

Planning Committee: 06 October 2020

Item Number: 7

Application No: [W 20 / 1004](#)

Town/Parish Council: Kenilworth

Case Officer: Emma Booker

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Registration Date: 02/07/20

Expiry Date: 27/08/20

8 Avon Road, Kenilworth, CV8 1DH

Erection of front and rear dormers and installation of rooflight to facilitate loft conversion FOR Mr & Mrs Seaber

This application is being presented to Planning Committee due to an objection from the Town Council having been received and the recommendation being one of approval.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The applicant seeks planning permission for the erection of 3no. dormer windows, two within the south-east facing roofslope and two within the north-west facing roofslope. A rooflight is also proposed to be installed between the two dormers within the north-west facing roofslope. The floor plans illustrate that two bedrooms, a study and two ensuites will be created at first floor level. The south-east facing roofslope is considered to form part of the principal elevation of the dwelling. The proposed dormers have a flat roof and will be faced with black fibre cement cladding. Grey upvc windows are proposed to be fitted within the dormers.

The proposal has been amended since the original submission. As originally submitted, a single large elongated box dormer was proposed within the south-east facing roofslope. This was considered to be contrary to the Residential Design Guide SPD and has been omitted and replaced with two smaller dormers and a rooflight.

THE SITE AND ITS LOCATION

The application property is a detached bungalow sited on a corner plot at the junction with Avon Road and Archer Road. The front door to the property faces Avon Road, however, it is considered that the south-east facing elevation reads as the principal elevation of the property. Vehicular access to the site is onto Archer Road and the driveway is large enough to accommodate at least 2 parked cars. The character of the property comprises a red/brown facing brick and brown concrete roof tiles, the windows and doors are made from white upvc. There is also a prominent and bespoke chimney attached to the principal

elevation. The dwelling also benefits from a flat roof double garage attached to the south-west elevation.

PLANNING HISTORY

None.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Kenilworth Neighbourhood Plan (2017-2019)
- Parking Standards
- General Design Principles
- Environmental Standards of New Buildings

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - Objection - the proposal will be clearly visible from the street and conflicts with the Residential Design Guide. It is requested that the applicant addresses matters relating to the environmental impact of the development in reference to Policy KP15 of the Neighbourhood Plan.

WCC Ecological Services - The property appears to be well-sealed and in good condition thus a bat survey is not considered necessary. Advisory notes relating to the protection of bats and nesting birds should be attached to the decision.

Public Response - The neighbours at No.10 raise concern that due to the respective location of theirs and the application property, the proposed dormer additions could result in a loss of privacy to their back garden, kitchen-diner and lounge, and ask that this impact be assessed and taken in to consideration. Amended drawing to replace the dormer in the study with a rooflight welcomed.

ASSESSMENT

Design and the impact on the character and appearance of the area

Local Plan Policy BE1 requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design.

Kenilworth Neighbourhood Plan Policy KP13 requires development proposals to achieve a standard of design that is appropriate to the local area and demonstrate regard for the site characteristics and surrounding built form.

Kenilworth Town Council have submitted an objection to the proposed development on the basis the design of the dormers does not comply with Policy KP13 and the Residential Design Guide SPD. The Town Council has highlighted that the property is on a prominent site and the dormers will be clearly visible from the street due to their proximity to the ridge line.

The Residential Design Guide SPD states that proposals which seek to introduce long horizontal box dormers will not be supported because they are not traditional elements of the district's towns. This statement is supported by a diagram which depicts a dormer that fills the majority of the width of the roofslope with its roof close to the ridge line.

When assessing the impact of the proposal in terms of design, it is important to have regard to extensions which can be erected through the use of the bungalow's permitted development rights. 8 Avon Road benefits from Schedule 2, Part 1, Class B permitted development rights which permit the erection dormers provided that are faced with matching materials and do not;

- exceed the height of the highest part of the existing roof,
- extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway,
- increase the volume of the original roofspace by more than 50 cubic metres.

It is therefore important to consider that despite the Residential Design Guide SPD stating that long horizontal box dormers will not be supported, dormers of this design and scale may be erected without planning permission at certain dwellings, including at 8 Avon Road, in the event that they satisfy the above limitations. On this basis, it is considered that it would be unreasonable to refuse planning permission for the proposed rear dormer due to non-compliance with the Residential Design Guide SPD. If amended to omit the proposed cladding the long horizontal box dormer could be built prior to the implementation of a planning permission. The proposed cladding is not considered harmful given that both the Avon Road and Archer Road streetscenes already comprise a variety of materials including wooden and upvc cladding. The impact of the proposed rear dormer on the character of the Avon Road streetscene is therefore considered acceptable.

The design of the front dormer has been amended since the original submission of the application to omit the elongated box dormer and instead propose two smaller dormers. The revised design of the front dormers are considered to comply with the Residential Design Guide SPD. The flat roof design is considered appropriate at this property because the dormers will be read in conjunction with property's existing flat roof double garage. Also, Flat roof elements already form a part of the original character of the bungalow and it is considered that the proposal achieves the desired consolidated appearance and successfully responds to the prevailing character of the streetscene which already comprises dormers of flat roof design. The proposal is therefore considered to satisfy the criteria of Neighbourhood Plan Policy KP13. Officers acknowledge that the

property is sited on a prominent corner plot meaning that the dormers will be visible, they are however considered to have an acceptable visual impact and constitute good quality design, and therefore the visibility of the dormers is not considered a cause for concern.

