

**Planning Committee:** 27 May 2014

**Item Number:** 10

**Application No:** W 14 / 0237

**Town/Parish Council:** Kenilworth  
**Case Officer:** Penny Butler

**Registration Date:** 08/04/14

**Expiry Date:** 03/06/14

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**57 Roseland Road, Kenilworth, CV8 1GA**

Proposed amendments to approved extensions: Relocation of front door and front glazing, removal of step to party wall, extension to rear lower ground floor extension and extension to height of rear lower ground floor extension. FOR Mr Sidhu

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This application is being presented to Committee due to a request from the Town Council having been received.

**RECOMMENDATION**

Planning Committee are recommended to GRANT planning permission subject to conditions.

**DETAILS OF THE DEVELOPMENT**

This is a further revised application following the most recent refusal of permission for revisions to an approved scheme originally granted in 2009, which was renewed in 2013. The revisions are as built, as the construction is nearing completion. The changes are:

- Insertion of door on front elevation adjacent to neighbour, serving upper floor flats, which permits removal of external fire escape at rear
- Removal of inset in side wall to single storey rear extension, to run along boundary
- Position of roof lights and windows on side elevation altered
- Addition of section of pitched roof to lower single storey rear extension
- Increase in length of lower single storey rear extension by 2.5m

On the upper floors there would be one 1 bedroomed flat, one 2 bedroomed flat, and in the roof space there would be a further studio flat, whereas two 1 bedroomed and one 2 bedroomed flats were originally approved.

The applicant has provided a copy of comments from Councillor Richard Davies stating he is satisfied this is a reasonable development and will not detract from the street scene or amenity.

**THE SITE AND ITS LOCATION**

The application site is located at the junction of Roseland Road and Mortimer Road, on a corner plot at the end of a row of terraced dwellings fronting Roseland Road. This property is a larger version of the other houses in the terrace, as it is about half a storey higher. The building has been extended by a single storey side and rear extension with a flat roof, and an infill extension between this wing and the side boundary with a low lean to roof. The ground floor retail unit has a shop frontage at the side and rear.

On the opposite side of Mortimer Road is St Johns Middle School, with its sole vehicular access opposite the vehicular access into the rear garden of the application site. The applicants rear vehicular access is currently gated and located behind the end of the long rear wing. To the rear of the site is a shared private vehicular access to dwellings on Roseland Road and Council garage blocks, whilst the residential property on the other side of this access has a side gable facing the site and a tall conifer hedge along their side boundary. The adjoining neighbour (no.55) has an existing rear conservatory close to the side boundary with a pergola behind this.

The permission granted in 2013 is nearly complete, including the changes now being applied for. If this application is not granted then enforcement action would have to be considered to return the building to the approved scheme.

### **PLANNING HISTORY**

In 1973 a single storey flat roofed rear extension was added forming a long rear wing adjacent to the public footway, and at this time a single storey very low mono pitch roofed rear extension already existed. Planning permission was granted in 2009 (W/09/1502) for one and two storey extensions to increase the floor area of the shop to 180 sq.m and to create three flats (two 1 bedroom and one 2 bedroom), along with the provision of six parking spaces. This permission was renewed in May 2013 by Planning Committee (W/13/0314). Application W/13/1165 was refused by Planning Committee in October 2013 for further extensions, due to an adverse impact on neighbouring amenity.

In 2013 application W/13/1593 proposed to increase the ridge height of the rear two storey wing to match the main roof, and to increase the height of the rear single storey wing by adding a dual pitched roof. A small area of new roof was also proposed on the lower flat roofed extension at the rear, along with fenestration alterations consisting of the insertion of an entrance to the upper floor flats on the front elevation adjacent to the boundary with no.55, removal of an approved raised fire escape, changes to roof light positions and window positions on the side elevation. This application was refused by Planning Committee in December 2013 by reason of its scale and massing comprising a visually overbearing feature which unacceptably impacts upon the residential amenities of the occupants of adjoining properties by means of loss of light and visual intrusion.

### **RELEVANT POLICIES**

- National Planning Policy Framework

- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The emerging Warwick District Local Plan 2011 – 2029.

## **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** Members COMMENTED that the plans did not appear to show the full details of the changes and being 'as built' were suspected as being de facto retrospective. Given the history of the site and lack of full details, Members felt that if the matter was previously decided by the District Planning Committee then any confirmation of changes should also fall within their remit.

**Public response:** No. 55 has withdrawn their objection following a correction to the proposed plans so they now show only what has been built.

## **ASSESSMENT**

### Visual impact and design

The proposed changes to the external appearance of the building are minor and do not have a significant impact on the overall appearance or character of the property, or its surroundings. The door on the front, roof lights and windows are all in keeping with the style of the building and nearby properties. The increased length of the rear wing, which is at lower level, does not impact significantly on its surroundings, since it is mainly screened from view by the wall surrounding the rear yard. The additional small piece of sloping roof is tucked around the corner of the wing closer to the road, and is therefore also not generally visible in the street scene. The removal of the external staircase at the rear is welcomed as a significant improvement to the approved scheme. In summary therefore, the changes now being sought approval have no adverse impact on the character or appearance of the building, or its surroundings, and constitute good design in accordance with Policy DP1 and the NPPF.

