

Planning Committee: 25 February 2014

Item Number: 11

Application No: W 14 / 0035

Town/Parish Council: Warwick

Registration Date: 13/01/14

Case Officer:

Penny Butler

Expiry Date: 10/03/14

01926 456544 penny.butler@warwickdc.gov.uk

Land at Vine Lane, Warwick, CV34 5BT

Erection of 3 no. one bedroomed starter homes with 3 no. integral car ports.
Demolition of existing garages. FOR Anton Gerard Ltd

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

The proposed development is for the erection of a terrace of three 1-bedroom houses in a two storey block with undercroft parking for three cars, following the demolition of two existing lock-up garages on the site. The proposed building will be set back from the boundary of the application site with the edge of the carriage way, and will provide a 1.4m wide foot way. There is no foot way in front of the site currently. The undercroft parking will be accessed via three individual openings with arched brick heads. The proposed front elevation will be similar to the traditional styled modern houses each side, but taller than the two storey terrace to the east, and slightly lower than the two storey (with attic accommodation) terrace to the west with a lower eaves line. Dormer windows to bedrooms are proposed on the front elevation with living room windows at first floor, and at the rear is a single storey projection providing half glazed entrance doors to the dwellings and their kitchens with single windows and roof lights. The side elevations are blank, whilst at first floor on the rear elevation there are obscure glazed staircase windows with roof lights to bathrooms above. Solar PV panels are provided on the main rear southern roof slope. Cycle and bin storage is provided in the shared rear garden, and pedestrian access to the building is provided between the side of no.1 and the application building with access from the rear garden.

THE SITE AND ITS LOCATION

The application site formed the rear gardens of houses fronting Paradise Street to the south (no.38 is in separate ownership and the applicant owns no.36), and provided vehicular access into the rear garden for no.36. The site currently contains two unattractive lock up garages which project forwards of the buildings

each side, following a bend in the road. The site stands between terraces of modern development each side fronting Vine Lane, whilst there are Victorian terraces to the rear, and 1950/60s houses and bungalows opposite. The site is within a residential area close to the hospital.

PLANNING HISTORY

An application for similar development was withdrawn in 2012 (W/12/0728). This application proposed four flats with four parking spaces on the site frontage, and clear glazed windows were proposed at first floor level on the rear elevation. In 2013 an application was refused for a two storey block of four flats with four undercroft parking spaces (W/13/0646). This building was taller, with a two storey projecting rear wing and single storey projecting front canopy. The reasons were that insufficient provision was made for car parking, and that the design, mass and siting of the building was out of character with the area.

RELEVANT POLICIES

- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No comments received at time of writing report. Comments will be reported directly to Planning Committee.

Public response: Seven objections and a petition containing 40 names received raising the following concerns:

- Loss of existing parking space for no.36 Paradise St. and insufficient provision for proposed development which would exacerbate existing traffic issues and

illegal parking problems, harming highway and pedestrian safety, and increasing pollution and noise. The recent Bunch of Grapes housing development has added to this problem. Parking permits for the development should be revoked. There is regular illegal parking overnight due to a lack of spaces. Residents with permits will have to park further from their homes within the W3 zone.

- Dwellings parking on the site would reverse onto the frontage of houses opposite.
- Loss of amenity, view and light to surrounding properties.
- Loss of privacy from first floor living rooms to houses opposite.
- Over development and excessive density.
- Does not comply with distance separation standards.
- Does not respect the predominantly Victorian architecture of the surroundings.
- Projects forward of the building line and is too high. The ridge height should match no. 19 Vine Lane, not the dwellings in Vine Court which are too tall.
- Access for construction will block the road.
- The living accommodation is very restricted.
- Construction materials are queried.
- Existing garage roofs contain asbestos and removal of this will affect neighbours health.
- Refuse storage adjacent to the boundary of no.1 Vine Court will harm their amenity.
- The internal size of the living accommodation is unacceptably restrictive and will not provide adequate living conditions. Front doors should be provided. Access into the building by the rear only will compromise fire safety.
- Inaccurate plans showing incorrect rear boundary line and air raid shelter.

WCC Ecology: Recommend a bat note.

WCC Archaeology: The plans have been amended to show the air raid shelter within the application site will not be affected so there is no further comment.

Waste Management: The development would be on an alternate week collection service and must provide storage for 3x180 litre bins and 3x240 litre bins on the site, and recycling boxes/bags.

WCC Highways: No objection subject to conditions for drain protection and a foot way crossing.

Cultural Services (Green Infrastructure Manager): The additional residents would put pressure on existing open space in the locality of the development and therefore a contribution towards the improvement of open space in the locality is required in order to mitigate the impact of this increased use.

ASSESSMENT

The key issues in the determination of this application are the impact of the development on neighbouring amenity, visual amenity and highway safety.

