

Application No: W 11 / 1282

Town/Parish Council: Kenilworth

Registration Date: 07/11/11

Case Officer:

Heidi Antrobus

Expiry Date: 02/01/12

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8 Highland Road, Kenilworth, CV8 2ET

Erection of garden room (retrospective application) FOR Mr R Porter

This application is being presented to Committee in order to request that enforcement action be taken.

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Objection on the grounds of the proposal being inappropriate in regards to its position, size and proximity to the adjoining proposal.

Neighbour Comments: One neighbour from No 42 Inchbrook Road has written in support of the application. The property has been neglected for a few years and the owner is now renovating it. The garden room building is most visible from their house, being the house that overlooks their garden. No objections to the building which is observed to have been constructed in a correct and durable manner. Although they stated that the height and size was a surprise it doesn't appear objectionable or out of place with its surroundings.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

PLANNING HISTORY

In 1999 planning permission was granted for the erection of an extension and alterations to the car port.

KEY ISSUES

The Site and its Location

The site is a detached house with a large rear garden located off Highland Road of 30 metres. The garden room development has taken place in the south east corner of the rear garden and it is located right up to the boundary of No 10 Highland Road and No 36 Inchbrook Road. The northwest elevation contains a window and is located next to a mature Apple Tree. The development is not

fully completed and there are a number of partly covered up openings so it is unclear as to whether these will be bordered or become windows. The front of the building faces the south west and has floor to ceiling windows and a glass entrance from what appears to be across the majority of the frontage.

Details of the Development

Erection of a Garden Room (Retrospective Application).

The footprint of the garden building measures 3.85 x 7.20 metres approximately resulting in a footprint of 27.72 sqm. The south west elevation shows the front of the garden room which is a total of 3.9 metres in height including the pitched roof. The frontage is 2.3 metres in height with floor to ceiling windows and entrance doors. Part of the frontage is not completed they appear to be the outline of floor to ceiling windows but with no glass in currently. The tiled roof is 1.6 metres in height.

The proposal is located right up to very edge of the landscaped curtilage boundary of No 8 Highland Road and it is right next to a mature Apple Tree where the branches touch the roof of the building. As the development has taken place the damage to the trees is already done.

Assessment

The main issues relevant to the consideration of this application are:

- The Design and Layout of the proposal
- Impact on the living conditions of the neighbouring properties
- Impact on the street scene
- Impact on landscaping and Trees

Design and Layout

The building is very large in terms of its scale, height and massing and is highly visible from adjacent neighbouring properties and their rear gardens. The properties which the development is visible from include No 10 Highland Road, No 34 and 36 Inchbrook Road. The development is some 2 metres above the existing landscape fence boundary between No 8 and No 10 Highland Road and appears as an incongruous feature in this backland area.

I consider that the proposal is inappropriate and not acceptable in terms of its location, design, scale and massing and does not comply with Policy DP1 of the Warwick District Local Plan 1996-2011 and the Council's Residential Design Guide.

Impact on the living conditions of the neighbouring properties

The garden room has an unacceptable adverse impact on the adjacent neighbouring properties in that it is clearly visible due to its large scale, height and massing. The building is clearly visible from the adjacent neighbour's property and garden of No 10 Highland Road and the bungalows and gardens of No 34 and 36 Inchbrook Road as well as being visible from Inchbrook Road.

One neighbour comment has been received from No 42 Inchbrook Road has written in support of the application stating that the property has been neglected for years. Although the neighbour states in their letter that the garden room is most visible and overlooks their house and they were surprised by the height and size .

From the site visit, it was observed that the neighbours of No 10 Highland Road and No's 42, 38, 36 and 34 Inchbrook Road are currently adversely affected in terms of loss of outlook and privacy due to the location, scale and massing of the building. I consider that the proposal is unacceptable and causes substantial harm to the amenity of the adjacent neighbours and does not comply with Policy DP2 and the Council's Residential Design Guide.

Impact on the Street Scene

The proposal is highly visible from the bungalows on Inchbrook Road due to its location, height and scale. I consider that the proposal is unacceptable and has an adverse impact on the street scene of Inchbrook Road and does not meet the requirements of the Council's Residential Design Guide.

RECOMMENDATION

REFUSE, for reasons listed below and authorise officers to take appropriate enforcement action to remove the existing garden room building within 3 months.

REFUSAL REASONS

- 1 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 state that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design. Furthermore, development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users/occupiers of the development.

The existing garden room is not inkeeping with the character of the residential area due to its design, location, height and massing and its visual impact on the street scene of Inchbrook Road. The development has an adverse impact on the amenity, outlook and privacy of neighbouring properties and creates an overbearing effect. The development is therefore contrary to the aforementioned policies.
