

Planning Committee: 13 September 2016

Item Number: 14

Application No: [W 16 / 1321](#)

Town/Parish Council: Rowington

Case Officer: Helena Obremski

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Registration Date: 11/07/16

Expiry Date: 05/09/16

Land adj. Crossways, Rowington Green, Rowington, Warwick, CV35 7DB
Proposed erection of two dwellings FOR ERC (Solihull) Limited

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

Full planning permission is sought for the erection of two detached dwellings. The proposal provides two angular, modern detached dwellings, which attempt to reflect the existing architectural character within the street scene, whilst providing a contemporary innovative design. The materials have been amended to better reflect the existing materials which are used within Rowington Green.

One of the proposed dwellings benefits from an attached garage, whilst the other benefits from an attached car port, with shared gravel courtyard.

The proposed dwellings are sited further forwards than the previously approved scheme which was an outline application but included the layout and access details. The access remains the same as the previously approved scheme. The Design and Access Statement states that the proposal seeks full planning permission for the approval of two dwellings, *enabling variation in the site layout whilst adhering to the key principles of the outline permission. The site layout is similar in principle to the outline application already approved, with two dwellings detached and set back from the roadside. Garaging is now shown projecting forward from the main building line, facing inwards to the shared courtyard. This enables more economic use of the site area for habitable space but retains the approved access arrangement and parking areas. Ground floor footprints are slightly reshaped to provide more responsive designs, creating uniquely articulated dwellings rather than uniform square.*

THE SITE AND ITS LOCATION

The application site relates to the rear garden of the property Crossways, which fronts Old Warwick Road and has a rear garden extending along the southern

side of Rowington Green. The site is within the emerging Local Plan's Rowington Green Infill Village Boundary, identified as a grouping of properties around Rowington Green, Queens Drive, The Avenue and Beech Close. The site is within Green Belt.

PLANNING HISTORY

W/15/0453 - outline planning permission granted for the erection of two dwellings with access and layout, all other matters reserved.

W/16/0126 - application withdrawn for the approval of reserved matters for application W/15/0453 (the application was withdrawn as there had been a significant amendment to the layout which had been approved and could not be dealt with at a reserved matters stage).

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Rowington Parish Council: Objection: Proposal is contrary to adopted Local Plan policy DP1 and emerging Local Plan policy BE1 as the development is considered to be urban and does not relate to the rural location; the site is too small for two dwellings and would provide a cramped form of development with limited outside space and garden land, which is not in keeping with the existing pattern of development along Rowington Green; the application site is located within the Green Belt and the rural nature of the site should be protected in accordance with the NPPF.

WCC Landscape Team: Objection, the development would be cramped and not in keeping with the pattern of the development along this road; there would be overlooking caused from and to the adjoining properties; the proposed development does not relate to the rural nature of the site, which is in part due to the choice of materials which do are not typical of the Arden landscape; there is an imbalance between the properties, with one appearing more dominant than the other; landscaping details of the scheme are required.

WCC Ecology: Comments remain the same as for application W/15/0453: no objection, subject to condition requiring the checking of the site immediately prior to commencement of works for the presence of nesting birds, hedgehogs, reptiles and amphibians. Recommends notes in relation to the protection of badgers, restriction of lighting, indigenous tree and shrub planting and enhancement of habitats and biodiversity.

WCC Highways: No objection, subject to conditions to ensure pedestrian and vehicular safety.

2 Public Responses: Objects on the following grounds: the development is an alien feature within the surrounding area, in a dangerous position close to a cross road and other vehicular access points. The development will result in a

loss of privacy to their rear garden and habitable accommodation and would be overbearing - suggests bungalows would be more appropriate and have less impact; concern regarding the noise and air pollution, and traffic problems during the works. There has been another objection on the grounds that the occupiers of the proposed dwellings may be disturbed by the neighbouring social club, leading to complaints and potential loss of revenue if the opening hours had to be reduced and the proposed development is out of keeping within the rural area.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Principle of the Development;
- Siting and design;
- Impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Health and Wellbeing;
- Ecology/Landscaping/Trees;
- Drainage and flood risk;
- Open Space;
- Renewable energy;
- Other Matters.