The proposed rooflight and grey upvc is considered to have an acceptable visual impact on the character of the dwelling and streetscene. A condition will be attached to the decision to secure the use of a rooflight which does not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof. This will ensure that the rooflight does not appear overly dominant within the roofslope. Grey window frames already contribute to the character of the streetscene as are installed at 10 Avon Road, it is therefore considered that this element of the development will not appear out of keeping. Nevertheless, it is important to highlight that the applicant may change the colour of the windows under permitted development.

For reasons discussed above, it is considered that the proposal satisfies the criteria of LP Policy BE1 and NP Policy KP13.

Impact on neighbouring properties

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and states that extensions should not breach a 45 degree line taken from the nearest habitable room of a neighbouring property. This serves to protect against loss of light and outlook. Kenilworth Neighbourhood Plan Policy KP13 supports this policy by requiring development proposals to give regard to the impact on the residential amenity of the existing and future residents.

The proposed development is considered to have an acceptable impact on the amenity of the adjacent neighbours. Windows installed within the north-west facing dormer will be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.70 metres above the floor of the room in which the window is installed. This will be secured via condition. Windows within the north-east facing elevation will provide views over the property's front garden, driveway and the public highway, the impact of these windows is therefore considered acceptable.

The neighbour at No.10 Avon Road has raised concerns that the front dormer could impact on the privacy of their back garden, kitchen-diner and lounge. The front dormers, within the south-eastern roof slope, are in excess of 18.0 metres from the north-western boundary of 10 Avon Road which is considered to be adequate in order to protect the privacy of the neighbour's private amenity space. By way of comparison, on new housing developments, as a general rule, it is considered that a distance of 11.0 metres between windows and the boundary of the neighbour's private amenity space provides adequate privacy. The proposed development therefore far exceeds this expectation. In addition, the Residential Design Guide SPD stipulates that in order to protect privacy new windows at first floor level which face windows serving a neighbour's bedroom at first floor level should be a distance of 22.0 metres apart. The proposed dormer

windows within the south-eastern roofslope of the application property will be at least 25 metres from the side elevation of No.10, it is therefore considered that the dormers will not unacceptably impact on the amenity of the neighbours.

At first floor level at habitable rooms are considered to be provided with adequate outlook and light. The Agent has provided a section drawing to illustrate that the study will be provided with an outlook as it will be possible to gain views out of the rooflight when standing inside the room.

The proposal is acceptable and in accordance with Local Plan Policy BE3 and Kenilworth Neighbourhood Plan Policy KP13.

Parking

Local Plan Policy TR3 states that development will only be permitted that makes provision for parking which does not result in on-street car parking detrimental to highway safety. Development will be expected to comply with the parking standards set out in the most recent Parking SPD.

Kenilworth Neighbourhood Plan Policy KP12 states that development proposals should incorporate parking and cycle spaces at or above the numerical and design expectations set out in the Parking Standards.

The proposal seeks to increase the number of bedrooms in the property from 3 to 5. The adopted Parking Standards SPD requires an additional parking space for this increase (from 2 to 3). Officers consider that the property's driveway is large enough to accommodate 2 parked cars meaning that any additional demand for parking generated by the development would need to be accommodated within the street. At the time of the Officer's site visit there was ample capacity within Avon Road and Archer Road for on-street parking. To add to this no objections have been received from neighbours on parking grounds, and it was therefore not considered necessary to request that the applicant carry out a parking survey. The proposed development is therefore considered to meet the criteria for Policies TR3 and KP12.

Ecology

Local Plan Policy NE2 seeks to protect species of national and local importance for biodiversity and geodiversity. The policy stipulates that development will not be permitted that will destroy or adversely affect protected species.

Ecological Services requested photographs of the property to assess the need for a bat survey, once received the Ecologist confirmed that the roof slopes with interlocking tiles show to be well-sealed and a bat survey would not be necessary. Instead it is considered appropriate to attach advisory notes relating to bats and nesting birds which Officers consider acceptable for the scale of the development. The proposal is considered to comply with Policy NE2.

Other matters

As part of their objection, Kenilworth Town Council refer to Policy KP15 of their adopted Neighbourhood Plan. Kenilworth Town Council "*requests that the*

applicants address matters relating to the environmental impact of the development with the aim of the resulting property, in its entirety, having an improved energy efficiency and water efficiency, where affected, compared to the existing property." Policy KP15 encourages applicants to adopt higher environmental standards of building design and energy performance. Given that the policy seeks to *encourage* rather than require additional sustainability measures, this is not something that can be insisted upon. It is also acknowledged that the scale of the development is small and it is therefore considered that it would be unreasonable to insist on the provision of such information from the applicant.

Summary/Conclusion

The application is acceptable and considered to comply with Local Plan Policies BE1, BE3, TR3 and NE2 and Neighbourhood Plan Policies KP13 and KP12. The application is therefore recommended for approval.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 002E, and specification contained therein, submitted on 27th August 2020. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029 and Policy KP13 of the Kenilworth Neighbourhood Plan 2017-2029..
- 3 The rooflight hereby permitted shall not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof. **REASON:** To secure a satisfactory form of development in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029 and Policy KP13 of the Kenilworth Neighbourhood Plan 2017-2029.
