

**Planning Committee:** 02 November 2005

**Item Number:** 19

**Application No:** W 05 / 1569

**Registration Date:** 16/09/05

**Town/Parish Council:** Kenilworth

**Expiry Date:** 11/11/05

**Case Officer:** Martin Haslett

01926 456526 [planning\\_west@warwickdc.gov.uk](mailto:planning_west@warwickdc.gov.uk)

**19 Ash Drive, Kenilworth, CV8 2DQ**

Proposed garden room FOR Mr and Mrs Akister

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

### **SUMMARY OF REPRESENTATIONS**

**Town Council:** Objection raised on the following grounds:

1. Construction, layout and facilities within the proposed building appear to constitute a dwelling rather than a garden room;
2. Proposal constitutes excessive bulk in relation to the available space;
3. Structure is not compatible with separation distances;
4. The 3 metre high wall immediately adjacent to the boundary fence is unneighbourly.

**Neighbours:** one neighbour supports the proposal.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

### **PLANNING HISTORY**

There is no relevant planning history for this application.

### **KEY ISSUES**

#### **The Site and its Location**

Ash Drive is a small cul-de-sac accessed off Lime Grove. The property is a typical two-storey semi-detached property with a detached single garage to the rear/side of the dwelling. The street scene is characterised by two-storey semi-detached properties. The application site backs onto two storey semi-detached properties on Laburnum Avenue which have relatively modest sized rear gardens so that the distance between the properties is not great and at its minimum is about 20m between the 2 storey portions.

## **Details of the Development**

The proposal is for a single storey extension in the rear garden of the property, built onto the rear of the existing detached garage. The extension would provide a garden room and bathroom. and would be designed with two windows and a patio door which would face into the application site. The proposal also includes a pyramidal rooflight.

## **Assessment**

I am of the opinion that the design, size and scale of this proposal would be an acceptable form of development in the proposed location and that there would not be any serious adverse effect upon the neighbours.

Looking at the site location plan, the garden room will be situated between four detached garages to the side/rear of the properties along the boundary with the application site. The garages belong to the adjoining neighbours who might have otherwise been affected by the development, these being, 18 Ash Drive, 8 Laburnum Avenue and 10 Laburnum Avenue.

The proposed garden room exceeds the height of the existing garages by only 0.5 of a metre which in my opinion would not have any adverse impact for the neighbouring properties. Since the proposal is a single storey extension, I am of the opinion that distance separation is not an issue in this instance, despite the comments of the Town Council. The rear garden is relatively large, due to its width and this modest extension would sit comfortably in this location and would leave sufficient garden amenity space for the occupants.

The proposed extension includes a bathroom. It is noted that the Town Council have objected on the grounds that this development constitutes a dwelling rather than a garden room. Whilst noting the Town Council's concern, I am of the opinion that a dwelling is not complete without a kitchen/diner or bedrooms which this proposal clearly does not accommodate. The Town Council have raised a number of other issues which I do not consider merit a recommendation of refusal.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

## **RECOMMENDATION**

GRANT subject to the following 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, 4495/01, and specification contained therein, submitted on 16 September 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.
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