

**Planning Committee:** 31 March 2004  
**Application No:** W20040342

**Principal Item Number:** 08

**Town/Parish Council:** Kenilworth

**Registration Date:** 24/02/2004

**Expiry Date:** 20/04/2004

**Case Officer:** Will Charlton  
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**Land adjacent to 122, Rouncil Lane, Woodcote, Kenilworth, CV8 1FP**  
Substitution of house type and relocation of garden boundary  
(planning permission W20011254)  
FOR Mr T Roberts

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### **SUMMARY OF REPRESENTATIONS**

Town Council : "Members objected to the position of the house and garage which are out of keeping and symmetry with the street scene. If approved the application would encourage undesirable backland development. Members questioned the significance of the driveway Section A-A on the plans as they could not readily assess its importance."  
WCC (Highways) : No objection subject to a note regarding notification to the Divisional Surveyor.

Neighbours : Three objections have been received, one from the direct neighbour and two from residents of Rounds Hill. The proposal is one part of the application refused in February. By moving the new house further away from No 120 it allows access to the land to the rear of Rounds Hill, but also creates space or access for a second house or more, for which future permissions may be sought, especially as the properties in Rounds Hill have been offered money to sell the rear section of their gardens. This application should not be viewed in isolation as if this application is approved there is potential for further development to the back of the house or to the rear of Rounds Hill.

The revised location is out of character with the adjacent house, being set further back with a separate garage between it and the road and with a garden that is an inappropriately small size. It is contrived arrangement forced upon the applicant by the nature of what he is trying to achieve. The existing permission in the space between No 120 and 122 Rouncil Lane is entirely appropriate, producing a natural line of houses along the road.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

### **PLANNING HISTORY**

Planning consent for an additional detached dwelling between No 120 and 122 Rouncil Lane was originally granted in 1985. Since then the application has been renewed a number of times, most recently in 2001 (Ref: W20011254). In 2002 an application for two dwellings to the rear of 122 Rouncil Lane, together with one at the far rear of the site was withdrawn in March 2003.

A more recent application for three dwellings was submitted similar to the application made in 2002. This was then amended so as to propose two dwellings to the side and rear of No 120, removing the dwelling at the far rear of the site, adjacent to the rear gardens of the properties in Rounds Hill. The revised application was refused by Committee in February as:

*"The proposal is considered unacceptable in that its siting and scale would result in visual impact out of character with and detracting from the openness of this semi-rural site, which is adjacent to the Green Belt and the Arden Special Landscape Area. It would thereby conflict with policies DW ENV1 and DW ENV3 of the Warwick District Local Plan 1995. Furthermore, the proposal would constitute unneighbourly backland development conflicting with policies DAP1 and DAP3 of the emerging local plan, the Warwick District Local Plan, 1996-2011, First Deposit Version."*

## **KEY ISSUES**

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

The application property, No 122 Rouncil Lane is a large property set in a very large garden, with an additional parcel of land to the side. This additional land leads to the rear in the form of a wide grassed narrow piece of land, which at its furthest point is over 200 metres from Rouncil Lane. The northern side of this part of Rouncil Lane is made up of a number of large detached properties set in large gardens, the majority being approximately 70 metres in length, while the southern side of the road is made up of slightly smaller detached houses in smaller grounds, including a modern estate and row of properties opposite the application site.

### **Details of the Development**

The application proposes the erection of a single detached four bedroom property with detached double garage to the front. The property would be approximately 11 metres in width and would be positioned approximately 2 metres from the single storey extension to No 122 and 10 metres off the boundary with No 120. Although smaller, it does occupy approximately the same siting as the property originally approved in 1985 and renewed in 2001. The rear garden length of this house would be approximately 11 metres in length, although the plot size is substantially smaller than that previously approved.

### **Assessment**

The site is situated within the built-up area of Kenilworth, with the rear most part of land around No 122 adjoining the Green Belt. Both the current and the emerging local plans direct new residential development to the urban area and as such the scheme is considered to be in accordance with these broad policies, whilst the existence of a current permission to construct a single dwelling on the site is also a material

consideration. It is therefore considered that refusal of the application on the principle of the development could not be justified.

The northern side of Rouncil Lane at this point consists of a number of large individual dwellings, all of varied designs. They are situated in large plots of land, with No 122 Rouncil Lane being situated in the largest, with approximately 20 metres of land between the dwelling and No 120. Although the proposed dwelling would be smaller than number 122 Rouncil Lane, the proposed house would still be large and would be of a similar size and in particular width to the majority of properties on both sides of this part of the road. It is considered that the design of the proposed dwelling is an improvement and more in keeping than the approved scheme, albeit that this did have an integral garage.

Although the dwelling would be positioned to the left hand side of the plot, adjacent to the large single-storey extension on No 122, and would have its garage to the front it would continue the general street scene, with the majority of the properties being situated in close proximity to each other. The retention of a gap between the proposed dwelling and No 120 would only continue the current position on the site, albeit at a reduced width. It is considered that the movement of the proposed dwelling away from No 120 would improve the visual amenities from this property over the existing approved scheme.

The alteration of the plot size over that already approved would create a much smaller plot, smaller than that of the neighbouring properties. However it would still be larger than the majority of the houses opposite (No's 109 - 123 Rouncil Lane). Although smaller than adjoining gardens, the plot for the property proposed would still be large by modern standards and there are no issues of distance separation or layout which would lead to loss of privacy or overlooking.

Whilst acknowledging that the proposed layout would allow for access to be maintained down the side of No 120, any future proposals to develop this land, considered likely by the neighbouring residents, would be subject to a separate application and would therefore be judged on their own merits, as with the previous applications. This application should therefore be viewed in isolation, on its own merits, and it is considered that refusal on the grounds that it would allow access to land for future development could not be justified.

The Highway Authority have no objection to the proposal although do state that the driveway width could be reduced to a width of between 3 and 4 metres. It is therefore proposed that ,notwithstanding the details shown on the plan ,the driveway width be reduced in accordance with a scheme previously agreed. Conditioning the reduced width of the driveway would also lessen the visual impact of the drive and allow for more soft landscaping and a larger landscape buffer. Any permission granted would also include a condition on landscaping which, when carried out on the boundaries of the site, would help to further screen the new development .

### **RECOMMENDATION**

That permission be GRANTED, as amended, subject to conditions on materials, landscaping, reducing the width of the driveway, removal of PD rights fronting the private driveway and highway construction note.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

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

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

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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