COMMITTEE EXTRACT

Committee Date:

Reference:- **08/00914/FUL** **Parish:-** **Witherley Parish Council**

Applicant:- **Mr I McKensie**
10 Hunt Lane
Witherley
Atherstone
Warwickshire

Location:- **10 Hunt Lane Witherley Atherstone CV9 3LH**

Proposal:- **EXTENSION AND ALTERATIONS TO DWELLING**

Introduction:-

Application described as being at 10 Hunt Lane, however is originally in space of garage to no.8 Hunt Lane. Red line of application includes both 8 and 10 as they are under the same ownership. Off road parking for three cars is available to the property frontage within the site and additional parking is available within the double garage to the frontage of no.8 but owned by the applicant.

Application proposes the erection of a first floor side extension above the existing linked double garage. The extension is proposed with a full width gable fronting both the front and rear elevation. The ridge line will follow that of the existing dwelling.

The application proposed the room created by the proposal to be used as an office. Concerns have been raised about the size of such a home office and the agent has confirmed that the plans have been incorrectly labelled and the room is proposed as a bedroom, hence the open en-suite bathroom within the room.

Planning history

This site has an extensive planning history and the extension proposed as part of this scheme, including those subject to the amended plan, have been considered previously. An appeal against two refusals of permission in 1997/1998 was dismissed because of its poor design quality, impact on the street scene and impact on the neighbouring dwelling.

The appeal decisions establish the acceptability of a two storey side extension, subject to the design being subservient to the main dwelling and any extension does not adversely effect the rear garden and elevation of no.8. This si suggested to be by any extension not projecting to the rear of the existing dwelling.

Consultations:-

Parish Council raises no objection.

Development Plan Policies:-

BE1
SPG on House Extensions

Appraisal:-

Inlight of the earlier applications and appeal decisions, the principle and form of the side extension is very much guided by these decisions. That being a two-storey extension is acceptable subject to it being subservient to the existing dwelling and the rear elevation being set in line with the existing rear elevation to prevent necessary overlooking and overshadowing of the rear garden and elevation to no.8.

Amended plans have been received, proposing a 1 1/2 storey side extension with a single dormer to the front and the. On balance this design is considered to be inline with current policies and guidance and the basis of the earlier appeal decision and is therefore acceptable.

By way of the position of the adjacent dwelling, no.8, the extension does not adversely affect the amenities experienced by the occupiers of this dwelling. The windows in the rear elevation of the extension will allow overlooking into the rear garden of no.8 but no more than the existing windows of the rear elevation do.

Two new windows are proposed at first floor level but these are specified to be obscure glazed and will be maintained to be so by way of a restrictive planning condition. Accordingly, they do not represent a problem.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan and would not be to the detriment of the amenities of the occupiers of neighbouring dwellings or the character of the street scene.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and SPG on House Extensions

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 This permission relates to the application as revised by amended plan 3596-03L received by the Local Planning Authority on 24 November 2008.

3 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

4 The window to be inserted in the west elevation at first floor level; shall be obscure glazed and retained as such at all times thereafter.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To define the permission.

3 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

4 To ensure that the windows in the west elevation are not to the detriment of the amenities of the occupiers of no.8 Hunt Lane

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

5 The approved plan relevant to this decision is 3596-03L.

Contact Officer:- James Hicks Ext 5762