

Planning Committee: 09 December 2009

Item Number:

Application No: W 09 / 1205

Registration Date: 29/09/09

Town/Parish Council: Kenilworth

Expiry Date: 24/11/09

Case Officer: Liz Galloway

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42 Arthur Street, Kenilworth, CV8 2HE

Erection of side and rear extension (part two storey, part single storey) to form larger Kitchen area, Dining Room and Work Room on the ground floor and new bedroom with en-suite facilities on the first floor. Existing Conservatory to be demolished. FOR Mr Farralley

This application is being presented to Committee due to an objection from the Town Council having been received.

This application was deferred at Planning Committee on the 18th November, 2009, to enable a site visit to take place on 5th December, 2009. The report which follows is that which was presented previously.

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: - Object on ground of proximity to the adjoining property and the terracing affect that this created, together with the negative impact on this large development of the street scene.

WCC Ecology: recommend bat, badger and amphibian notes

1 Public Response (40 Arthur Street): Objects on grounds of conflict with the Residential Design Guide, terracing effect, loss of light and overlooking.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

There is no relevant planning history

KEY ISSUES

The Site and its Location

The application property is an end of terrace dwelling situated within a row of three, with a two metre side passage way and located to the South East of Arthur Street.

Details of the Development

The applicant seeks to construct a two storey side/rear extension to provide a kitchen and shower room with bedroom and bathroom above and a single storey rear flat roof extension to provide a work room.

Assessment

The principal issues are the impact on the street scene and the neighbouring properties in Arthur Street.

Arthur Street predominately contains a mixture of dwellings consisting of semi-detached, detached and terraced properties of various designs. These properties have very modest boundary gaps between the neighbouring properties which, in many cases, creates a visual impact similar to terraced properties.

The proposed two storey extension will be visible within the street scene, however, the extension will be set well back on the side elevation of the property by approximately 4.9 metres and much lower than the existing roof height, producing an extension which will be substantially subordinate to the existing dwelling as viewed from the street scene. The proposed side extension will retain an approximately 0.3 metre boundary gap, which although modest, will reflect the existing rhythm between boundaries, within the street scene. This boundary gap will produce a distance between the application property and the neighbour not dissimilar to many existing properties within Arthur Street. The proposed extensions will be constructed of matching materials and I do not consider that the design and details used on the submitted drawings would produce a negative impact on the property or the street scene of Arthur Street.

The neighbour at 40 Arthur Street lies immediately adjacent the proposed development and has raised concerns relating to the terracing effect, loss of light and overlooking. The rear window in the proposed rear element of the two storey extension will not overly impact on this neighbouring property, which itself, contains a bedroom window that could potentially overlook onto the application site. This neighbours' bedroom window will not be in conflict with the 45 degree guideline formed by the proposed extension and I am satisfied that the development will not impact on sun light to any rear windows. The height of the proposed first floor rear window will be no greater than the existing window on the property and I do not consider that the neighbours privacy would be unacceptably compromised.

Neighbour number 44 has an existing rear lean-to extension with a conservatory situated in front of this extension. The proposed single storey rear extension on the application site will not extend any further forward than the existing conservatory, and the proposed canopy will be set at a lower level than the neighbours extension. Therefore, I am satisfied that this neighbour will not be affected by loss of light, outlook or privacy.

In conclusion, I am satisfied than the proposed development will not overly impact on the street scene, character and appearance of the existing dwelling and will not adversely impact on any neighbouring properties.

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 171-02 A, and specification contained therein, submitted on 29th September, 2009 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.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, 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.
