

Planning Committee: 21 September 2005

Item Number: 15

Application No: W 05 / 1216

Registration Date: 19/07/05

Town/Parish Council: Bishops Tachbrook

Expiry Date: 13/09/05

Case Officer: Sarah Laythorpe

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24 Othello Avenue, Heathcote, Warwick, CV34 6ED
Erection of a two storey side extension FOR Mr R Mistry

SUMMARY OF REPRESENTATIONS

Parish Council: 'objection on the grounds of the increased overlooking of neighbouring property particularly No 22, and given that there is no proposed direct access from the existing habitable accommodation into the new habitable accommodation this proposal appears to be a step towards creating a separate dwelling in an already densely developed cul-de-sac.'

Neighbours:

No.26 Othello Avenue - loss of daylight to main family room, intrude on privacy and enjoyment of property, the structure will be large, overbearing and imposing and extremely close to the property.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

PLANNING HISTORY

No relevant planning history.

KEY ISSUES

The Site and its Location

The application site comprises a detached 2-storey property located on a private driveway within an established residential area of the Warwick Gates development that comprises dwellings of varying size and design. The property adjoins No.26 Othello Avenue to the south and No.22 Othello Avenue to the north. The property has a detached double garage at the side of the property which would be demolished as part of the proposal.

Details of the Development

The proposal is to construct a 2-storey side extension after demolition of the existing detached garage, and to construct a rear conservatory. The side extension would be set-back 0.6 metres from the front of the property and set in approximately 1 metre from No.26 Othello Avenue. It will provide a double garage on the ground floor with a rear pedestrian access door, an internal doorway to the utility room of the existing house and a staircase to a first floor providing a bedroom, bathroom and sitting area with a staircase to a study in the roofspace lit by rear facing rooflights.

The conservatory would be located on the boundary of No.22 Othello Avenue and would project 3.8 metres out and 4.1 metres across.

Assessment

As submitted, I am satisfied that the proposals are acceptable in terms of design and appearance and would not be out of keeping with the varying size and style of the properties in Othello Avenue. I also consider the site has sufficient capacity to accommodate the development without causing an unacceptable degree of harm, especially as the proposal includes the removal of the existing double garage at the side of the property.

With regard to the impact on the neighbouring residents at No.26 Othello Avenue, given the application site is due north of that property, is in close proximity to the property as existing and has existing windows on the rear elevation which face towards the garden of No.26, I consider its effect would not be unneighbourly such as to justify refusal. Furthermore, any loss of light to No.26 would be to side-facing, secondary windows which would not, in my opinion, be a justification for refusal.

The conservatory would comply with Warwick District Council's Supplementary Planning Guidance on the 45 degree guideline and in my opinion would not cause any overlooking or loss of privacy to No.22 Othello Avenue.

I note the Parish Council concerns regarding the possible future use of this extension. The application, however, is for an extension to the existing property and I consider a planning condition could reasonably be imposed to require that it be occupied solely as an extension and not as a separate dwelling unit.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.

REASON : To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (Drawing no. 002 Revision 1), and specification contained therein, submitted on 19th July, 2005 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 This permission authorises the erection of an extension to the existing dwelling and shall not be construed as permitting the erection of a separate dwelling unit. **REASON** : To protect the amenity of neighbours and the character of this established residential area comprising detached houses set in their own landscaped gardens in accordance with Policy ENV3 of the Warwick District Local Plan 1995.