

The intention of this guideline, in part, is to protect the amenities of neighbouring occupiers, but also to secure proper amenities for existing housing stock. Generally therefore, the failure of a neighbouring occupier to raise objection to a particular proposal in breach of the guidelines will not prejudice the implementation of the guideline

Definition

'Habitable room' includes dining room, kitchen, lounge, study and bedrooms but specifically precludes WC's bathrooms, utility rooms, landings and hallways.

Some proposals for house extensions may not require the submission of a planning application and may be 'permitted development'.

Details of Permitted Development rights are set out in a leaflet available in the main reception, entitled "Planning: A Guide for Householders: published by The Office of The Deputy Prime Minister"

This leaflet is also available on their web site - www.odpm.gov.uk

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Where possible, information can be made available in other formats, including large print, cassette tape, CD and other languages if required. Tel. 01926 450000.

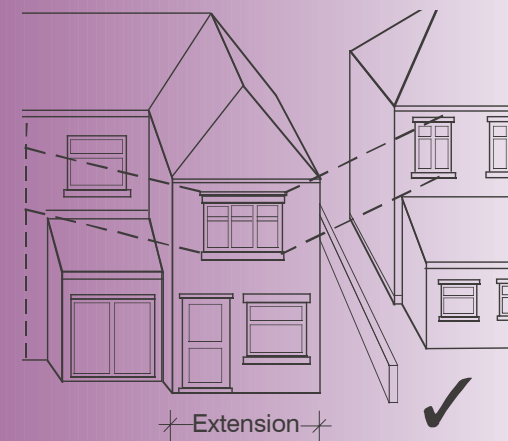


planning and engineering

Warwick District Council
Development Control Group

The 45 Degree Guideline

**Supplementary
Planning Guidance**



Information and Advice

March 2005
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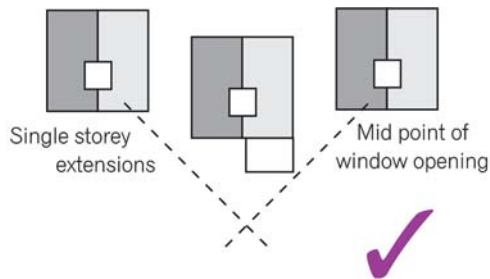
The 45 Degree Guideline

The 45° Guideline is intended for use in relation to planning applications for new development including extensions to existing properties, which would have an effect upon adjoining residential accommodation.

The Policy has been adopted for use as supplementary guidance for development control purposes, and its adoption was first ratified by the Council on 28th April 1993 and following public consultation, further ratified on 10th January 1996.

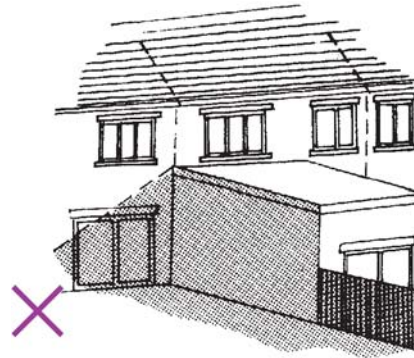
The intention of the Policy is threefold.

- To balance the interests of those seeking to extend their property whilst securing the interest of adjoining occupiers.
- To simplify the approach to house extensions and create greater certainty for householders, their neighbours, builders and agents, thus avoiding potential confrontation and delay.
- To provide a consistent approach to decision making which, in turn, gives a greater sense of 'fair play' in determining such applications.



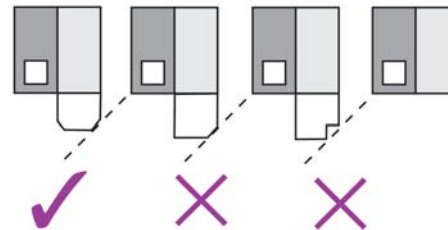
Generally, the 45° guideline provides for an imaginary line drawn from the centre point of the nearest window or windows from the original face of the adjoining property, or properties, providing the principal source of light to a habitable room. The line is drawn at an angle of 45° across the application premises and extensions should be designed so as not to breach that line. The 45° guideline will be applied at both the front and rear of dwellings but not at the side. Where an extension contravenes this line

then it may be considered to have an unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly overbearing effect and therefore would be unlikely to receive planning permission. Individual site circumstances will, however continue to be taken into account and the application of the 45° guideline will not necessarily be the overriding consideration.



Design Considerations

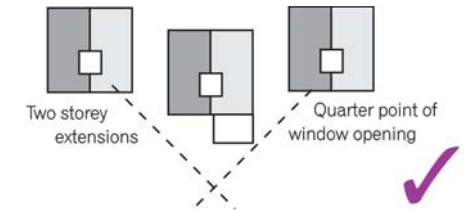
Design considerations will also be important and the use of angled walls to comply with the 45° guideline will not be considered acceptable unless they are conceived as an integral part of the design.



First Floor Extensions

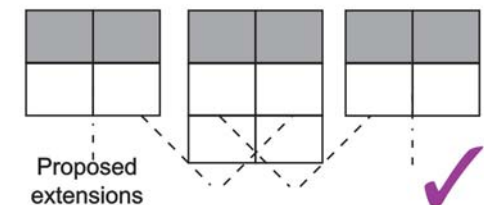
In respect of the first floor extensions the line is drawn from the quarter point* of the nearest ground floor window lighting a habitable room and the centre point of a corresponding first floor window. The line should not be breached in either case. A first floor extension will include any extension over 4 metres in height taken from the ground level adjoining the extension on the neighbours site..* (The 'Quarter' point is established

by measuring a quarter of the width of the relevant window from its nearest edge to the proposed extension).



Joint Extensions

Where two or more residents wish to extend their premises together, then this will generally be acceptable, even though both may not comply with the 45° guideline when drawn from the other property. The 45° guideline will, however, still apply from the dwellings of other adjoining premises. A letter of agreement from both neighbours will usually be required to ensure that the extensions will be constructed together. This will be supplemented by the imposition of a planning condition to that effect.



Similarly, where a neighbouring occupier has already built an extension or benefits from an existing planning permission to erect an extension that would not comply with the 45° guideline, then an applicant will normally be allowed to erect an extension to the same depth on the boundary with that neighbour providing no other neighbour is adversely affected.

