

Planning Committee: 21 February 2006

Item Number: 07

Application No: W 05 / 2078

Registration Date: 29/12/05

Town/Parish Council: Cubbington

Expiry Date: 23/02/06

Case Officer: Joanne Fitzsimons

01926 456534 planning_east@warwickdc.gov.uk

57 Kenilworth Road, Cubbington, Leamington Spa, CV32 7TW

Erection of single storey side extension and two storey rear extension FOR Mr and Mrs R Miller

This application has been requested to be presented to Committee by Councillor Pratt.

SUMMARY OF REPRESENTATIONS

Parish Council: No objection.

2 Neighbours: Object on grounds of loss of light and overshadowing; increased overlooking into gardens and invade privacy; over-development; the design of the houses sought to maximise the sun when first built and this proposal is not in-keeping with this. There is a culvert running under the application site which may not be strong enough to take the weight of the extension, and also if blocked leads to flooding. The extension will de-value the neighbouring properties as it will be unsightly.

WCC Ecology: Recommend bat notes.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- The 45 Degree Guideline (Supplementary Planning Guidance)

PLANNING HISTORY

In 1978 (ref: W78/510) planning permission was granted for a single storey rear extension, covered way and rear facing dormer window. Since this time, no further applications have been received.

KEY ISSUES

The Site and its Location

The property relates to one half of a pair of semi-detached dwellings in a predominantly residential area, opposite the green belt which lies the other side of Kenilworth Road. The design of the application site is similar in character and appearance as those which surround it, albeit most properties have been altered in some way.

Details of the Development

The proposal seeks to erect a first floor rear extension over an enlarged dining and family room, together with alterations at the front to create a pitched roof over the garage and porch and a 'false' pitch over the side walkway to disguise the flat roof.

Assessment

The rear extension is to be set off the boundary with the neighbour at number 59 Kenilworth Road by 1.5 metres. This distance together with the distance between the boundary on the neighbour's side would result in gap of over 3 metres at first floor. I am satisfied that there is no breach of the Council's adopted 45 degree line and I do not consider the impact on the outlook from the kitchen at number 59 Kenilworth Road would be so detrimental as to sustain a refusal of permission.

I note the neighbours' objections to the design and loss of light, however the design is such that the roof at first floor hips away from the boundary, set well below the ridge line of the main house and whilst there may be some loss of light in the morning, I am of the opinion that this is not unacceptable given the distance away from the windows. The first floor extension nearest the adjoining neighbour at number 55 Kenilworth Road is such that it is in the form of a hipped dormer window, set back from part of the extension. I am satisfied that this design is acceptable with no demonstrable harm to neighbouring amenity.

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 numbers ROC/325/PD/003, ROC/325/PD/004 and ROC/325/PD/006 and specification contained therein, submitted on 29 December 2005 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 Local Plan Policy ENV3.
- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

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 proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal is therefore considered to comply with the policies listed.
