

**Planning Committee:** 26 January 2004  
**Application No:** W20031800

**Principal Item Number:** 2

**Town/Parish Council:** Kenilworth

**Registration Date:** 19/11/2003  
**Expiry Date:** 14/01/2004

**Case Officer:** Martin Haslett  
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**Land adjacent to 122, Rouncil Lane, Kenilworth, CV8 1FP**

Erection of two houses with new access drive.

FOR Mr T. Roberts

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**SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council: (comments on application as originally submitted with additional dwelling to rear):** "The Committee very strongly recommends refusal on the following grounds:-

1. The visual design and size of the three houses covered by the application is excessive.
2. The application is of disharmonious character to, and detracts from, the natural openness of the area. It is totally inappropriate to a semi-rural location.
3. The proposal is inappropriate backland development in an area whose character and appearance should be preserved in accordance with the Structure and Local Plans.
4. Is unneighbourly to the adjoining property, particularly in Rouncil Lane.
5. The Committee has grave misgivings concerning the intrusion of this development into the Green Belt and fear it would provide a precedent for further encroachment.
6. This Council is concerned at the unauthorized removal of prized ancient hedgerow and considers that it must be fully reinstated in its proper location. A separate communication will follow regarding reinstatement of the hedgerow."

**(Comments on amended scheme without rear dwelling):** "Members noted and discussed the change in depth but concluded that they continued to very strongly recommend refusal on the following grounds:-

- a. The visual design and size of the two houses covered by the application remains excessive.
- b. The application is of disharmonious character to, and detracts from, the natural openness of the area. It is totally inappropriate to a semi-rural location.
- c. The proposal is indecorous backland development in an area whose character and appearance should be preserved in accordance with the Structure and Local Plans.
- d. Is unneighbourly to the adjoining property, particularly in Rouncil Lane.
- e. The grave misgivings concerning the intrusion of this development into the Green Belt are reiterated, as is the fear that it would provide a precedent for further unacceptable encroachment.
- f. This Council is concerned at the unauthorized removal of prized ancient hedgerow and re-emphasises that it must be fully reinstated in its correct location.
- g. It is noted with concern that the revised drawing still offends in respect of the correct location for the hedgerow noted in sub-paragraph f above."

**Neighbours:** in connection with the application as originally submitted, including an additional dwelling on land to the rear of the site, adjoining gardens of houses in Rounds Hill, 7 letters of objection were received. These related mainly, but not necessarily entirely to that part of the development now withdrawn. Objectors cited the following reasons for objection:

- impact on countryside and Green Belt land;
- housing adjoining Rouncil Lane would be detrimental to the character of the area and would not fit in with the surroundings in terms of size, design and use, inappropriate backland development;
- proposal would create noise and disturbance to local residents due to additional vehicle movements to and from new houses;

- inadequate access and highway provision, traffic danger, traffic calming would be needed;
- destruction of wildlife habitat;
- concern over surface water drainage;
- not sustainable development.

In connection with the amended application, without the rear dwelling, 2 letters of objection have been received, citing the following reasons:

- plots too close to the Green Belt boundary;
- visual impact;
- previous permission far more satisfactory;
- traffic danger;
- out of character with the area, large houses, small back gardens;
- enlarged driveway would be visually detrimental.

Kenilworth Society: (comments on amended application): object on grounds of:

- undesirable backland development on borders of Green Belt;
- application should be rejected as previous ones were;
- hedge should be reinstated.

CPRE: (comments on original application): site partly in the Green Belt, development visually harmful to the rural landscape on approach to Kenilworth.

WCC (Highways): no objection, but recommend that driveway as far as plot 2 is widened to 5m to enable vehicles to pass, a refuse collection point would be required within 25m of Rouncil Lane. Highway construction notes.

EHO: no objection.

## **RELEVANT POLICIES**

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

(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

Distance Separation (Supplementary Planning Guidance)

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

DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

## **PLANNING HISTORY**

Planning permission for a new dwelling on the Rouncil Lane frontage was first granted in 1985 and has been renewed at various dates since, most recently in 2001. In December 2002 an application was made showing 2 dwellings to the rear of 122 Rouncil Lane (although not in the same configuration as presently proposed), plus one dwelling to the far rear of the site (although not of the same design as the application originally made under the current number). This application was withdrawn.

## **KEY ISSUES**

### **The Site and its Location**

No 122 Rouncil Lane has a large plot of land as its garden, with an additional parcel of land to the side. This additional land leads to the rear in the form of a wide grassed track, which at its furthest point is over 200m from Rouncil Lane. The furthest part of this land formed the site for the third house, now withdrawn. The two remaining houses would be built on land adjoining the existing

house, partly included in a redundant tennis court, which is partially screened by existing landscaping.

### **Details of the Development**

The current application has two houses adjoining 122 Rouncil Lane, to the side and rear of the existing house. These houses would be of two different types, one 4- and one 5-bedroomed.

The front house of the two would occupy approximately the same siting as that previously approved, although it would be smaller and would have a detached garage. The garden length of this house would be 11m and screening to the retained driveway to the side would be provided.

The rear house would be the larger of the two and would front the private driveway, so that it would be side-on to the existing house. This dwelling would have an attached garage and a garden length of nearly 30m. Both houses would be of traditional design and construction with facing bricks and clay tile roofs.

This is the full extent of the application as amended and as currently to be considered. As originally submitted, the application included an additional third dwelling to the rear of the site at the furthest point from Rouncil Lane, adjoining the rear of the gardens in Rounds Hill. This dwelling was to have been of a different design, in the form of a 'converted barn', served by a long driveway from Rouncil Lane. This part of the application has now been withdrawn.

### **Assessment**

The issues to be considered are whether the principle of development of the site is acceptable and whether the details of the scheme are acceptable.

The site lies within the built-up area of Kenilworth, adjoining, but outside the Green Belt. Both the current and the emerging local plans direct new residential development to the towns of the district and the scheme is therefore in accordance with these broad policies.

Rouncil Lane at this point consists of large dwellings, of varied designs, situated in large plots of land. Although smaller than number 122 Rouncil Lane, the proposed houses would still be large and no smaller than some other houses in the vicinity. As a matter of principle it could not therefore be said that houses of this type are out of character with the area.

There is, however, no other development to the rear of existing plots and this form of layout would be different from the existing. Nevertheless, current planning policies encourage the most efficient use of urban land and the form of layout is therefore not unreasonable, in my opinion. Although smaller than adjoining gardens, the plots for these houses would still be large by modern standards and there are no issues of distance separation or layout which would lead to loss of privacy or overlooking.

The Highway Authority have asked for the driveway to serve the new dwellings to be increased to 5m width. This request was made in the context of the third dwelling to the rear and will not now be necessary to serve two houses. The only section which is not shown as 5m wide serves just one of the houses. Any permission would need to include a condition on landscaping which, when carried out on the boundaries of the site would help to screen the new development .

### **RECOMMENDATION**

That permission be GRANTED, as amended, subject to conditions on materials, landscaping, refuse bin provision, removal of PD rights fronting the private driveway, highway construction note.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

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

(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

Distance Separation (Supplementary Planning Guidance)

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

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