

Planning Committee: 14 February 2005 **Principal Item Number:** 22
Investigation Number: ACT 155/131/04
Town/Parish Council: Leamington Spa
Case Officer: Martin Perry
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149, Kinross Road, Lillington, CV32 7ET

Installation of dormer window to side elevation.

SUMMARY OF REPRESENTATIONS

In March 2004 a request for the addition of a side facing dormer to be treated as a “minor amendment” to permission W20031181 was refused and the applicant was advised that a planning application was required for this feature. Following this, it was brought to our attention that the dormer had been constructed in breach of planning control.

In July 2004 a retrospective application W20041112 for the development was refused. No appeal was lodged.

The necessary work to resolve the breach has not been carried out.

PLANNING HISTORY

Planning permission was granted on 1st September 2003 (W20031181) for a single-storey rear extension: two-storey side extension and installation of dormer window to rear roof slope. A minor amendment was approved on 18th March 2004 for the construction of a gable roof in lieu of a pitched roof on the single storey side extension (at front only).

An application for a minor amendment for the construction of a side facing dormer was refused on 22nd March 2004. The side facing dormer was constructed. A retrospective application for the side facing dormer was refused on 16th July 2004. A letter was sent to the owner of the property on the 31st August 2004 reminding him that an appeal would need to be made within 3 months of the date of the refusal. No appeal was lodged.

RELEVANT POLICIES

The property lies within an established residential area amongst similar semi-detached properties.

For such a development to take place there are a number of issues which need to be addressed. The relevant policies for this development are **(DW) ENV3** – Development Principles of the 1995 Warwick District Local Plan and emerging policy **DP1** of the Warwick District Local Plan 1996-2011 First Deposit version of November 2003.

KEY ISSUES

The site and its location

Number 149 Kinross Road is a two storey semi-detached residential property which is located on a prominent corner plot immediately adjacent to the junction of Kinross Road and Telford Avenue. The original building has been recently extended to the side which fronts Telford Avenue by the addition of single and two storey extensions following the grant of planning permission (W20031181)

Number 145 Kinross Road has a dormer to the side elevation, but this has been set down within the existing roof slope and does not extend the ridge line of the main roof.

Details of the development

The alleged breach of planning control is the erection of a hipped roof dormer window in the side elevation of the main roof of the extended residential building which fronts onto Telford Avenue, Leamington Spa.

Assessment

Planning permission was refused on the 16th July 2004 for the installation of the dormer window on the grounds that the side facing dormer is of an unsatisfactory standard of design by reason of its inappropriate size, scale and position in the roof.

The dormer would result in an extension of the main ridge line of the existing house with prominent side walls, rather than it being a traditional dormer window set within the existing roof slope such that the existing roof plane remains the principal feature with the dormer window appearing as the subservient element.

The design of this dormer therefore, would be unacceptably prominent in the streetscene. It would also have a discordant and unbalancing effect on the design of the hipped roof, albeit extended, which forms one half of a pair of semi-detached dwellings and would be seriously injurious to the visual amenities of this area.

The development is therefore considered to be contrary to policies (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) which require all development proposals to achieve a high standard of design and harmonise with their surroundings.

RECOMMENDATION

That enforcement action be authorised to ensure that the whole of the dormer, including the hipped roof and side walls are removed and that the hipped roof of the side extension is continued to the apex in matching roof materials.