

Planning Committee: 11 July 2006

Item Number:

Application No: W 06 / 0905

Registration Date: 05/06/06

Town/Parish Council: Cubbington

Expiry Date: 31/07/06

Case Officer: Joanne Fitzsimons

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57 Kenilworth Road, Cubbington, Leamington Spa, CV32 7TW

Erection of a single storey side extension and single/two storey rear extension
FOR Mr & Mrs R Miller

This application is being presented to Committee as this proposal is an amended design of an earlier scheme, refused by the Planning Committee, which seeks to address the Members reason for refusal; an objection has also now been raised by the Parish Council.

SUMMARY OF REPRESENTATIONS

Parish Council: Object to this application on the grounds that the two windows will overlook No. 59 Kenilworth Road and be an intrusion of privacy. Also the extension would overlook the patio area of No. 59 and block sunlight.

Neighbours: Two neighbour objections on grounds of detrimental effect on outlook and loss of light.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

PLANNING HISTORY

In 1978 (ref. W78/510) planning permission was granted for a single storey rear extension, covered way and rear facing dormer window.

Planning permission for a single storey side extension and two storey rear extension was refused, W05/2078, by the Planning Committee on 16th March 2006 following a site visit.

KEY ISSUES

The Site and its Location

The property relates to one half of a pair of semi-detached dwellings in a predominately residential area, opposite the Green Belt which lies the other side of Kenilworth Road. The design of the application site is similar in character and appearance as those which surround it, albeit most properties have been altered in some way.

Details of the Development

The proposal seeks to erect a first floor rear extension over an enlarged dining and family room together with alterations at the front to create a pitched roof over the porch and garage projection and a flat roof single storey side extension (which incorporates a false pitch to the front and rear).

In comparison with the scheme refused by the Planning Committee, W05/2078, the first floor rear extension has been reduced in length by 0.5m and has been moved off the side boundary with No. 59 by 1m; the first floor bedroom proposed would be 1.1m closer to No. 55 albeit a bedroom extension previously proposed on the boundary with No. 55 is now no longer proposed. The scheme does include the provision of a bathroom and an en-suite window on the side elevation of No. 57 looking towards the neighbour at No. 59.

Assessment

The proposed development would not breach the Council's adopted 45 Degree Code. Whilst conscious of the Parish Council's objections, the rear extension has been designed with a hipped roof and the first floor element has been reduced in size compared with the previous proposal refused by the Planning Committee, reference W05/2078. I remain of the view that the design would not cause harm to either of the neighbouring properties such as to justify refusal, subject to the side facing windows being glazed with obscure glass.

RECOMMENDATION

GRANT, subject to the conditions listed below.

- 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(s) ROC/325/PD/003, /004, and /006, and specification contained therein, submitted on 5th June 2006 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.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission, shall be placed at any time in the east or west elevations of the extension. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.

- 5 The new bathroom and ensuite windows hereby approved shall be glazed with obscure glazing and shall thereafter be retained as such at all times.
REASON : To protect the amenity of the neighbour in accordance with the provisions of policy ENV3 of the Warwick District Local Plan 1995.

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 proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal is therefore considered to comply with the policies listed.
