

**Planning Committee:** 30 March 2021

**Item Number:** 5

**Application No:** [W 20 / 1773](#)

**Town/Parish Council:** Kenilworth  
**Case Officer:** Jonathan Gentry

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**Registration Date:** 02/11/20

**Expiry Date:** 28/12/20

**75 Rounds Hill, Kenilworth, CV8 1DW**

Erection of single storey front and side extension and garage conversion together with revised detailing and fenestration FOR Mrs Naomi McAnish

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This application is being presented to Committee due to the number of objections received.

**RECOMMENDATION**

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of the report.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the proposed erection of a single storey front and side extension, proposed garage conversion together with revised detailing and fenestration.

The proposal as initially submitted has been amended following Officer feedback with regard to design.

**THE SITE AND ITS LOCATION**

The application site is a semi-detached, hipped roof property sited on the southwest side of Rounds Hill, Kenilworth. The property is adjoined by neighbouring property No.77 to the northwest and adjacent No.73 to the southeast.

**PLANNING HISTORY**

W/16/1355 - Erection of a first floor rear extension and change from flat to pitched roof over existing single storey rear extension – Granted.

**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)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document)
- Kenilworth Neighbourhood Plan (2017-2019)
- KP13 - General Design Principles

## **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council** - Members raise no objection, but ask that compliance with the WDC Residential Design Guide is confirmed.

**WCC Ecological Services** - Recommend advisory notes in relation to bats, nesting birds and hedgehogs are attached to any grant of permission.

**Public Response** - Six neighbour objections have been received, citing the following concerns:

- Proposed design and appearance of the property within the street scene.
- Amenity impacts as a result of the works, namely loss of privacy and overlooking.
- Parking constraints within the application site leading to on-street parking.
- Constraint of access to neighbouring parking area.
- Drainage concerns.
- Structural implications of building works.
- Access to the application site during construction works.

## **ASSESSMENT**

### Impact on the amenity of neighbouring uses

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of neighbouring residents, in terms of light, outlook and privacy. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent harm to neighbouring properties by reason of loss of light or outlook.

The scheme has been designed to comply with the 45 degree line taken from the nearest habitable ground windows of both adjacent neighbouring properties. While the single storey extension would extend towards the side of No.73, this is not considered to result in a material loss of light and outlook to justify the refusal of planning permission. While the bulk of the dwelling is increased as a result of the works, overall it is considered that proposal would not result in an overbearing or unneighbourly development.

At the rear of the property, the converted garage space would feature a rear and side facing window that looks out to the northwest of the property. Public comments on the scheme include objection on the grounds of harmful amenity impact through loss of privacy caused by the opening. As this opening is positioned on a single storey building, positioned away from the boundary with No.77 it is not considered to result in material harm to amenity in this regard. A proposed

first floor side facing window is positioned atop the extension area. While facing towards the neighbour at No.73, much of the outlook is centred towards the open driveway areas of both properties. In addition, windows in this position feature on nearly all properties of this design along Rounds Hill. With mind to these considerations, and the fact that a first floor window is already in place to this elevation, it is considered that the additional opening would not result in material harm. As a result, the scheme is considered not to result material harm by reason of overlooking and loss of privacy to the immediate neighbours.

No other properties are viewed to be harmfully affected as a result of the works, and it is therefore considered that the proposals are in accordance with Local Plan Policy BE3.

### Design and impact on the street scene

Local Plan Policy BE1 and Kenilworth Neighbourhood Plan Policy KP13 state that development will be permitted where it harmonises with and improves the character of the surrounding area. The adopted WDC Residential Design Guide SPD also sets out design principles which development proposals will be expected to comply with.

The proposed side/ front extension is limited to single storey. It features a mono-pitch lean-to roof adjoining the existing flat roof garage at its rear. Following the provision of Officer feedback, the proposed design has been revised in order that it does not extend beyond the forward footprint of the existing dwelling, and adopts a more subservient roof profile. As revised, the extension is considered to sit comfortably on the property and accords with the principles of the WDC Residential Design Guide and addresses public consultation responses referring to the design of the scheme.

