

**Application No:** [W 19 / 1199](#)

**Town/Parish Council:** Kenilworth

**Case Officer:** George Whitehouse

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**Registration Date:** 16/07/19

**Expiry Date:** 10/09/19

**13 Eden Croft, Kenilworth, CV8 2BG**

Proposed raising of the roof and inserting first floor accommodation with a single-storey rear extension, and lifting the garage flat roof to the side. Revised planning application to that withdrawn, W19/0867. Revisions are that the roof extension to ridge-line is reduced, the roof is to be lifted only over the main body of the house and the side roof to the garage/ utility is to be lifted. FOR Mr. G. Kim and Mrs Moon

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

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the raising of the ridge by 450mm, single storey rear extension and raising the roof of the garage to match the eaves of the bungalow.

**THE SITE AND ITS LOCATION**

13 Eden Croft is a link detached bungalow property within a street of bungalows. Some of the bungalows on the street have loft conversions however the property in question has not previously been extended. The part of the street that 13 Eden Croft sits within is comprised entirely of bungalow properties.

**PLANNING HISTORY**

W/19/0867: Proposed raising of the roof by 860mm and erection of rear dormer window with a single-storey rear extension, raising the garage flat roof to the rear. Withdrawn by applicant.

**RELEVANT POLICIES**

- National Planning Policy Framework

The Current Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)

- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)

#### Guidance Documents

- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)

#### Neighbourhood Plan

- Kenilworth Neighbourhood Plan

### **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** Objection; Members considered the design conflicted with the street scene.

**Warwickshire County Council Ecology:** Requested notes relating to protected species

**Public:** 11 no objections based on harm to the street scene, loss of privacy, loss of bungalow housing stock, traffic generation

### **ASSESSMENT**

#### Design and impact on the street scene

Local Plan Policy BE1 states new development will be permitted where it positively contributes to the character and quality of its environment.

Kenilworth Neighbourhood plan KP13 b states that development should demonstrate regard to the site characteristics and surroundings.

On the western side of Eden Croft, the bungalows vary slightly in their heights and are less uniform than the opposite side of the road. While the proposals would result in the bungalow becoming one of the taller properties in this part of the street, the raising of the main roof ridge would result in the dwelling being just 0.2m taller than the immediate neighbour to the left and 0.3m taller than the neighbour to the immediate right. It is therefore considered that the proposals demonstrates regard for the scale of the surrounding properties and provides a way of extending the property whilst respecting the character and appearance of the street scene.

Some concern has been raised regarding the two front roof lights. However the installation of roof lights does not require planning permission and these do not therefore form part of this assessment

The proposal to raise the flat roof of the garage is not considered a harmful addition given the variety of additions to properties in the immediate local area. It is considered the design of the changes to the garage roof is sensitive to the street scene.

The installation of a rear dormer does not require planning permission. However it has been well designed in that it maintains the profile and shape of the original roof and has a greater design merit than a rear box dormer, this element will not be visible from public vantage points and therefore is considered acceptable.

Overall, the proposed alterations do not significantly change the character of the property and in term of scale and design, the proposed alterations are considered to fit with the character of the street scene. It is therefore considered that the proposals comply with Neighbourhood plan policy KP13 and Local Plan Policy BE1.

#### Impact on the amenity of the neighbours

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 Residential Design Guide SPG provides a design framework for Policy BE3 and states that extensions should not breach a 45-degree line taken from the nearest habitable room of a neighbouring property. This serves to protect the extent to which neighbours can enjoy their own dwellings without undue disturbance or intrusion from nearby uses. There is no breach of the 45-degree line as a result of this proposal

The Council's Residential Design Guide SPG also details that a minimum of 22m is required between the rear of a bungalow to the rear of a two storey dwelling for privacy. This property comfortably meets the rear to rear distance separation guidance and it is considered the proposals will not result in harm to the privacy of neighbours to the rear on Windy Arbour.

Neighbours to the either side have also commented regarding a loss of privacy however since the dormer windows are well set in from the edge of the roof the most private parts of the gardens closest to the properties will not be visible from these windows. The proposals will not result in an unacceptable loss of privacy to the neighbouring uses.

It is important to recognise that the rear dormer window and roof lights could be installed on this property without the need for planning permission.

It is therefore considered local plan policy BE3 is complied with

#### Parking

Many objections include concerns over parking and increased traffic. As a result of the development, there is an increase from one bedroom to three bedrooms Under the Council's adopted parking standards 2 spaces are required to be provided on site for a three bedroom property, excluding the garage. The current driveway can accommodate 2 cars, it is also noted there is enough hard standing on site to formally accommodate more than 2 cars if the applicants wished to convert this into parking space no additional permission would be required.

It is therefore considered that the proposals comply with Local Plan Policy TR3 and the Council's adopted parking standards.

## Ecology

The large conifer tree referred to by the objectors is not protected by a TPO the tree falls outside of the ownership boundary and there is a solid boundary fence between the development and the tree and the proposals will have no impact on the safety and life of this tree.

Following a bat survey Warwickshire County Council Ecology have confirmed the imposition of explanatory notes relating to protected species is a sufficient protective measure.

The proposal therefore complies with Local Plan Policy NE2.

## Summary

As set out above, the proposals are considered to be compatible with the character of the street scene and are compliant with policy BE3 in terms of residential amenity. The proposals also comply with all other Local Plan policy requirements and for these reasons it is recommended that planning committee grant this planning application subject to the following 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 drawings 1917 RP 01, 1917 RP 03, 1917 RP 02 , and specification contained therein, submitted on 16/07/2019. **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 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no part of the dwellinghouse shall be rendered other than as shown on the approved drawings. **REASON:** To secure a satisfactory form of development in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
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