

Planning Committee: 20 February 2007

Item Number: 8

Application No: W 06 / 1864

Registration Date: 28/11/06

Town/Parish Council: Bishops Tachbrook

Expiry Date: 23/01/07

Case Officer: Rob Young

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1 Laertes Grove, Heathcote, Warwick, CV34 6EL

Erection of two storey rear extension FOR Mr Fu

This application is being presented to Committee due to the number of objections and an objection from the Parish Council having been received.

SUMMARY OF REPRESENTATIONS

ORIGINAL PLANS

Parish Council: Object. It was noted that there were a number of policies of the emerging local plan which would not be met by this development. DP1 (f) - concerns were discussed regarding scale, height, form and massing. DP2 (4.12-4.13) - it was concluded that this development is likely to have a negative impact on nearby residents. In particular there is the potential for overlooking adjacent properties and contravention of the 45-degree line rule. DP9 (c) - concerns were expressed that a property of the size of that proposed would have a negative impact on car parking near the property.

Neighbours: 9 objections were received on the following grounds:

- overdevelopment of a small plot, particularly considering the presence of existing extensions;
- loss of privacy;
- loss of light;
- overbearing effect on the outlook from neighbouring dwellings;
- out of proportion with the original house;
- not in keeping with surrounding development;
- would set an undesirable precedent for future similar developments, which would lead to overcrowding on land that is clay soil and often waterlogged;
- increased parking problems and congestion; and
- increased noise and disturbance.

AMENDED PLANS

Parish Council: A re-notification letter has been sent but no further comments have been received at the time of writing this report.

Neighbours: 6 objections have been received raising the same concerns as for the original plans.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (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).
- DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

In 2001, retrospective planning permission was granted for "Retention of a rear conservatory and garden store" (Ref. W20001415).

KEY ISSUES

The Site and its Location

The application relates to a two storey detached dwelling situated in Laertes Grove. The surrounding area is characterised by detached dwellings of a similar age and design.

The application property has been extended previously, with a large full-width conservatory added to the rear of the house, and a garden room added to the rear of the garage.

Details of the Development

The application proposes a first floor rear extension above the existing conservatory. The application has been amended to reduce the size of the extension so that it is now proposed to have a rear projection of 2.5m. At 6.8m wide it would extend to the full width of the existing house and it would have an eaves height of 5.3m and a ridge height of 8m.

The plans also show 3 new windows in the sides of the existing house, (two bedroom windows at first floor and a ground floor side kitchen window) although these elements would be permitted development and would not require planning permission.

Assessment

In my view, the main issues relevant to the consideration of this application are as follows:

- the impact on the living conditions of neighbouring dwellings; and
- the impact on the character and appearance of the area.

Impact on the living conditions of neighbouring dwellings

As amended, I am satisfied that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings. The reduction in the rear projection of the extension will now ensure that the separation distance from the houses at the rear (22m) complies with the Council's distance separation standards. Therefore I do not consider that the proposed extension would cause unacceptable loss of privacy for the dwellings to the rear. One of the properties to the rear (No. 2 Achilles Close) has a rear conservatory, which would be less than 22m from the proposed extension. However, there is an angled relationship between that structure and the windows in the rear of the proposed extension and this will ensure that the privacy of that property is adequately preserved. There would only be angled views from the rear windows of the proposed extension into other neighbouring gardens and properties.

I do not consider that the proposed extension would have a significant impact in terms of loss of light or loss of outlook for neighbouring dwellings. The extension would not infringe a 45-degree sight-line in relation to windows in the dwellings to either side.

I note the concerns that have been raised regarding the side facing windows. However, these windows may be installed under permitted development rights and do not require planning permission.

Impact on the character and appearance of the area

In my view, the proposed extension would have an acceptable impact on the character and appearance of the area. The design and form of the extension would be in keeping with the application property and surrounding development. Furthermore, being situated to the rear of the property, it would not be readily visible from the street.

Other matters

I do not consider that the proposed extension would result in a material increase in noise and disturbance experienced by neighbouring residents. Neither do I consider that the extension would cause parking problems or congestion on

surrounding streets. The existing parking provision at the property would be retained.

RECOMMENDATION

GRANT, subject to the conditions listed below.

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(s) 1010-01A, and specification contained therein, submitted on 11 January 2007, 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 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 shall be placed at any time in the north or south facing elevations of the extension hereby permitted. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.
- 4 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.

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 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.