Impact on neighbouring amenity

Policy DP2 requires development to not lead to an unacceptable adverse impact on the amenity or nearby users or residents, and to provide acceptable standards of amenity for future users/occupiers of the development. The Residential Design Guide also requires development to take account of the impact on neighbouring properties, and in particular sets out the 45 Degree Guideline for assessing over-development, loss of privacy and dominance over adjoining dwellings, and to secure reasonable standards of outlook and amenity, and the Distance Separation Standards for limiting the potential for over-development, loss of privacy and dominance over adjoining dwellings, and to secure a reasonable standard of amenity and outlook for local residents.

The proposed building has living rooms at the front on the first floor and bedrooms within the roof space above. Windows in the rear elevation at first and second floor are obscure glazed, with clear glazing only at ground floor level. There is no directly relevant distance separation standard which can be applied at the front, since standards are only specified between three storey houses with bedrooms on upper floors, or other habitable rooms on upper floors, not a combination of living rooms and bedrooms as the proposed application. These standards are 27m or 32m, and in this case there is a gap of 28m to the houses on the opposite side of Vine Lane. Given there is a public road lying between the dwellings, the level of existing privacy of the front windows opposite is less than within rear gardens, and since the proposed building is in line with the terrace of houses to the eastern side which also have dormer windows, this is not considered unreasonable or out of character as there would be a similar relationship.

At the rear since the proposed building has only obscure glazing to the upper floors, where overlooking can lead to privacy issues, so the standard relating to blank elevations is applied to the houses at the rear. The dwellings to the rear are two storey with roof lights and can therefore be treated as three storeys. There is no applicable standard for this arrangement, but the standard between two storey buildings, where one is blank, is 12m. The standard for a two storey house facing a blank three storey house is 16m. The distance separation provided by the proposed development is 17.5m which exceeds the nearest standard and it is therefore considered to provide an acceptable standard of amenity for the rear neighbours and the occupiers of the development. It is considered that this distance would provide both sides with a reasonable level of privacy and outlook. It is not considered that overlooking between the ground floor roof lights of the kitchens and the houses at the rear would be significant, due to the limited viewing angle of the openings. The building would not cause substantial loss of light to the neighbours at the rear due to the distance separation and the location of the development to the north. The proposed dwellings would have a shared rear garden 6m deep by 11m wide which does not appear out of character with the surrounding rear gardens.

The building complies with the 45 degree guideline taken from the front and rear windows of the dwellings each side of the site. At the front the existing outlook would be improved for neighbours since the garages being demolished project

further forwards than the proposed building. For these reasons the proposal is considered to comply with Policy DP2 and the Residential Design Guide.

Impact on highway safety

The site contains two single lock up garages and previously provided an off road parking space for no.36 Paradise Street, although the parking area has been fenced off. The garages and land have not been used for parking in association with no.36 in recent years, therefore, it is not considered that permission could be refused on the basis that parking for no.36 would be lost. The concerns raised relating to parking and highway safety in the vicinity are noted and have therefore been carefully considered by the Highway Authority.

The proposals include the provision of 3 under croft car ports for 3 one-bedroomed dwellings. The car ports have internal widths of 3m to ensure there is adequate space for car doors to open, and there is adequate manoeuvring space for vehicles to access the spaces without using private land opposite. This accords with the Council's Vehicle Parking Standards requirements. Previously concerns have been raised by local residents with respect to the impact of the development on on-street parking in this area, where Vine Lane has a carriageway of varying widths. To the east of the site it is wide enough for two way traffic to pass, however the northern side of the carriageway has some on-street parking provision. Across the site frontage, the carriageway narrows to a single way movement of vehicles and to the west of the site it widens again to two way movement of traffic for a short distance only, with a road narrowing followed by a further pinch point before it connects back with Woodville Road. With the exception of the small section for on-street parking, the road is subject to double yellow lines preventing on-street parking.

The highways in the immediate area (with the exception of Sharpe Close) are within a Residents Parking Zone (W3). Dwellings within this area are eligible to apply for residents parking permits within the W3 zone. This zone also extends to a number of roads further out from the site. The permits enable residents to park on the surrounding streets covered by W3 during the times when parking for non-permit holders is restricted. With the proposed development providing parking in line with the standards and property no's. 36 & 38 already within the parking zone (thereby currently eligible for parking permits), should there be any demand for parking permits by the future residents of the proposed development, the impact would be minimal in view of the type of units proposed. The location of the site is highly sustainable being within walking distance of the town centre, local services (schools, hospital, etc) and rail station/bus links which would again potentially reduce the need for a private car. It is therefore the opinion of the Highway Authority that the proposed development will not impact on the surrounding public highway to the detriment of highway safety. On this basis, the proposed parking provision and layout would be in accordance with Policies DP6 and DP8.

Impact on visual amenity

Policy DP1 only permits development which contributes positively to the character and quality of its environment through good layout and design. It requires proposals to reinforce or enhance the established urban character of streets, reflect, respect and reinforce local architectural and historical distinctiveness, and respect surrounding buildings in terms of scale, height, form and massing. The Residential Design Guide also provides a design framework for maintaining and enhancing the distinctive qualities of the District's towns.

