Planning Committee: 05 February 2013 **Item Number:** **9**

Application No:W12 / 1585

Registration Date:17/12/12
Town/Parish Council: Kenilworth **Expiry Date:**11/02/13
Case Officer: Graham Price
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47 Eden Croft, Kenilworth, CV8 2BG
Erection of a single storey side and rear extension FOR Mr & Mrs Peaston
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This application is being presented to Committee due to an objection from the Town Council having been received.

RECOMMENDATION

Planning Committee is recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the construction of a rear dormer window and a single storey side and rear extension. The dormer window appears to meet the requirements for permitted development and as such has not been considered as part of the application. The side/rear extension will extend back from the line of the principal elevation at the side of the property and will project 4m from the rear wall of the property. The external wall will be rendered and the roof will be concrete tiles to match the existing.

THE SITE AND ITS LOCATION

The application relates to a two storey semi-detached property situated to the west of Eden Croft in Kenilworth. The property is situated in a predominantly residential area. The area is characterised by a mixture of semi-detached bungalows and two storey dwellings of varying design situated on plots of varying size. The shape of road layout means that there is not a uniform building line along this side of the road. The properties are staggered. The semi-detached properties benefit from detached garages in the rear gardens.

PLANNING HISTORY

There is no planning history for this property that is relevant to the consideration of this application.

RELEVANT POLICIES

- The 45 Degree Guideline (Supplementary Planning Guidance)
- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - Commented on the breach of the 45 degree guidance and overlooking from the rear dormer. They deferred the application to their next meeting to come to a conclusion and no further comments had been received at the time of deciding the application.

WCC Ecology - Recommended that attachment of a bat note.

ASSESSMENT

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

- Impact on the character and appearance of the street scene;
- Impact on the living condition of the neighbouring properties; and
- Renewable Energy

Impact on the character and appearance of the street scene

Warwick District Local Plan Policy DP1 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design.

The only part of the proposal that will be visible within the street scene will be the front of the garage with its low pitched roof. The properties on Eden Croft have been extended to varying degrees and with varying styles. It is considered that the proposal would make an acceptable addition to the front of the property as it is considered to respect the character of the original dwelling and is of an appropriate design for the location. The proposal is therefore considered not have a detrimental impact on the character and appearance of the street scene.

The proposal is therefore considered to be in accordance with Warwick District Local Plan Policy DP1.

Impact on the living condition of the neighbouring properties

Warwick District Local Plan Policy DP2 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. The Council has also adopted the 45 Degree Line as Supplementary Planning Guidance (SPG) to assess impact of development on neighbouring properties in terms of on light and outlook.

Number 49 is situated adjacent to the northern boundary of the site. This property is detached from the application property and is situated forward of the principal elevation of the application property. It should be noted that the existing rear garages already have an impact on the outlook from the rear of the property and would technically conflict with the 45 degree line.

Due to the staggered building lines of the properties on this side of the road, the proposed extension will conflict with a line drawn at 45 degrees from the nearest habitable room window of this property. The agent has submitted detailed visual representations to demonstrate the impact on the outlook of the neighbouring property that the proposed extension will have compared to extensions possible under permitted development. Side and rear extensions built under permitted development would create an unusable exterior space; a design that would be detrimental to the character of the dwelling and to the street scene; would conflict with the 45 degree line; but would be considered to have an acceptable impact on the neighbouring property based on the governments impact based approach.

In the case of this application the opportunity exists to retain control over the proposal and to permit a more contemporary design that will make a more effective use of space; modernise the look of the building whilst respecting its original character; positively contribute to the character of the street scene without increasing the impact on the neighbouring property. It is therefore considered that the benefits to application property and the wider street scene would outweigh the limited harm to this neighbour by way of impact on outlook.

Number 45 is situated adjacent to the southern boundary of the site and is the other half of the semi-detached pair of dwellings. This property already has a single storey rear extension and as a result the proposal will not result in a breach of the 45 degree guidance. The proposal is not considered to have an unacceptable detrimental impact on the living conditions of this neighbour.

Renewable Energy

The proposal would create approximately 40 sq. m of additional habitable floor space. This would trigger the need to provide 10% of the proposed energy usage of the property through on site renewable technologies. No details have been submitted as part of the application, but it is considered that a condition can be attached to the permission to secure the submission and implementation of a renewable energy scheme for the development.

Summary/Conclusion
In conclusion, the proposal is considered to be of an appropriate design and scale for the location; will have an acceptable level of impact on the neighbouring properties; and will therefore be in accordance with all of the relevant planning policies.

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 drawings 110 P3, 300 P3, and specification contained therein, submitted on 14/12/2012 and 24/1/2012. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

3 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. REASON : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.