

Planning Committee: 23 August 2005

Item Number: 36

Application No: W 05 / 1161

Registration Date: 11/07/05

Town/Parish Council: Warwick

Expiry Date: 05/09/05

Case Officer: Steven Wallsgrove

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2 Gerrard Street, Warwick, CV34 4HD

Erection of detached house FOR Coventry Turned Parts Ltd

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

SUMMARY OF REPRESENTATIONS

Warwick Town Council: "Local Plan policies require that development achieves a high standard of design to harmonise with surroundings and that any development which contributes positively to the quality and character of an area and which does not have an adverse effect on neighbours amenities will be permitted.

The mass of this development, leaving no acceptable amenity level on the site constitutes an overdevelopment of the site which would constitute an unneighbourly form of development for adjoining properties."

Warwick Society: disappointed with the design which appears "suburban" in this sensitive setting. House is still bulky and overbearing to Smith Street house at rear with garage door and jettied first floor "unattractive".

WCC (Highways): have no objection subject to any gates opening inwards.

WCC (Ecology): comment on bats and request a nesting bird note due to current nesting season.

Neighbours: The neighbour backing onto the site from Smith Street recognises that improvements have been made to the plans, but still considers the mass of building represents overdevelopment for the size of the site, creating an unneighbourly impact and providing for extremely limited amenity. Attention is drawn to a number of discrepancies on the drawings and detailed aspects of construction which may affect the neighbouring property.

RELEVANT POLICIES

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)

PLANNING HISTORY

There have been a substantial number of attempts to develop this site with either one or two dwellings, with some being withdrawn and the others being refused. One refusal was also taken to appeal and was dismissed, on grounds of harm to the Conservation Area and setting of nearby listed buildings.

KEY ISSUES

The Site and its Location

The application site lies between the back of 12/14 Smith Street (now with 3 flats on the upper floors) and the gable end of 4 Gerrard Street. It lies on high ground and presently has a workshop on it and a stone retaining wall at the front. The whole area lies in the Conservation Area and the adjoining buildings are listed as being of special architectural or historic interest.

Details of the Development

The proposal is to erect a single dwelling, with an integral garage, and would be of a 'T' shape in its layout. The, main, northern, part would have a gable onto the road (with the garage set back a metre) and have accommodation on two principal floors and in the roof space. The ridge line of this part would be below that of the main part of 12/14 Smith Street while the other part parallel to the road, would be on the footprint of the existing workshop and would have its ridge line almost 2 metres below that of 4 Gerrard Street. The existing ground levels around this part of the building would be retained, except for two light wells.

At the rear, the dwelling would have a low pitched (lead) 'lean-to' roof, the eaves level of which would be roughly in line with the level of the existing boundary wall, which would be raised slightly and levelled off as there is a small step in it.

The plans have been amended slightly to correct an error and some minor omissions on the side elevations.

Assessment

The principal issues in this case are those identified by the Appeal Inspector, namely the affect on the Conservation Area, the setting of the listed buildings, and on the amenities of the neighbours.

In relation to the Conservation Area and setting of listed buildings, his particular points of concern were that "removing the wall and embankment altogether would have a severe impact on the setting of the cottages", that the gable of the adjoining cottage should not be largely obscured, that there should be a visual break rather than giving the impression of a more continuous development, as on the other side of Gerrard Street.

In relation to neighbours amenities he accepted, however, that the raising of the boundary wall at the rear of the site would not have an undue impact on the neighbour at 10 Smith Street, that daylight levels to properties opposite "would be very little different from the present", that the development before him (i.e. 2 dwellings) would not have an unacceptable impact on living conditions, and that the impact on highway safety was not of sufficient weight to justify refusal.

In that context, and bearing in mind the proposal is now for one dwelling, the impact on 10 Smith Street will be less, since the high part is now less than half the width of the plot and the lower parts are the same as on that proposal, including the slight raising of the boundary wall.

In addition, the building will retain the existing views of the gable end of 4 Gerrard Street and the major difference in levels between the two parts retains the impression of varied blocks of building on this side of the road.

It is considered, therefore, that the present proposal has satisfied all the issues raised by the Inspector and has not raised any additional ones.

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 numbers ***** , and specification contained therein, received on ***** 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 large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the 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.
- 5 A landscaping scheme 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. **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 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.
- 7 No development shall take place until the applicant has secured the

implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority.

REASON : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.

- 8 Gates/doors provided at the entrance to the site shall not open outwards towards the public highway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
