

**Planning Committee:** 11 October 2005

**Item Number:** 07

**Application No:** W 05 / 1248

**Registration Date:** 20/07/05

**Town/Parish Council:** Whitnash

**Expiry Date:** 14/09/05

**Case Officer:** Alan Coleman

01926 456535 [planning\\_east@warwickdc.gov.uk](mailto:planning_east@warwickdc.gov.uk)

**Land at the rear of Acre Close, Whitnash**

Demolition of existing garages and erection of a pair of 2-bed semi-detached bungalows FOR Mr K Archer

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This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

**SUMMARY OF REPRESENTATIONS**

**Town Council:** Object on the grounds of the proposal being 'back yard' development, no parking for residents of the neighbouring flats above the shops or the shopkeepers, overdevelopment of the site, overlooking of the shops and flats and neighbouring houses and increase in traffic using Acre Close.

**Highway Authority:** No objection.

**WDC (Environmental Health):** No objection, although express concern about proximity to fish and chip shop and potential for odour nuisance.

**WDC (Leisure & Amenities):** No objection.

**Neighbours:** 7 letters of objection and a 21-name petition on grounds of harm to the character of the area in terms of the height and width of the proposed building in relation to the scale, design and appearance of the neighbouring houses and, to a lesser extent, shop/flats; over-dominant and overbearing impact on site and its surroundings, allotments and neighbouring residents amenities; precedent for similar uncharacteristic development, excessive density of development for site/in comparison with surrounding area; inadequate provision for car parking to serve proposed flats leading to an increase in demand for on-street parking in Acre Close to detriment of highway safety and convenience; increase in noise and disturbance to neighbours; siting would result in a loss of views of garden areas, trees and allotments and loss of light to neighbouring properties.

**Amended Plans**

**Town Council:** Maintain objection on grounds above.

**Neighbours:** 3 further letters maintaining original objections.

## **RELEVANT POLICIES**

Policies CF3 and CF6 of the West Midlands Regional Spatial Strategy.  
Policy H.1 of the Warwickshire Structure Plan.  
Warwick District Council Supplementary Planning Document: *Managing Housing Supply* (September 2005).

(DW) ENV3 - Development Principles (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)  
DP8 - Parking (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)

## **PLANNING HISTORY**

The recorded planning history of the site dates from 1952 with the erection of the existing shops and flats at 84-90 Heathcote Road, Archers Row shops and flats in 1992 (Ref: W920515) and, in relation to the application proposals, the erection of the existing row of garages in 1961 (Ref: 3597) and the existing detached garage in 1977 (Ref: W77/881).

## **KEY ISSUES**

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

The site comprises the parking forecourt/service yard at the rear of the shops and flats above at 84-90 Heathcote Road and the neighbouring semi-detached houses at 92 and 94 Heathcote Road and contains a detached garage adjacent to the western boundary of the site, which is adjoined by a row of 6 no. lock-up garages alongside the side garden boundary of 1 Acre Close to the north. The garages are retained by the applicant for his own use or for rent to private individuals. There are also 3 no. surface parking spaces that are allocated to serve the recently completed development of shops and flats at the rear of 82 Heathcote Road. Local allotments adjoin the site to the west. Access to the site is from Acre Close via a driveway that runs in-between 1 Acre Close and 'Archer's Row', which also serves a detached garage in the rear garden of 92 Heathcote Road. There is an allocated parking/servicing area at the rear of the shop units. However, there is evidence that unauthorised parking also occurs outside these allocated areas adjacent to the western boundary of the site in-between the existing detached garage and rear boundary of 94 Heathcote Road.

### **Details of the Development**

The proposals originally sought the removal of the existing garages and erection of a 3-storey detached block of 3 self-contained flats parallel to the western boundary of the site with provision for 4 hard surface parking spaces. The amended scheme is for the erection of 2 semi-detached 2-bed bungalows instead, which would also be served by 4 hard surface parking spaces. The development would be set off the northern boundary with 1 Acre Close by 1.5 metres in order to maintain access to existing gateways to the allotments and by 2 metres from the western boundary. The bungalows would stand 2.5 metres at the eaves and 7.5 metres at the ridge and would each contain a dormer window in the rear roof slope.

## **Assessment**

I consider that the key issues in this case are the impact of the development on neighbours amenities and on the character of the area and parking/highway safety considerations.

As amended, I consider the proposals are acceptable in terms of siting, size, design and appearance in relation to the scale and nature of existing development on the site and in the surrounding area, which I consider would be enhanced by the removal of the existing unattractive garages and in land use terms.

I am also satisfied that the site has the capacity to accommodate the amended scheme without having an unacceptable impact on either neighbouring or future residents' amenities in terms of loss of privacy through overlooking, excessive noise and disturbance or outlook. In comparison with the existing dispersal of buildings around the site, I fully appreciate that the proposed development would be sited in closer proximity to the rear garden boundary of 94 Heathcote Road, where it would stand at a distance of some 15 metres away from the rear elevation windows. As such, it would satisfy the Council's '*Distance Separation*' Supplementary Planning Guidance. Also, I consider the removal of the existing garages from the northern boundary of the site would remedy the existing breach of the Council's '*45°*' Supplementary Planning Guidance and enhance the outlook and general amenities of 1 Acre Close.

The proposals would result in the removal of all 7 existing garages from the site to facilitate the development, including the provision for 4 parking spaces to serve the dwellings. The number of spaces would therefore be reduced by 3. These garages are privately owned by the applicant and are not allocated to serve either the existing shops, flats above them or the neighbouring houses. As such, I do not consider there would be any loss of parking to existing allocated users of the site. In terms of traffic generation, I acknowledge that the pattern of movement associated with the proposed dwellings would be likely to be more regular than the use of the existing garages. However, in numerical terms at least the number of cars using the site would be likely to be less. In terms of the level of parking provision proposed to serve the development, I consider 4 spaces would be acceptable in the context of the site, surrounding area and the advice contained in PPG13

: *Transport*. The lack of objection from the Highway Authority to this or any other aspect of the proposals reinforces my view on these matters.

Notwithstanding the above, I am conscious of the Council's Supplementary Planning Document: *Managing Housing Supply*, which was ratified by the Executive Committee at their meeting on 12 September 2005. This was reported to Members at the last meeting on 21 September 2005 and aims to limit the overprovision of new housing within the District, including development of brownfield sites such as this, in accordance with Policies CF3 and CF6 in the Regional Spatial Strategy, Policy H.1 in the Warwickshire Structure Plan and Policies UAP1 and SC8a in the Warwick District Local Plan (Revised Deposit Version) 1996-2011. It does this by restricting the location and/or type of new windfall housing permissions granted by the Council.

The proposals would therefore be contrary to the aims and objectives of the SPD and the aforementioned policies. Thus, whilst I consider the proposals to be otherwise acceptable, nevertheless I am not in a position to recommend the application for approval on these grounds.

### **RECOMMENDATION**

REFUSE for the following reason :

- 1 The application is for a windfall housing development that does not meet one of the criteria set out within the Council's supplementary planning document: "Managing Housing Supply". This policy seeks to limit the over-provision of new homes in the District in accordance with policies CF3 and CF6 in the Regional Spatial Strategy, policy H.1 in the Warwickshire Structure Plan and policies UAP1 and SC8a in the Warwick District Local Plan (Revised Deposit Version). To permit the development would, therefore be contrary to the aforementioned policies.

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