

Planning Committee: 05 July 2011

Item Number:

Application No: W 11 / 0575

Town/Parish Council: Warwick
Case Officer: Liz Galloway

Registration Date: 29/04/11

Expiry Date: 24/06/11

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7 Ashley Crescent, Warwick, CV34 6QH

Erection of two storey extension comprising bedroom with en suite, sun lounge family room, TV lounge and external works of new fence FOR Mr K Godhania

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

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Local Plan Policies DP1 & DP2 state that development will only be permitted which positively contributes to the character and quality of the environment and does not have an adverse impact on the amenity of nearby residents. Ashley Crescent has been maintained as open plan and the fence and boundary hedge will directly impact on the open aspect of the area and adversely effect the visual amenity of the residents. The two storey extension extends beyond the building line of the adjoining property and those other properties in the crescent and other development has been required to remain behind the building line. Additionally the two storey development will result in overlooking of adjoining properties. The Town Council are also concerned that the existing property is being used for commercial purpose and would ask that the matter be investigated to determine if the commercial use represents a material change of use. A site visit is also recommended.

18 neighbour responses: Object on grounds of height of boundary fence/hedges, enclosure of open plan layout on corner plot, highway safety, character, size, loss of light, privacy and overlooking. Neighbours also object that the property is being used for a business.

WCC Ecology: recommended sending photographs as site is suitable bat foraging habitat and bird note.

WCC Highways: No objection - Comments only:-

1. No structure, tree or shrub shall be erected, planted or retained at the back of the highway foot way, that is likely to exceed at maturity, a height of 0.60 metres above the level of the public highway carriage way.

Note: To ensure that the hedge does not overgrow into the foot way at maturity, it is recommended that the proposed planting should be set back 0.50 metres from the back of foot way.

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 a detached dwelling with integral garage situated on a corner plot located to the South West of Ashley Crescent.

Details of the Development

The applicant seeks to construct a two storey side extension to create a study and sun room at ground level with bedroom and en-suite above. The re-positioning of a rear/side fence is proposed to incorporate the garden shed. The original plans also included the erection of a 1.5 metre high boundary fence adjacent the highway, however, the details of the fence have now been omitted from the amended plans.

Amended plans have been received to:-

- remove the 1.5 metre high boundary fence adjacent the highway
- remove the clear glazing in the side facing windows and replace with obscure glazing
- lower the height of the proposed extension roof
- re-position the side garden boundary to incorporate garden shed
- remove the side facing French window and replace with window to match existing

Assessment

The issues to be considered are the impact on the street scene and the impact on neighbours.

The two storey side extension will be visible within the street scene, however, I consider that the design of the extension does not substantially reduce the openness of the corner plot and will still provide an important open space within Ashley Crescent. Also, the proposed alterations to the dwelling will be subservient to the existing property and would, therefore, comply with the Councils' Residential Design Guide. The side facing windows in the first floor of the side elevation have been amended to contain obscure glazing, thus preventing any overlooking or loss of privacy and the proposed extension will be constructed using matching materials.

Neighbour number 9 Ashley Crescent lies to the West of the application site and the side elevation belonging to this neighbour is situated approximately 12 metres away from the rear of the proposed side extension. As the application property has existing rear windows, I do not consider that the additional rear bedroom window will cause any extra significant overlooking or loss of privacy. Neighbour number 5 Ashley Crescent does not lie immediately adjacent the proposed extension, therefore, I am satisfied that this neighbour will not overly suffer from loss of light, outlook or privacy.

15 neighbours have objected to the application on the grounds of highway safety, parking, loss of light, outlook, privacy, loss of views, property being used for a business and the position of hedges and fences. Whilst the two storey extension and re-positioning of the fence can be dealt with under the planning

system, this application is not the subject of a Change of Use from residential to a business and will not be considered as such. The proposed amended plans now omit the fencing details which were proposed to the boundary of the land owned by the applicant and replaced with a 0.6 metre high hedge. The hedge which is proposed alongside the public pavement, which now replaces the fence, would not be under the control of the planning system. Warwickshire County Council Highways were originally consulted, but have not commented.

Many objections have been received from neighbours who are not situated immediately adjacent the proposed extension and whilst I acknowledge that the extension will be visible within Ashley Crescent, I do not consider that the majority of the neighbours will be significantly affected by loss of light, outlook or privacy.

WCC Ecology has requested photos of the property, however, I am satisfied that the proposed extension will be attached to a side gable wall and will not overly impact on any existing roof area. As the Ecology section has commented on this application site and have bat records present in the area, I will attach a bat note to the Decision Notice.

I am satisfied that the land to the front of the property has sufficient parking area to allow two parking spaces and will, therefore, meet the criteria contained in the Vehicle Parking Standards. Also, due to the small scale of the proposed development it is felt that a renewable energy statement is not required.

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 amended drawings 11-145 PA-03 Rev D. 11-145 PA-04 Rev B, and specification contained therein, submitted on 21st June, 2011 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.
- 3 Prior to the occupation of the development hereby permitted, the first floor windows in the North elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **REASON** : To protect the privacy of users and occupiers of nearby properties and or the privacy of future users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

- 4 No structure, tree or shrub shall be erected, planted or retained at the back of the highway foot way, that is likely to exceed at maturity, a height of 0.60 metres above the level of the public highway carriage way. Reason: To ensure that the hedge does not overgrow into the foot way at maturity.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, 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.
