

Planning Committee: 10 April 2012

Item Number: 7

Application No: W 11 / 1619

Town/Parish Council: Kenilworth

Registration Date: 18/01/12

Case Officer:

Heidi Antrobus

Expiry Date: 14/03/12

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33 Suncliffe Drive, Kenilworth, CV8 1FH

Conversion of existing flat roof into balcony area (retrospective application) FOR
Mr J Brough

This application is being presented to Committee in order to request that enforcement action be taken.

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: No Objections.

Public Response: None Received.

RELEVANT POLICIES

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

PLANNING HISTORY

In 1979 - permission was granted for the erection of a single storey rear extension to form sunroom, utility and W.C.- W/ 79/1531

In 2011 - permission was granted for the erection of a single storey conservatory to the rear and side of the property - W/11/1245

KEY ISSUES

The Site and its Location

The application property is a detached dwelling with integral double garage which has an existing flat roof rear extension and is located to the West of Suncliffe Drive. The property is located within the established urban residential area of Kenilworth. On the rear elevation of the property a balcony has been created by the addition of railings to the 1st floor of the flat roof extension and it is accessed via a door on the 1st floor. The balcony covers approximately 2/3rds of the rear of the property, measuring 8.7 metres x 4 metres and has a total floor area of 34.8 sqm.

The neighbouring properties consist of No.31 Suncliffe Drive which is located to the south of the property, No.35 Suncliffe Drive is located to north of the property and No.1 Rouncil Lane is located to the west of the property.

Details of the Development

The conversion of the existing flat roof into balcony area, with the addition of 1.8 m laminated defusa glass with polished edges to the side elevations.

Assessment

The main issues relevant to the consideration of this application are as follows:

- The Design and Impact on the street scene
- The impact on the living conditions of nearby dwellings.

Design and Impact on the Street Scene

The existing balcony is located on the 1st floor of the rear of the property and the northern elevation of the balcony is visible from both Suncliffe Drive and Rouncil Lane. The provision of the defusa glass would further increase the impact of the balcony on the street scene and increase its visibility from the public highway.

The proposal detracts from the local architectural detail of the surrounding properties that are of a very distinctive design. The properties along Suncliffe Drive are very large detached properties of brick construction with timber detailing at the front of the properties together with large front and rear gardens. Some of the properties have single storey rear extensions. The proposal does not respect the surrounding buildings in terms of its scale, form and material, and is not in keeping with the character of the existing building and the street scene of Rouncil Lane, Suncliffe Drive and Warwick Road. Therefore I consider that the proposal does not comply with Policy DP1 of the Warwick District Local Plan 1996-2011 and the Council's Residential Design Guide.

The impact on the living conditions of nearby dwellings

The existing balcony directly overlooks the majority of the rear garden of the neighbouring property of No.31 Suncliffe Drive and part of the rear garden of No.1 Rouncil Lane. The applicant has proposed the installation of defusa glass on the sides of the balcony, with the rear element to remain as existing railing.

No neighbourhood objections have been received. I consider that the provision of a balcony with the defusa glass would increase the potential for overlooking of the neighbouring properties of No.31 Suncliffe Drive and No.1 Rouncil Lane, however this is not materially greater than the existing overlooking from first floor bedroom windows and therefore is not considered to have an unacceptable adverse impact on the amenity of nearby residents, contrary to Policy DP2 of the Local Plan.

RECOMMENDATION

REFUSE, for the reasons listed below and authorise officers to take appropriate enforcement action, directed at the removal of the balcony and the reinstatement of the 1st floor roof to its former condition within a compliance period of 2 months.

REFUSAL REASONS

Policy DP1 of the Warwick District Local Plan 1996-2011 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The balcony is not considered to be in keeping with the character of this residential area due to its design, location, height, materials, and its visual impact on the street scene of Suncliffe Drive and Rouncil Lane.

The development is thereby considered to be contrary to the aforementioned policies.