The height of the proposed building is considered appropriate in this location as the ridge height is lower than the terraces of dwellings each side. The design of the building is similar to the modern Victorian style houses each side of the application site and incorporates similar architectural features, whilst the materials can be conditioned as appropriate. The arched openings to the car ports will be similar in appearance to that under Vine Court and the recent Bunch of Grapes development. Since the building will not project forward of its neighbours and will be lower it will not form an unduly prominent feature in the street scene, as it will blend in with the size, design and appearance of its setting. The development would not appear out of character or harmful to the established pattern of Victorian and modern terraced dwellings, and would therefore comply with Policy DP1 and the Residential Design Guide, and the NPPF which places a strong emphasis on good design.

Sustainability

Two solar photovoltaic panels are proposed on the rear (southern) roof slope to achieve a 10% energy saving in accordance with the Sustainable Buildings SPD and Policies DP12 and DP13.

Other matters

Severn Trent Water have confirmed that there is capacity in the existing public foul system, and it is proposed to provide a surface water soakaway, details of which could be secured by condition.

Bin storage space is shown in the rear garden adjacent to the side boundary of no.1 Vine Court. This is considered acceptable given that only domestic waste for three properties will be stored here, within enclosed wheelie bins, where it will be screened from general view.

A contribution towards the improvement of public open space in the vicinity, as no provision is made on site, is justified and could be required by condition.

A bat survey has been carried out to the satisfaction of the County Ecology service.

The proposed units are small but are considered to provide adequate living accommodation and conditions.

SUMMARY/CONCLUSION

The proposed development is of an acceptable standard of design which would harmonise with the design and appearance of its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy, and would make appropriate provision for the parking of vehicles. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (323-15; 323-14; 323-15 submitted on 13 January 2014. 323-13A submitted on 28 January 2014), and specification contained therein. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 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 local planning authority before any construction 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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 The development hereby permitted shall be carried out in strict accordance with the details of surface and foul water drainage works that have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
- 5 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

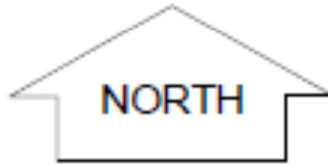
(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 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 Class A, Class B, or Class E of Part 1 of Schedule 2 of this Order. **REASON:** That due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the local planning authority in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 7 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) the windows and roof lights to be formed in the rear (south) facing elevation of the building hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 8 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 9 None of the dwelling(s) hereby permitted shall be occupied unless and until the car parking provision for that dwelling(s) has been constructed or laid out in accordance with approved drawing number 323-14 submitted on 13 January 2014, and made available for use by the occupants and / or visitors to the dwelling(s) and thereafter those spaces shall be retained for parking purposes. **REASON:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the

interests of highway safety and the satisfactory development of the site in accordance with Policies DP1 & DP8 of the Warwick District Local Plan 1996-2011.

- 10 No use of the development hereby permitted shall commence unless and until a public highway footway crossing has been constructed to the site in strict accordance with the standard specification of the Highway Authority. **REASON:** To ensure that a footway crossing is available for use when the development commences thereby enabling safe and convenient access to and egress from the site in the interests of the safety of road users and pedestrians in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
 - 11 The access to the site shall not be reconstructed in such a manner as to reduce the effective capacity of any drain within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policies DP8 of the Warwick District Local Plan 1996-2011.
 - 12 The development hereby permitted shall not be occupied unless and until the external refuse storage area for the development shown the approved drawing no.323-13A submitted on 28 January 2014 has been constructed or laid out and made available for use by the occupants of the development and thereafter those areas shall be retained for refuse storage purposes. **REASON:** To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
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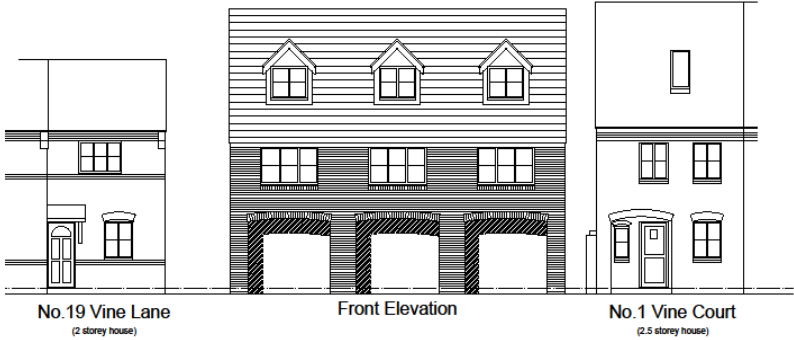




Side Elevation - Plot 3
as obscured by No. 1 Vine Court

Side Elevation - Plot 1
as obscured by No. 19 Vine Lane

Street Scene



No. 19 Vine Lane
(2 storey house)

Front Elevation

No. 1 Vine Court
(2.5 storey house)

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| Land at Vine Lane Warwick | |
| Proposed Dwellings | |
| Planning Application Drawing | |
| Street Scene & Side Relationships | |
| Scale: 1:100 on A3 | Drawing No.: 323-16 |
| Date: 04.01.13 | |
| mps merrington project services Merrington House - 9 The Green - Cuffnall Green Croftwich - Woodstockshire - WTS DPW Tel / Fax : 01299 851 110 | |