The Principle of the Development

The principle for the development of the site has been established under application W/15/0453 for outline permission for the erection of two detached dwellings. As there have been no material changes in national or local planning policy since the application was granted in August 2015, the principle of the development on this site is considered to be acceptable and in accordance with Local Plan policy and the NPPF.

Siting/design

There have been a number of objections to the proposed development as they consider that the development of two dwellings would be cramped and would have little amenity space. Under previous application W/15/0453 the officer determined that two dwellings were acceptable in principle within the same size plot. The Council has no guidance on amenity space size, however, it is considered that each property would have sufficient private amenity space to the rear of the property to enjoy, and would also have amenity space at the front of each dwelling.

The proposed dwellinghouses will sit appropriately within the streetscene fronting the highway, with adequate gaps provided to the common boundaries to ensure that the dwellinghouses do not appear cramped within their plots. The plot sizes and property footprints appear commensurate to properties to the south on The Avenue. Furthermore, the siting is no further forwards than the existing detached outbuilding to the west of the application site or Crossways. Therefore, the siting is considered to be appropriate and would not dominate the street scene.

Previous outline application W/15/0453 limited the proposed dwelling to two storey and suggested that single and two storey elements would be an appropriate form of design which has been reflected in the proposed development.

There have been a number of objections relating to the design, being out of keeping within the rural area and is urban in nature. There is no architectural rhythm or established vernacular within the existing street scene. Crossways west of the site is a white rendered detached two storey dwelling with pitched roof dormers and gable features. A modern, one and half storey entirely timber clad outbuilding is located within its curtilage. Rowington Mens Club, positioned to the east of the site is a large two storey and single storey rendered property, with various angular roof pitches. Rowington Village Hall positioned opposite to the application site is of a different style entirely, with a steeply pitched gable frontage, white render and red brick. Furthermore, the properties positioned behind and to the side of the application site are of varied designs, some with very steep angular roofs.

The original scheme showed one of the dwellings with an angular roof, with single storey flat roof elements, the other having a completely flat roof. There is concern from the WCC Landscape Team that the flat roof dwelling is dominated by the other proposed dwelling, therefore the roof line has been amended so that both dwellings have angular roofs. These are considered to reflect the angular roof designs which are prevalent in the street scene and wider area, whilst the single storey flat roof elements provide a modest contrast to provide architectural interest. The painted metal features have been chosen to replicate the red brick found within the wider street scene and the "off white" bricks have been amended from grey to replicate the existing render in the street scene, whilst the texture of the brick adds more interest. Furthermore, the agent has informed the Council that as bricks have more variation in colour and texture, they are less resistant to staining from trees and vegetation, which the site benefits from. A condition will be added so that sample materials are provided to ensure that the existing features within the street scene are respected.

Objectors to the proposal suggest that the dwellings have an urban rather than rural character and would present an alien feature within the street scene. It is considered that rather than an urban character, that the proposed dwellings have a contemporary nature, and whilst most of the properties within the street scene are somewhat more traditional, these does not mean that a contemporary design would not be appropriate. Owing to the varied street scene and varied ages of the existing properties within the wider area, and as the materials and design have been carefully selected to represent and reflect the existing features within the street scene, this modern design is considered to enhance the street scene. The design is considered to positively contribute to the street scene and harmonise with the existing architectural features and adopts appropriate materials.

Neighbours' amenity

The site is bound by residential gardens to the south and west and Rowington Club to the east. Surrounding properties are set well off the common boundaries and the new dwellinghouses will not breach the 45-degree sightline measured from the habitable windows of neighbouring properties in compliance with the Council's Residential Design Guide SPG.

