



The Town Council of Royal Leamington Spa

PLANNING DETERMINATIONS 17TH FEBRUARY 2022

Planning Permission has been **REFUSED** by the Planning Authority in respect of the following application:

W/21/1820 Mr David Hulme Erection of two storey front extension, part single and part two storey rear extension, rear dormer windows, rendering of elevations, formation of brick bay windows to the ground floor front elevation together with front boundary treatment 140 Lillington Road CV32 6LN

RESOLVED that no objection was raised.

WDC Reasons for Refusal:

The proposals are considered to constitute an overdevelopment of the site which would have a harmful effect on the character and appearance of the street scene which is characterised by each house stepping down from the last as the house numbers reduce. The dwelling as proposed would appear out of scale.

The roof design at the rear is considered to be highly contrived with a dormer that is out of character both in terms of design and scale containing a large expanse of flat roof and protruding beyond the line of the original rear wall contrary to the Residential Design Guide SPD.

There are other large 'standard' box dormers in the immediate area, however these have been constructed using permitted development rights and are not considered to justify approval of what is otherwise considered to be poor design.

With regard to the proposed front boundary treatment, whilst examples of front boundary treatment do vary along this street, the proposal with tall railings above the front boundary wall together with 1800mm high timber gates are considered to result in a fortress like enclosure resulting in an appearance which is out of keeping and harmful in the immediate context.

W/21/1964 Mr Jus Dhesi Erection of a two bedroom bungalow 105 Taylor Avenue CV32 7SA

RESOLVED that no objection was raised.

WDC Reasons for Refusal:

In the opinion of the Local Planning Authority, the proposed bungalow would not be in keeping with the prevailing character of the streetscene. Bungalows are not a feature of the area, and it is considered that it would appear incongruous against the context of two storey semi-detached and terraced dwellings. Additionally, aside from the rear box dormer at 103 Taylor Avenue, dormers are not a feature of the

streetscene. This feature positioned within the road-facing roofslope would increase the extent to which the architecture character of the bungalow appears at odds with the surrounding built form. Furthermore, the area is characterised by dwellings in regular, good-sized plots with a front and rear garden arrangement. The plot subject of this application is at odds with the prevailing character in both size and configuration and the proposed dwelling would appear as an incongruous and alien feature in the streetscene.

The proposal would fail to provide a satisfactory living environment for future occupiers by reason of inadequate private amenity space and a lack of meaningful outlook to the living room. The garden will be unacceptably overlooked by Nos. 103 and 105 Taylor Avenue and the patio doors serving the living room look out onto a 1.8 high fence built within a distance of 2.7m which would provide an oppressive outlook from this habitable room. The Residential Design Guide SPD does not set out a minimum separation distance between the side elevation of a bungalow with windows and the rear elevation of a two-storey dwelling. However, the minimum distance set out with a window-window arrangement is 17m. There would only be a distance of approx 12 metres maintained between the bungalow's kitchen window and the neighbour's rear-facing first floor windows. It is considered this will provide inadequate levels of privacy to this habitable room.

Paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System advises that it is essential that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations will not have been addressed on making the decision. Circular 06/2005 advises that the need to ensure that ecological surveys are carried out should only be left to conditions in exceptional circumstances. No such circumstances exist in this case. Therefore, in the opinion of the Local Planning Authority insufficient information has been provided to demonstrate that the proposed development would not adversely affect protected species. The development is thereby considered to be contrary to the aforementioned policy and guidance.

The proposed development would fail to satisfy the requirements of Neighbourhood Plan Policy RSL1 by reason of the significant adverse impacts on the amenity of the adjacent neighbours which would result. The proposal results in overshadowing, loss of light and outlook to habitable rooms and overlooking to the neighbouring properties and is not considered to harmonise with the prevailing character of the streetscene by virtue of its incongruous design together with a scale and configuration of plot which is out of keeping with the established character of the area. The proposal is considered to conflict with the requirements of Policy RLS1 of the RLSNDP and Policy H1 of the Local Plan. The principle of a new bungalow in this location is considered unacceptable in principle and would result in an unsustainable form of development.

W/21/2225 Mr & Mrs Conway Erection of a single storey side extension and a single storey rear/side courtyard extension 18 St Marys Crescent CV31 1JL

RESOLVED that no objection was raised.

WDC Reasons for Refusal:

In the opinion of the Local Planning Authority the proposal would cause less than substantial harm to the significance of the conservation area by reason of the proposed materials for the single storey side extension. The Perspex roof is a low quality building material that would be detrimental to the character and quality of the conservation area.

Plastic roofs are not a feature the Council would want to replicate in any conservation area given their low quality appearance and tendency to depreciate in quality rapidly following approval. No public benefits have been identified to outweigh this harm.

W/21/2159/W/21/2160LB Mr & Mrs Talbot Minor internal alterations, replacement / refurbishment of windows and replacement of roof windows to dormers on rear elevation 41 Portland Street CV32 5EY

RESOLVED that no objection was raised.

WDC Reasons for Refusal:

In the opinion of the Local Planning Authority, the proposal would cause less than substantial harm to the significance of the listed building and conservation area by proposing the removal of doors and historic sash windows and replacement with double glazed units. The windows are specifically referenced in the listing entry for this pair of listed buildings and are considered to be of high historical importance. No public benefits have been identified to outweigh this harm.