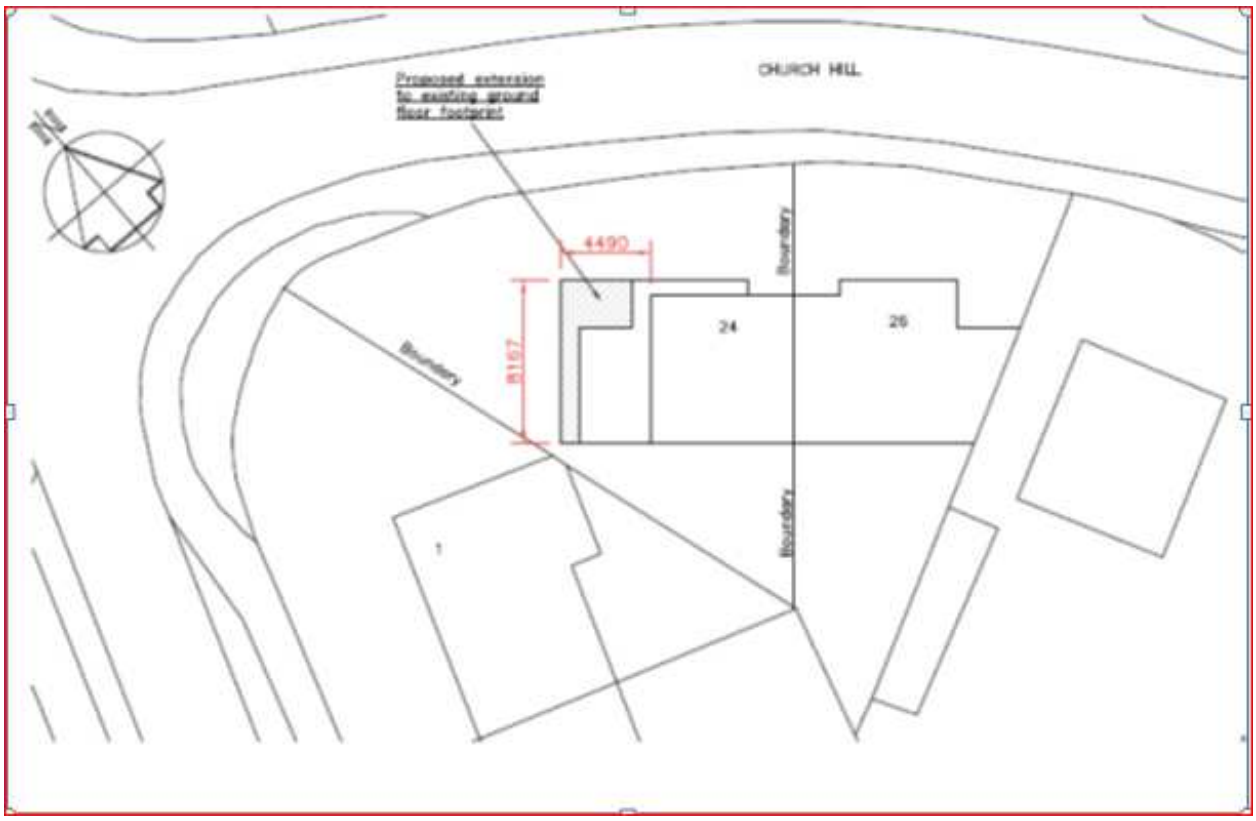
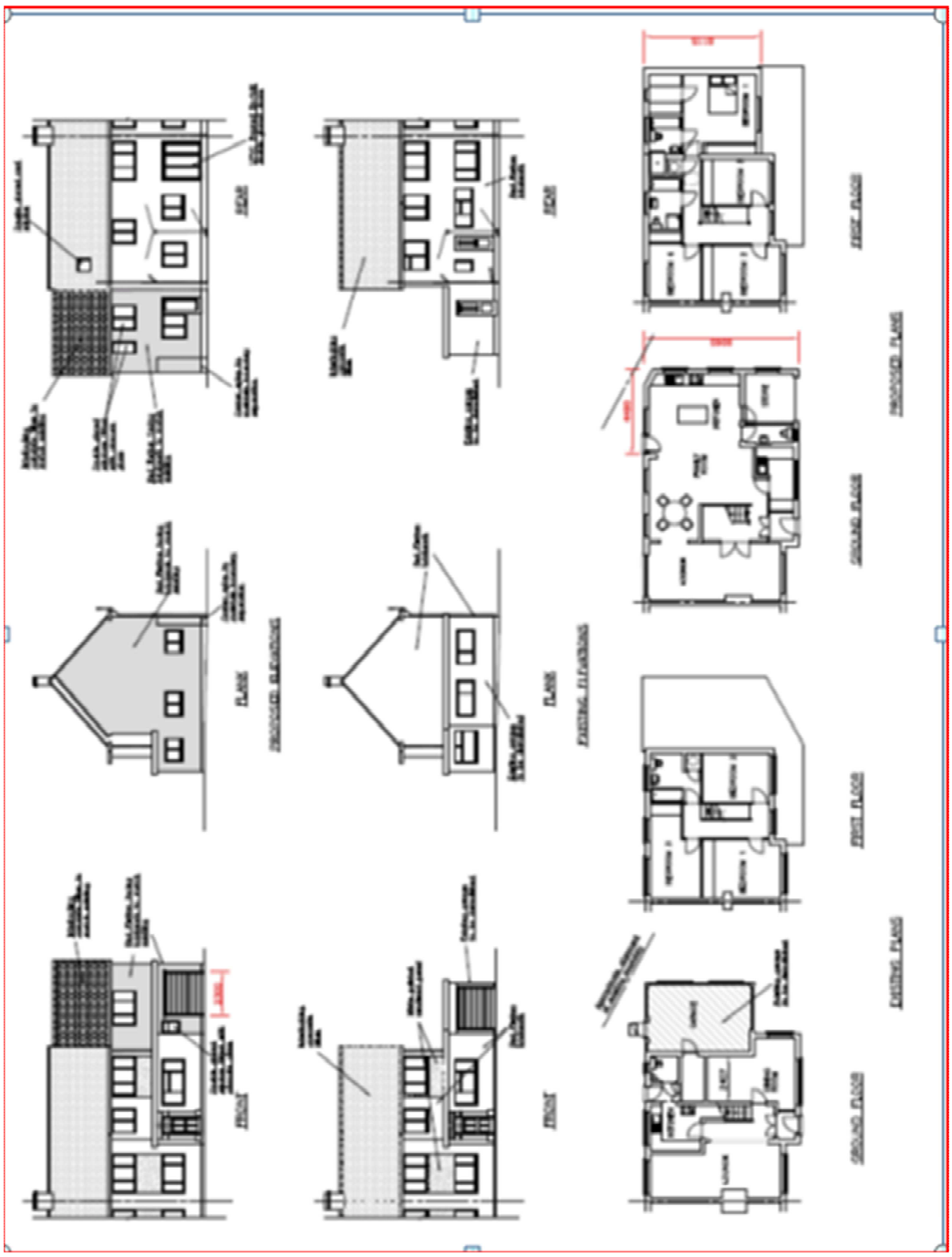
4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy 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.

6 Prior to the occupation of the development hereby permitted, the first floor rear facing windows in the South West elevation of the proposed development shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON** : To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.


18
24
KINGSLEY ROAD
CHURCH HILL
1
24
23
26
OAKLEY WOOD ROAD
Location of property
32
11


CHURCH HILL
Proposed extension to existing ground floor footprint
4490
8167
Boundary
Boundary
Boundary
24
26
1