

Planning Committee: 02 March 2022

Item Number: 7

Application No: [W 21 / 1204](#)

Town/Parish Council: Kenilworth

Case Officer: George Whitehouse

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Registration Date: 03/09/21

Expiry Date: 29/10/21

32 Littleton Close, Kenilworth, CV8 2WA

Erection of two storey side and rear extensions and loft conversion with rear dormer, raising ridge of dwelling. FOR Mr Stuart Scammell

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received and the application is recommended to be granted.

RECOMMENDATION

It is recommended that planning committee grant this application for the reasons set out in this report

DETAILS OF THE DEVELOPMENT

This application proposes the erection of two storey side and rear extensions, loft conversion with rear dormer and raising ridge of dwelling.

THE SITE AND ITS LOCATION

32 Littleton Close is a large, detached dwelling at the head of Littleton Close, Kenilworth which currently benefits from a double detached garage to the side and a modest landscaped garden to the front and rear. Littleton Close slopes substantially from the top of the road down to the head where the application property sits. Behind the application property is Kenilworth Common, a local nature reserve.

Permitted development rights were removed in 1993 for Part 2 Class A (Erection of fences and means of enclosure) however all other permitted development rights remain intact.

PLANNING HISTORY

W/93/0810 - Granted for Approval of reserved matters for the erection of 29 dwellings with garages together with associated roads and sewers; construction of a new vehicular access.

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)

- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- TR3 - Parking
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Kenilworth Neighbourhood Plan (2017-2019)
- KP13 - General Design Principles

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Objected to initial set of plans, removed objection on receipt of amended plans and then objected to the amended plans citing inappropriate scale and massing and parking issues.

WCC Ecology: No objection subject to a condition securing a Method Statement to ensure protected species are not harmed by the development.

Public Response: 15 individual objections received citing inappropriate scale and design of development, loss of amenity specifically overlooking, parking issues, interruption of access to numbers 23-29 and impact on Kenilworth Common.

Objections also raise the issue of disruption during the construction period and breach of covenants, neither of which are material planning considerations.

ASSESSMENT

Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design. Furthermore the Residential Design Guide SPD provides a detailed framework which should be followed in order to achieve good design.

The 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.

The initially submitted plans were objected to by this office, they represented unacceptable scale and massing and did not comply with the requirements of the Residential Design Guide.

Amended plans were submitted which reduced the proposed raising of the ridge from the initially proposed, ensured the two storey side extension was not greater than 2/3 width of the original dwelling and included a set down of 225mm and a set back of 450mm.

The proposed raising of the ridge is considered acceptable in this case, it will not result in a dwelling that is substantially or unacceptably larger than the other

dwellings in the immediate street streetscene. Weight must also be given to the fact that this dwelling is set at the bottom of the road and therefore the raising of the ridge will not result in a dwelling that appears significantly out of character when viewed from the street due to its position relative to the street.

The two storey side extension is at the maximum permissible dimensions however this element of the proposals complies with the Council's Residential Design Guide and appears subservient to the main part of the dwelling in accordance with the objectives of the adopted guidance . There remains an acceptable distance from the boundary and the extension is not more than 2/3 the width of the original dwelling. The extension is also set down and set back from the main part of the dwelling.

The proposed dormer is considered to be well designed and of an appropriate scale and size. It should be noted that this dormer is in compliance with the GPDO and would not require planning permission if proposed in isolation.

It is considered the amended proposals comply with Local Plan Policy BE1

None of the changes to the materials to the front elevation, the new openings or the rooflights require planning permission and therefore these elements are not under consideration.

Amenity

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy.

The Council's distance separation guidance states that a two storey dwelling facing a blank first floor gable end of a two storey building (including gables with windows maintained in obscure glazing) should be 12m. In the case of this application the distance between number 21 opposite and the first floor windows in the proposed amended extension is 19m. In addition to this number 21 Littleton Close is in an elevated position relative to the application site which would further reduce any overlooking. The rear garden of No. 21 would be overlooked more than the current layout, however given the large distance between the proposals and the garden, the change in levels and the fact the immediate area is a normal residential setting where some overlooking is to be expected it is not considered that the proposals would result in an unacceptable level of overlooking which could warrant the refusal of a planning application.

One objector raises the point that the distance should be taken from the rooflight which serves the attic room. However, this rooflight is high in the roof and will not be able to be looked out of horizontally so no overlooking will result from this rooflight. Therefore it is most appropriate to use the proposed first floor window as the point to measure the distance separation from.

The separation distance to the properties to the side of the application site would also comply with the minimum separation standards.

There is no breach of the 45 degree guideline from the rear of the immediate neighbouring dwelling at number 30.

As the proposals comply with all of the relevant guidance and standards, it has been concluded that there would be no unacceptable loss of light, loss of outlook or loss of privacy for neighbours.

It is considered that the proposals comply with Local Plan Policy BE3

Parking and access

The Council's Parking Standards do not require any additional parking spaces for the extended dwelling. As a 4 bedroom dwelling currently the requirement is already at the maximum of 3 spaces.

The existing property has 2 off-street parking spaces (the driveway). The Parking Standards do not count garages as car parking spaces.

The proposals retain 2 parking spaces on the driveway. Whilst this would be reduced in length, it would remain longer than the minimum length required by the Parking Standards.

Objectors have queried whether the driveway would remain long enough at the shortest point, given the angle of the pavement. It is confirmed that the shortest part of the driveway will be 5.3m long; 300mm longer than the minimum length specified in the Parking Standards.

The proposed development results in no alteration to the existing access to the dwelling or the access of 23-29 Littleton Close. Disruption during the construction phase is not a material planning consideration for a householder development.

The above demonstrates that there would be no worsening of the existing parking situation. The proposals comply with Local Plan Policy TR3 and the Council's adopted Parking Standards.

Ecology

Following the receipt of the preliminary ecology survey WCC Ecology confirm they agree with the findings of the survey and agree no further survey work is required subject to a protected species method statement being conditioned to ensure there is no harm to protected species as a result of the development.

This approach ensures the proposed development complies with Local Plan Policy NE2.

Summary

The amended proposals do not result in unacceptable impact on the streetscene, amenity of neighbouring occupiers including their parking choices nor do they unacceptably impact protected species. The amended proposals therefore comply with Local Plan Policies BE1, BE1, TR3 and NE2 and the Council's Parking Standards and Residential Design Guide. It is recommended planning permission is granted subject to conditions.

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, 02B, 09B, and specification contained therein, submitted on 15/12/2021 and approved drawings 06 A, 07 A, 08 A, 10 A, and specification contained therein, submitted on 30/11/2021. **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 The development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for hedgehogs, reptiles, amphibians, and nesting birds (to include toolbox talks, timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development.
 - 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 BE1 of the Warwick District Local Plan 2011-2029.
 - 5 Prior to the occupation of the development hereby permitted, the first floor window in the east facing elevation 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 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 BE3 of the Warwick District Local Plan 2011-2029.
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