The proposed garage conversion is considered acceptable in principle, with no notable design implications outside of the aforementioned window opening at its rear.

A number of revisions to the appearance of the existing dwelling are also proposed, including facing materials and fenestration. Large Juliet balcony style windows are proposed to the front elevation. These works constitute permitted development and are therefore not assessed as part of this application.

Facing materials comprising timber cladding and render are proposed. While the run of comparably designed properties to the south feature generally uniform facing brick, a number of properties in relative proximity, including No.83 to the north feature render. On balance, the revised detailing, fenestration and materials help to modernise the property and are considered acceptable in line with the relevant policy considerations. The proposed frontage driveway area and minor landscaping works are also viewed acceptable with mind to the surrounding street scene and built form.

The development is therefore viewed to accord with the guidance set out in the Council's Residential Design Guide SPD, Policy BE1 of the Local Plan and Neighbourhood Plan Policy KP13.

## Parking

The proposed extension would result in the loss of an existing tandem parking area to the side of the dwelling, while the proposed garage conversion works would also result in the loss of this internal area.

The submitted scheme indicates that the parking area lost through the proposed enlargement would be offset through the creation of an enlarged area of driveway hardstanding at the frontage of the site, providing off-road provision for three vehicles, in line with the dimensional requirements of the WDC Parking Standards SPD. No additional bedrooms are proposed under the submitted scheme, meaning the provision of three spaces fulfils the number of spaces required in order to accord with the Parking Standards SPD.

The existing parking area to the side of the property shares an open boundary with neighbouring No.73 which features a comparable tandem parking area at its side.

A number of neighbour objection comments received refer to the position of the proposed extension in close proximity to the boundary line of the site, thus resulting in constraint to the parking area of No.73. It appears that in order to comfortably access vehicles within this shared side driveway area, use of the neighbouring properties land/driveway is common.

While these comments are considered, Officers note that the proposed scheme does not exceed the boundary of the application site. In addition, it is acknowledged that a side extension or boundary structure could be constructed adjacent to this shared side boundary without requirement for planning permission under Permitted Development, thus forming a viable fall-back position for the proposed works. As a result, it is not considered reasonable to refuse permission on the basis of more constrained access to the driveway area of the neighbouring property. It is not viewed that access to the garage of this neighbouring property would be impacted by the scheme.

The proposal is therefore considered to be in accordance with Local Plan Policy TR3 and Kenilworth Neighbourhood Plan Policy KP12.

## Ecology

The Ecologist at Warwickshire County Council has commented on the application, recommending that advisory notes in relation to bats, nesting birds and hedgehogs are attached to any grant of consent. Officers agree with this recommendation and consider the imposition of advisory notes regarding the applicant's responsibility with regard to the noted species is an appropriate and proportionate measure in this instance.

The proposal is therefore considered to be in accordance with Local Plan Policy NE2

## Other Matters

Public consultation responses received raised a number of other matters which are addressed as below.

Matters relating to the structural integrity of the building and relationship with neighbours are addressed through building control measures and as such do not form a material planning consideration.

A number of comments refer to the matter of foul water drainage. While this is not typically a material issue for proposals of this scale, the submitted plans show that the existing manhole to the frontage of the property will not be directly impacted by the proposed works. In addition, rainwater drainage is included in the designed extension area. It is the responsibility of the applicant to ensure that rainwater drainage does not adversely impact neighbouring properties.

One objection comment referenced a potential need to access the application site across neighbouring land during construction works. Grant of planning permission does not grant access through or use of neighbouring sites, and this matter remain a civil matter.

### **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 submitted on the 2nd November 2020, and revised drawing 01 RevB submitted on the 16th March 2020, and specification contained therein. **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 extensions hereby permitted shall not be commenced unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.

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