

**Planning Committee:** 22 February 2011

**Item Number:**

**Application No:** W 10 / 1545

**Town/Parish Council:** Kenilworth  
**Case Officer:** Liz Galloway  
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**Registration Date:** 03/12/10  
**Expiry Date:** 28/01/11

**1 Avenue Road, Kenilworth, CV8 1AW**

Replacement of rear conservatory / dining room roof with pitched roof  
(Retrospective application) FOR Mr & Mrs Stokes

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

**SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** No objection.

**4 public responses (2, 8, 9 & 13 Avenue Road):** Objects on grounds of not 'in keeping' with surrounding buildings, materials, impact on the Conservation Area, design of the roof, noise and drainage from guttering.

**Policy Projects & Conservation:** No objection.

**RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

W02/0244 - Granted for a first floor front extension.

W09/1508 - a two storey side and rear extension was allowed on Appeal on 6th May, 2010. This has been built.

The rear conservatory formed part of the site before any of the above planning applications were submitted.

**KEY ISSUES**

**The Site and its Location**

The application property is the first dwelling on the southern side of Avenue Road, which is a pedestrianised street of 12 semi-detached houses, and one detached house which face each other across a narrow pedestrian only foot way. The vehicular access into Avenue Road runs between the dwellings fronting Clinton Lane, and stops short of the dwellings so parking space available for

residents is limited to this and Clinton Lane. The dwellings are closely and regularly spaced with only passageways separating them at the side. The side boundary, which lies to the West of the application site, adjoins a private alleyway that runs from Avenue Road, along the rear of the Clinton Lane dwellings to Clinton Avenue, and is not a public highway. The Kenilworth Conservation Area was extended in 2010 and now includes this property within its boundary.

### **Details of the Development**

The applicant seeks to re-model the roof of the existing extension from a tiled hipped roof with front glass panel to a mono-pitched roof using a slate finish.

### **Assessment**

The main issues to consider are impact on the amenity of the neighbouring dwelling and the impact on the character of the Conservation Area.

This application relates to a rear extension which has previously been allowed on appeal and replaces an original conservatory which once stood on the site in the same footprint. A large part of the extension has already been built and the applicant now seeks to re-model the previously approved roof, which consisted of a tiled roof with a glazed hipped front. The applicant has now applied to construct a mono-pitched roof to be finished in a blue black, 600mm x 300mm fibre cement slate which is typical in design to other properties within close proximity to this site and other parts of Conservation Areas throughout the Town. Therefore, I consider that the proposed alteration to the design of the existing rear extension roof will not be overly visible within the street scene, and will have no detrimental impact on the existing character or quality of Avenue Road or the Conservation Area.

In considering neighbour impact, the property to take into account is the adjoining dwelling (no.2). This adjoining neighbour has a rear conservatory built up to the side boundary, and a single storey brick built rear wing adjacent. The proposed extension, on the application property, has been constructed on the footprint of the original conservatory and is not set forward of this neighbour's conservatory. For this reason, the proposed extension, with re-modeled roof above, complies with the Council's 45 Degree Guideline from the adjoining neighbour's rear windows, and on this basis, I consider they would not suffer an unacceptable loss of light or outlook. There are no immediate neighbours situated to the West of the application site and I am satisfied that there will be no significant impact on any other adjoining properties in relation to loss of light, outlook or privacy.

The Kenilworth Town Council have no objection to the proposed development, however, 4 neighbours have expressed concerns which I will address below:-

- The proposed development is not considered to have a serious detrimental impact on the character or appearance of the existing property, surrounding buildings or the Conservation Area as the proposed roof is considered simple in design and would not significantly detract from the existing design of the dwelling;

- any noise caused by water falling on the roof or gutter would be small and insufficient to merit a refusal of permission. Proper drainage of water would be dealt with under the Building Regulations.

In conclusion, I consider the replacement of a uPVC conservatory with an extension which uses a slate roof, powder coated aluminium and bricks to match the existing brick work as the main building materials and finishes to be used, would be wholly acceptable and maintain the quality of environment within the Conservation Area.

### **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **CONDITIONS**

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 3517A/02, 3517A/04, and specification contained therein, submitted on 3rd December, 2010 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.

### **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 development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located and 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.

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