

**Planning Committee:** 11 September 2018

**Item Number:** 13

**Application No:** [W 18 / 1372](#)

**Town/Parish Council:** Kenilworth

**Case Officer:** John Wilbraham

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**Registration Date:** 19/07/18

**Expiry Date:** 13/09/18

**Corner of Princes Drive, Coventry Road, Kenilworth**

Erection of a four bedroom dwelling with associated amenity and parking  
FOR Mr C Rose

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

**RECOMMENDATION**

That the planning committee approve the application

**DETAILS OF THE DEVELOPMENT**

The application is seeking permission for the erection of a four bed detached dwelling with associated parking area and garden.

**THE SITE AND ITS LOCATION**

The site is a corner plot of scrub land located adjacent to a T-junction which provides access to an industrial estate and housing, whilst behind it are open school playing fields. The site is just inside the Kenilworth Urban Area adjacent to the Green Belt.

**PLANNING HISTORY**

<b>Application number</b>	<b>Description of development</b>	<b>Decision</b>
W/18/1069	Erection of a new four bedroom dwelling with associated amenity and parking	Withdrawn
W/15/0489	Display of directional sign	Granted

**RELEVANT POLICIES**

- National Planning Policy Framework

The Current Local Plan

- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)

- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)

#### Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- LES - Low Emission Strategy Guidance for Developers (April 2014)

### **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** No objection subject to a landscaping condition being attached. Comment that surprised overlooking of playing field not an issue

**Sport England:** Does not raise objection

**WCC Highways:** No objection subject to suggested construction management condition

**WDC Waste Management:** No objection, will be serviced by alternate weekly kerb side collection

#### **Public Responses:**

5 letters of objection on the following planning grounds:

Inappropriate and unsafe development on prominent corner plot

Block plans inaccurate

Too close to the road and impacting streetscene

Highway safety issues

Impact on Green Belt

Impact on neighbours

Overlooking of school playing fields

One letter of no objection:

Princethorpe Foundation Bursar (Crackley School response) - no objection as now proposal is not on our land

### **ASSESSMENT**

#### **Principle of development**

Local Plan Policy H1 states that housing development will be permitted within urban areas, as identified on the policies maps. The application site is located

within the Kenilworth urban boundary, and housing in this location is therefore acceptable in principle.

Concerns have been raised regarding the impact on the Green Belt that would arise from the proposed dwelling. Two of the aims of Green Belt policy are to check the unrestricted sprawl of large built-up areas and to assist in safeguarding the countryside from encroachment. The Green Belt surrounds Kenilworth with the urban boundary drawn tightly around the town to ensure these two criteria are met. The present application site is fully within the urban boundary of Kenilworth and does not utilise any Green Belt land which is considered to comply with Green Belt policy.

### **Impact on character of surrounding area**

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The site is a corner plot and as such it should have dual frontages to address both streets on which it sits. The plans show that this is the case with the main front door on the elevation facing towards Coventry Road and the side elevation addressing Princes Drive with full height glazing to give the impression of a door. The footprint of the dwelling is L-shaped with a design that gives the appearance of a 1.5 storey building due to having the first floor windows set in the eaves. This aids in reducing the visual impact of the dwelling, mirrors the scale of the properties opposite and picks up design features from these dwellings. The materials proposed are brick with clay tiles which again reflects the wider area, whilst the location of the parking to the side of the property is in accordance with the design guide.

The dwelling is set towards the boundary with Coventry Road but is separated from the road by a grass verge which is approximately 4m wide. The dwelling is set back from the boundary by approximately 0.7m and has been left open with just a path running to the front door. New low level planting will be introduced to help soften the development in the streetscene and tie in with the hedgerow that runs along the highway.

Concerns have been raised with both the proximity of the dwelling to the road and the overall size of the dwelling within the plot. The plot size is approximately 390sqm, not including the footpath along Princes Drive. This size of plot can clearly accommodate the proposed dwelling which has a footprint of 76sqm. In comparison the footprint of the built form of Monnington House, located opposite and which comprises 6 maisonettes, amounts to 190sqm.

I propose to condition samples of the materials together with a landscaping plan to ensure the finished dwelling fully respects the character of the streetscene. Overall the proposal is considered to accord with Policy BE1 and the residential design guide.

