

Planning Committee: 14 June 2011

Item Number:

Application No: W 11 / 0332

Town/Parish Council: Kenilworth
Case Officer: Victoria Lane

Registration Date: 10/03/11

Expiry Date: 05/05/11

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44 Dalehouse Lane, Kenilworth, CV8 2HX

First floor rear and side extension and summer house to rear garden FOR Mr C Barnwell

This application is being presented to Committee due to the applicant being married to a member of staff. At the last meeting of the committee consideration was deferred for more information about the levels of the summerhouse in relation to the dwelling.

SUMMARY OF REPRESENTATIONS

Town Council: Members commented that in view of its size, the proposed summer house is formally restricted to usage as a summer house only.

Public Response: No representations received.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

PLANNING HISTORY

The application site has previous planning history as follows:

W/96/0174 - Erection of a garage, lounge, utility room and W.C. - Granted

KEY ISSUES

The Site and its Location

The application site is a semi detached property with off street parking and a single garage situated on Dalehouse Lane, Kenilworth. There are a mixture of property styles along Dalehouse Lane and the use is predominately residential. The site is not in a Conservation Area.

Details of the Development

The proposal looks to erect a first floor extension to the side and rear of the property and construct a summerhouse to the rear garden.

Assessment

The main issue is the impact on the amenity of the neighbouring properties.

As detailed above, the proposal looks to construct a first floor side and rear extension. The side extension will extend by 1.5 metres and run the entire length of the property. The first floor roof line will be hipped to match the existing and is set down by 0.25 metres. The rear extension to first floor will extend above the existing ground floor lounge extension which was approved in 1996. Amended plans were received to show a reduction in the length of the extension from 5 metres to 3.95 metres. To the side elevation there will be two windows to be obscure glazed to proposed bathrooms. To the roof slope, there will be the inclusion of three rooflights. I consider that a condition requiring the two side facing windows to be obscure glazed in perpetuity would be appropriate to maintain privacy and amenity to the neighbouring property. The proposals are considered to be in accordance with Policy DP1 of the Warwick District Local Plan 1996 - 2011.

With regards to the impact on the amenity to neighbouring residents, No. 46 Dalehouse Lane has a first floor obscure glazed window to the side elevation. I consider the proposals will have only limited impact on this neighbour's residential amenity and therefore consider the proposal to be acceptable. In terms of the impact on No. 42 Dalehouse Lane I am satisfied that with the amended plans which were submitted on 10th May 2011, there will be no unacceptable impact to the amenity of their rear bedroom window; the proposals have been amended to be in accordance with the 45 degree guidelines and no longer breach these guidelines. As such, I am satisfied that the proposals are in accordance with Policy DP2 of the Warwick District Local Plan 1996 - 2011.

Given the limited scale of the proposals, I do not consider it reasonable to request the installation of renewables on this development. As such, the proposals are considered to be in accordance with Policy DP13 of the Warwick District Local Plan 1996 - 2011.

The proposals also include the construction of a summerhouse to the rear garden. This is proposed to be located to the rear of the garden which is situated on higher ground level than the property, as is characteristic of properties along Dalehouse Lane. The proposed summerhouse will measure 6 metres in width and 5 metres in length with a pitch roof design and a maximum height of 3.4 metres. The summerhouse will replace an existing shed which is similarly located at the top of the rear garden. Whilst it is substantial in size, the proposal is located well away from the adjacent residential properties. Furthermore, there is good boundary screening to No. 42 Dalehouse Lane. There is little boundary screening to No. 46 Dalehouse Lane; however, given the proposal is for an ancillary building, I do not consider there to be a detrimental impact upon the residential amenity of any adjoining property.

Additional plans have been submitted following the deferral from the previous planning committee showing the differences in levels and height of the existing shed to the proposed summerhouse. The drawing (number 1865-03B) shows the difference in levels of the garden to be 3.2 metres and the height of the proposed summerhouse to be 1 metre higher than the existing flat roof of the shed. The proposed summerhouse will not be visible from the rear of the site to Knowle Hill and supporting photographs show this to be the case. The Town Council have requested a condition be placed on the summerhouse to be used for ancillary purposes which will be attached to the approval. I consider the proposals to be in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996 - 2011.

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) 1865-02E, and specification contained therein, submitted on 10 May 2011 and on the approved drawing(s) 1865-03B and specification contained therein submitted on 31 May 2011 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 Prior to the occupation of the development hereby permitted, the bathroom and en-suite windows on the first floor in the side 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(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 or the privacy of future users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 4 This permission authorises the erection of a summerhouse to be used solely ancillary to the residential use of the dwelling known as 44 Dalehouse Lane and shall not be construed as permitting the erection of a separate dwelling unit. **REASON** : Having regard to its location in the garden to the rear of 44 Dalehouse Lane in close proximity to adjacent gardens and since there is insufficient parking and amenity space for its use as a separate dwelling or other uses and to satisfy Policies DP1, DP2 and DP8 of the Warwick District Local Plan 1996-2011.
- 5 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.

INFORMATIVES

For the purposes of Article 31 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development respects surrounding buildings in terms of scale, height, form and massing and does not

adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.
