Planning Committee: 09 November 2021 **Item Number:** 9

Application No: W 21 / 1263

Registration Date: 11/06/21
Town/Parish Council: Stoneleigh **Expiry Date:** 06/08/21
Case Officer: Thomas Fojut
01926 456539 thomas.fojut@warwickdc.gov.uk

9 Stoneleigh Close, Stoneleigh, Coventry, CV8 3DE
Erection of 2no. rear dormer windows FOR Mr. Brooks

This application is being presented to Planning Committee as there have been more than 5 neighbour objections and the Parish Council also object to the proposal.

BACKGROUND

A roof extension has been carried out at the application property. Following complaints this was investigated by the Enforcement Team who found that the development that had been completed did not accord with planning permission ref: W/20/0251. Officers had a meeting with the agent and advised that the structure as built would not be acceptable as it was an unneighbourly form of development which also failed to comply with the Residential Design Guide SPD. The current proposal in its amended form is as a result of negotiations between Officers and the applicant. Should the proposal be granted, the Enforcement Team shall monitor its implementation in lieu of the implemented scheme which does not benefit from planning permission.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Erection of rear dormer window

THE SITE AND ITS LOCATION

The application relates to a detached bungalow located on the east side of Stoneleigh Close, Stoneleigh. Dwellings in the street contain a mix of detached bungalows and two storey properties. The property is washed over by Green Belt.

PLANNING HISTORY

W/21/0964 - Erection of two front cat slide dormers replacing existing front pocket dormers - Application withdrawn August 2021.

W/20/2036 - Erection of rear dormer extension and rear roof balcony (part retrospective) - Application withdrawn April 2021.

W/20/0251 - Erection of roof extension, 1no. front dormer window, roof light and 2no. rear dormer windows - Granted April 2020.

W/19/0961 - Erection of a hip to gable roof conversion raising the roof height by a minimum of 0.5 (from the existing ridge) and a maximum of 3.5m (from the existing eaves) with the erection of 1no. dormer to the front and 3. no dormers to the rear - Refused September 2019.

RELEVANT POLICIES

- National Planning Policy Framework
- BE1 - Layout and Design
- BE3 - Amenity
- H14 - Extensions to Dwellings in the Open Countryside
- DS18 - Green Belt
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Stoneleigh and Ashow Parish Council - Objects for the following reasons:
- Due to the complex nature of the case, it is requested that the application is considered by Planning Committee.
- Infringement of privacy to the neighbouring property.
- Complications due to original planning permission not being followed.
- Concerns of local residents who have objected.

WCC Ecology - Recommends notes relating to bats and nesting birds are attached to any approval granted.

Cllr Wright - Objects for the following reasons:
- Two key elements which should be considered as two rather than one application as they have differing characteristics and potential issues.
- Current extension is not in line with originally granted plans for W/20/0251 and W/20/0746 and subject to current enforcement action.
- The applicant has the right to submit changed or retrospective plans to "remedy" the deviation from originally granted plans in 2020 and this should be considered on its individual merits.
- Part A should focus on meeting original conditions of original plans for W/20/0251 and W/20/0746. Part B should be confined as a new application and considered individually against the standards and policy.

Public Response -

- 4 support comments have been received.

- 8 objections have been received on the following grounds:
  - Overlooking and loss of privacy
  - Inaccurate plans which do not reflect what has been built

- Poor design and harmful to character and appearance of the area

ASSESSMENT

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

- Design of the proposed extension
- Whether the proposal is appropriate development in the Green Belt
- Impact on the amenity of neighbouring occupiers
- Ecology

Design of the proposed extension

Warwick District Local Plan Policy BE1 states that development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. The adopted Residential Design Guide SPD also sets out design principles to which development proposals will be expected to comply.

8 neighbour objections have been received including on grounds of the design of the proposal.

The objection comments above have been noted.

The proposal as originally submitted was considered to be unacceptable as it was not considered to be in accordance with the WDC Residential Design Guide SPD resulting in a large box dormer which dominated the roof. The proposal has been amended to reduce the size of the dormer extension and to omit the associated balcony feature.

As amended, it is considered that the proposal sits comfortably within the roofspace, is in keeping with the rest of the property and is of an appropriate scale for the dwellinghouse. Moreover, the proposal is considered to comply with the WDC Residential Design Guide SPD and Policy BE1 of the Warwick District Local Plan.

Whether the proposal is appropriate development in the Green Belt

Paragraph 137 of the NPPF notes that the Government attaches great importance to Green Belts. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 147). With a number of exceptions, the construction of new buildings (including extensions) is inappropriate development (paragraph 149). Among the exceptions is "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*".

The explanatory text to Local Plan Policy DS18 states that the meaning of the exception in relation to disproportionate extensions is expanded upon by Local Plan Policy H14. Policy H14 states that extensions to dwellings will be permitted unless they result in disproportionate additions to the original dwelling which do not respect the character of the original dwelling; do not retain the openness of the rural area; or substantially alter the scale, design and character of the original

dwelling. Policy H14 goes on to indicate that as a guide an extension of more than 30% of the gross floor area of the original dwelling is likely to be considered disproportionate in the Green Belt.

The revised proposals for this application comprise a similar gross floor area to the previously approved plans under planning permission ref: W/20/0746 which was considered acceptable in Green Belt terms.

By reason of its design, bulk and mass, the proposal is considered to constitute a proportionate extension which is less than 30% of the gross floor area and therefore appropriate development in the Green Belt. The impact on openness would be minimal.

It is therefore considered that the proposals comply with Local Plan Policies DS18 and H14 along with the NPPF.

Impact on the amenity of neighbouring uses

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of nearby uses and residents, in terms of light, visual intrusion 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 a material loss of light and outlook.

As mentioned, 8 neighbour objections have been received which includes on grounds of overlooking and loss of privacy. Similarly, Stoneleigh and Ashow Parish Council objected to the proposals and their comments related to the impact on neighbouring properties included the infringement of privacy to the neighbouring property and the concerns of local residents who have objected.

The objection comments above have been noted. Following a site visit to the property and one of the neighbouring properties and by viewing the revised plans, it is found that the proposal will not breach the 45-degree line taken from windows serving habitable rooms of adjacent properties, and as a result the proposals are considered acceptable in terms of impact on light and outlook. Overall, it is not considered the scheme would result in material harm through overlooking or loss of privacy to neighbours as the arrangement is no different than that found in typical residential areas. There are no side facing windows proposed and the previously proposed balcony feature has been omitted. The proposed extension is therefore considered not to result in any material harm to the amenity of the neighbouring dwellings accords with Policy BE3 of the Local Plan and the Residential Design Guide SPD.

Ecology

The Ecology Department at Warwickshire County Council have recommended notes relating to bats and nesting birds are attached to any approval granted.

SUMMARY/CONCLUSION

The revised development proposals are considered to be in keeping with the character and appearance of the property and the surrounding area and also constitute appropriate development within the Green Belt. In addition, the proposals are not considered to present a harmful impact upon the amenity of the neighbouring properties in relation to outlook and amenity. The proposals are in accordance with the aforementioned policies, and it 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 00-T2192 AL P 00 Rev A submitted on 26 October 2021 and approved drawing 02-T2192 AL P 02B submitted on 9 September 2021 and specification contained therein. **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.

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 BE1 of the Warwick District Local Plan 2011-2029.