### Impact on neighbouring amenity

In terms of neighbour impact, this focuses upon the adjoining dwelling (no.55) who has an existing rear conservatory adjoining the boundary, and a front entrance door adjacent to the shared boundary. The proposed front entrance door serves the upper floor flats, not the shop, therefore the comings and goings associated with this residential use will not have an inappropriate impact on the amenity of this neighbour. The proposed sloping roof at the rear is not immediately adjacent to their boundary, and does not extend higher than the wing adjacent against which it is viewed, so it causes no loss of light or outlook. The extension to the length of the lower rear wing is considered acceptable since this is no higher than 2 metres on the boundary, the height of a permitted wall or fence under permitted development rights.

#### Impact on highway safety and car parking

There have been no changes made to the access and parking arrangements proposed under the previous application, which were accepted by the Highway Authority and Members, and it is considered that the proposals will not conflict with Policies DP6 or DP8.

#### Other matters

An air source heat pump would generate the required renewable energy for the proposals, and would be sited in the bin store, separated from the neighbouring property by the rear office extension. A contribution towards improvements to public open space can be required by condition.

### **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of parking or amenity which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.

### **CONDITIONS**

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (1550-07H submitted on 8 May 2014. 1550-07D submitted on 8 May 2014), and specification contained therein.  
**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.
- 2 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the

application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

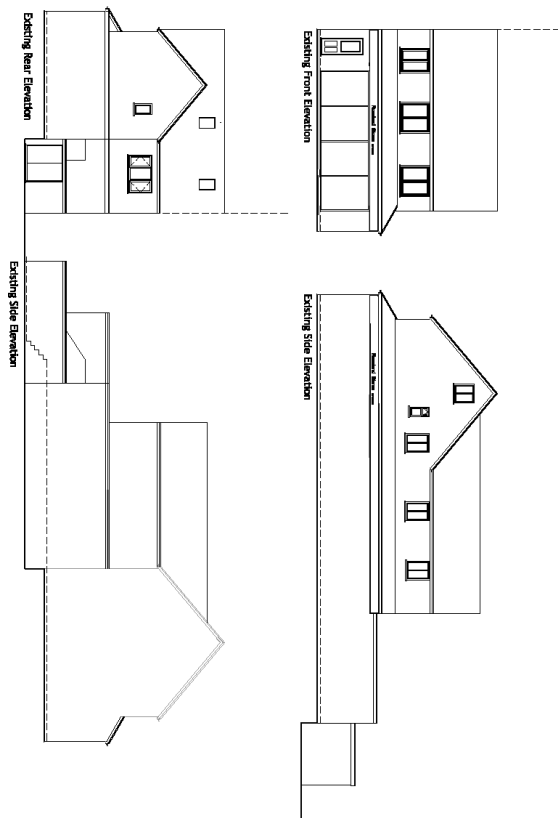
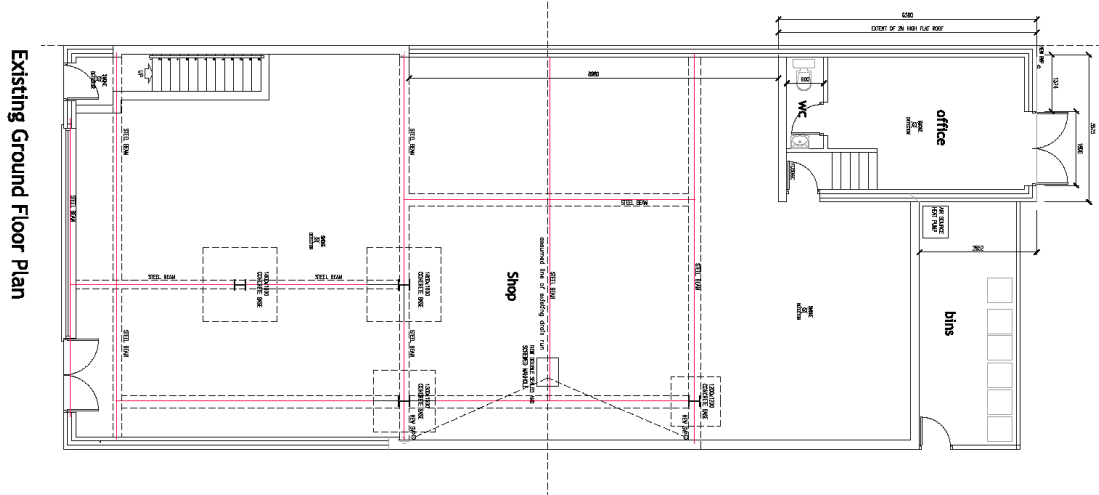
- 3 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

**REASON:** To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

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**Approved Drawings:**  
These drawings have been prepared solely for Planning and Building Regulations Applications only. Any amendments by the contractor to the approved design must be agreed in advance with the Local Planning Authority before works are undertaken.

**Before words begin**  
Candidates read every all 4 questions on the before answering words or ideas. Any discrepancies (as, be reported to Douglas) before words are substituted or materials are ordered.

## EasyPlan

Telephone 01926 866606

Project
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Proposed Extension  
57 Roseland Road  
Wardell, NSW 2170

CY8 1GA

Exterior Floor Plans

scale 1/200/1/100	date:
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