

Planning Committee: 03 August 2005

Item Number: 24

Application No: W 05 / 0981 LB

Registration Date: 16/06/05

Town/Parish Council: Cubbington

Expiry Date: 11/08/05

Case Officer: Alan Coleman

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9, Kenilworth Road, Cubbington, CV32 7HD

Erection of a three bedroomed bungalow. FOR Warwick Place Limited

This application is reported to Committee in view of the objection of the Parish Council and receipt of five neighbour objections.

SUMMARY OF REPRESENTATIONS

Parish Council: *"(1) Overdevelopment of the site; (2) the detrimental effect that the proposals would have on the properties in Dunblane Drive; and (3) the proposals would increase the volume of traffic entering Kenilworth Road."*

Highway Authority: *"There are no highway objections to a further dwelling in the position shown being constructed and served by the access intended to serve the development at present under construction (W2004/1145). To ensure drivers do not obstruct those travelling along Kenilworth Road, the access must be sufficiently wide to enable drivers entering the access to do so while another is leaving. The minimum width to be not less than 5.0 metres as was specified on the earlier application."*

WDC (Leisure & Amenities): No objection.

WCC (Ecology): No objection, subject to protection of retained trees and notes on nesting birds..

Neighbours: 10 letters of objection on the grounds that the development would constitute over-development of the site to the detriment of the character and appearance of the surrounding residential area, harm to amenity from reduction of light and loss of privacy through overlooking of adjacent gardens, noise and disturbance (which would be exacerbated by any future extensions), setting of a precedent for similar forms of development in the surrounding area, capacity of local drain/sewer network and hazardous access.

RELEVANT POLICIES

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

(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)

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

(DW) IMP2 - Meeting the Needs of People with Disabilities (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)

SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
Distance Separation (Supplementary Planning Guidance)
The 45 Degree Guideline (Supplementary Planning Guidance)

PLANNING HISTORY

Planning permission for the demolition of the existing dwelling at 9 Kenilworth Road and erection of 3 detached houses was granted under delegated powers on 18 November 2004 (WDC Ref: W04/1145). The development is currently under construction. The Parish Council raised no objection to this application.

KEY ISSUES

The Site and its Location

The site comprises the rear half of the back gardens serving the host properties at 11 and 13 Kenilworth Road, which are located on the southern side of the road within an established residential area that contains a mix of 2-storey detached and semi-detached houses and bungalows. This is reflected in the house types currently under construction on the adjoining site, which is also adjoined by a recent development of semi-detached and terraced houses and detached bungalows on the site of the former Stereomatics factory in Lindop Close.

The rear garden of 80 Dunblane Drive adjoins the southern boundary the site whilst the rear gardens of 15 Kenilworth Road and 78 Dunblane Drive adjoin the site to the west. Both boundaries comprise a mix of mature and semi-mature shrubs and a number of trees. It is proposed to retain as many of these as possible.

Details of the Development

The proposal is for the erection of a detached bungalow with access to 2 no. forecourt parking spaces via the existing driveway access formed to serve the adjoining development. The bungalow would stand in a broadly central

position on the site at a distance of approximately 2.5 metres from the northern and southern side boundaries and some 9 metres from the western rear boundary. The proposed bungalow would stand 2.3 metres at the eaves and 5.1 metres at the ridge.

In this form and position the bungalow would be situated some 18 metres away from the host properties at 11/13 Kenilworth Road and over 20 metres away from 80 Dunblane Drive at its nearest point.

The scheme has now been amended to hip the roof of the bungalow adjacent to the boundaries with the host properties and 80 Dunblane Drive.

Assessment

I consider the principal issues for consideration are:

1. The principle of development;
2. Impact on the character of the area;
3. Impact on neighbouring residents' amenities, and;
4. Highway safety.

1. The Principle of Development

The authorised use of the site is as garden area to 11 and 13 Kenilworth Road and therefore constitutes previously developed land as defined in PPG3 '*Housing*' and where both Structure Plan and Local Plan policies regarding residential development apply. PPG 3 '*Housing*' states that the Government is committed to promoting more sustainable patterns of development within urban areas, making more efficient use of land by maximising the re-use of previously developed land. As such, I consider the proposal to be acceptable in principle.

2. Character and Appearance

By its very nature, I accept that the proposal would have a discernible impact on the character and appearance of the surrounding area. However, in the form proposed under the terms of this application, I am satisfied that the site has the capacity to accommodate the development in an acceptable manner and as part of the adjoining site currently under construction.

3. Residential Amenity

Neighbours have expressed concerns that the proposal would intensify the residential use of the site to the detriment of the amenities currently enjoyed. I accept that the proposal would be likely to lead to an increase in noise and disturbance from domestic activity and the unfettered movement of vehicles within the site. However, I do not consider this would be so unreasonable to render the proposal unacceptable. In technical terms, distance separation standards are exceeded and the scheme complies with Supplementary Planning Guidance '*The 45 Degree Guideline*'.

4. Highway Safety

In assessing the potential impact of the proposed access onto Kenilworth Road, the Highway Authority has raised no objection. As such, I do not consider there to be justification to recommend refusal on grounds of harm to highway safety.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing, and specification contained therein, submitted on ? July 2005 unless first agreed otherwise in writing by the District Planning Authority.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details.
REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.
REASON : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 5 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by

the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed.

REASON : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 6 No lighting shall be fixed to the external walls or roof of the bungalow hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority.

REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 7 No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details.

REASON : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority.

REASON : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.