### **Impact on adjacent properties and amenity of future occupiers**

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The nearest neighbouring properties are Flat 1 and 2 Monnington House to the north and the properties opposite across Coventry Road. The neighbouring properties are all over 25m away from the proposed dwelling which is in excess of the 22m separation distance set out in the design guide. Some of the responses received state that this separation distance is incorrect as Crackley Hill Grange is a three storey property and therefore the required distance should be 27m.

Crackley Hill Grange is a two storey property that 'despite having accommodation on 3 floors, would appear, like its neighbour, as a two-storey house in views from the main road' as confirmed by the Inspector when granting the dwelling on appeal. The separation distances are there to protect the privacy of occupants rather than the outlook from dwellings. The only window serving the room in the roof is a high level rooflight which does not afford views out of and as such the greater separation distance is not required.

For a no. 4 bed dwelling 60sqm of private amenity space is required. The submitted plans illustrate that 68sqm will be provided which is in excess of the required amount. All of the main habitable rooms are served by at least one exterior window that provide acceptable outlook over the surroundings.

Weighing up all of the above the proposal is not considered to give rise to an unacceptable loss of amenity to neighbouring properties in terms of loss of light or overlooking and also provides the future occupants with acceptable levels of amenity and outlook. The proposal is therefore considered to be in accordance with Policy BE3.

The Town Council and a number of the submitted objections commented regarding the acceptability of a dwelling looking out over the school sports fields which are located behind the dwelling. The site is already visible from the footpath that runs along the Coventry Road whilst it is not uncommon for schools and their playing fields to be located adjacent to and overlooked by residential dwellings. There has been no objection from the school to the application, whilst Sports England are also satisfied the proposal will not adversely affect the use of the sports pitches. As such I do not consider that there is an issue in terms of the location of the dwelling in relation to the sports field.

### **Access and Parking**

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The plans indicate that three spaces would be provided which is in accordance with the parking standard for a dwelling of this size. A turning head is also

proposed which will allow the occupants to manoeuvre out and exit the site in a forward gear. County Highways were consulted on the application and raised no objection to the scheme subject to a construction management plan. They have confirmed that the visibility splays at the junction are acceptable and would not be affected by the proposal. Subject to this suggested condition the proposal is considered to be in accordance with Policy TR1 and TR3 and will not give rise to unacceptable highway safety issues.

## **Other Matters**

### Ecology

The existing site is an area of scrub land that will be cleared to allow the development to proceed. No comments have yet been received from the County Ecologist on the application however on the previously withdrawn application they raised no objection subject to a condition requiring bat and bird boxes being erected and a number of informative notes be attached. In addition a landscaping plan will be conditioned to ensure that suitable native species are planted on the site to improve the biodiversity above that of the existing area.

### Low Emission

The proposal will result in additional vehicular movements and therefore there is a requirement for the provision of an electric charging point in accordance with the Council's adopted Low Emissions Strategy. This can be secured by condition.

### Water Efficiency

A condition to ensure compliance with Policy FW3 will be added to any approval granted.

## **Conclusion**

Although adjacent to the Green Belt the site is wholly within the urban boundary of Kenilworth and therefore the principle of housing is acceptable at this location. Consideration has been given to the scale, design and materials to be used for the dwelling and its associated landscaping given the semi-rural nature of this location. The impact on neighbouring properties and highway safety is deemed to be acceptable. Weighing all of these factors up the scheme is recommended to be approved.

## **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) 17-1666/001e and 17-1666/003e, and specification contained therein, submitted on the 19th and 16th July 2018. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 3 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 4 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1, TR3 and NE5 of the Warwick District Local Plan 2011-2029.
- 5 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 6 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure the creation of well-designed and sustainable buildings and to satisfy the

requirements of Policy FW3 of the Warwick District Local Plan 2011-2029

- 7 No part of the development hereby permitted shall be commenced until a scheme for the provision of bat and bird boxes to be erected on the building within the site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.
- 8 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until a hard and soft landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details. Details of hard landscaping works shall include boundary treatment; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 9 No part of the development hereby permitted shall be commenced until a scheme for the provision of bat and bird boxes to be erected on the building within the site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **REASON:** To safeguard protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.

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