The occupiers of Penny Farthing have objected to the proposed development and considers that the development will result in a loss of privacy to their rear garden and habitable accommodation, and the proposed development would be overbearing. They suggest that bungalows would be more appropriate and would have less impact. However, the rear boundary of the application site is positioned 35 metres from Penny Farthing, which meets the Council's minimum distance separation guidance. It is therefore considered that there would no material harm to the living conditions of the occupiers of Penny Farthing which would warrant reason for refusal.

Parking/Highway safety

One double integral garage and one double car port are shown on elevation plans which would accord with the Council's adopted Vehicle Parking Standards Guidance. There is also ample off street parking to the front of the property to accommodate more parking.

There has been an objection to the scheme which states the development would be located in a dangerous position close to a cross road and to other vehicular access points. However, WCC Highways have assessed the application and have no objection to the proposed development. They recommend a number of conditions to ensure that pedestrian and vehicular safety can be maintained. The access is also in the same position as the previously approved scheme for two dwellings.

The proposals therefore raise no highway safety or parking concerns.

Health and Wellbeing

No health and wellbeing issues are raised by this application.

Ecology/landscaping

The County Ecologist requested a pre-determinative Ecological Survey, which has been submitted by the applicant. The County Ecologist states that their comments remain the same as for application W/15/0453 as there has been no material change in circumstances. They have confidence in the report's findings and note that trees on site were considered to offer no potential for bats, but the site is predominantly considered to be suitable for nesting birds, hedgehogs, amphibians and reptiles.

Conditions are recommended for tree protection during construction, a site inspection prior to site clearance for protected species by a qualified Ecologist and the provision of bird/bat boxes for species enhancement.

WCC Landscape Team have requested a landscaping scheme, which can be secured by condition.

There are a number of trees located within the application site. An Arboricultural Report and Tree Survey was submitted as part of the application and confirms that the only vegetation to be removed to facilitate the erection of the dwellings is a Holly hedge which was approved under the previous application and is not protected. The report confirms that the protection of retained trees during the proposed development works can be achieved by continuing to follow the recommendations in BS5837:2012 and by use of standard planning conditions, and there will be opportunity for new planting which will increase the biodiversity of the site.

The Council's Tree Officer has assessed the application and agrees with the recommendations in the report provided. He also recommends that a condition should be attached to any approval granted to ensure that the works are carried out in accordance with the recommendation of the report, which will be implemented.

Drainage and Flood Risk

The site is situated within Flood Zone 1, and has no flood risk issues. The use of permeable hardstanding and sustainable urban drainage methods can be secured as part of the landscaping scheme.

Open Space

The proposed development does not trigger the need for any open space contributions.

Renewable Energy

Due to the scale of the proposed development it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables or a 10% reduction in CO² production through a fabric first approach would be appropriate.

The standard condition relating to controlling noise is suggested to guard against potential nuisance to neighbours should an air source heat pump be selected for renewable technology.

Other Matters

There has been an objection to the proposed development due to the noise and air pollution, and traffic problems caused during the works. However, this is not a material planning consideration and cannot be assessed as part of this application.

Rowington Mens Club have objected to the proposed development as the occupiers of the proposed dwellings may be disturbed by the social club, leading to complaints and potential loss of revenue if the opening hours had to be reduced. As the site is located within a residential area, with other residential properties in relatively close proximity to the Club, it is considered unlikely that this would pose a significant problem which would warrant reason for refusal of the application. Furthermore, permission has previously been granted for residential development on the site.

CONCLUSION

In the opinion of the Local Planning Authority, the development is considered to harmonise with the existing street scene, whilst providing an innovative and contemporary design. The proposed development is not considered to cause undue harm to the living conditions of the occupiers of the nearby dwellings and there are no highway safety issues. 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 AR_321_001_C submitted on 24th August 2016 and AR_321_002_D submitted on 31st August 2016, 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 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority.

If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is

irregular enough to attract attention, 5dB(A) shall be added to the measured level.

The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings and to protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP13; DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 4 Prior to the first occupation of the dwellings details of bird boxes/artificial nests and bat boxes including their number, location and height from ground shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to the first occupation of the dwellinghouse: **Reason:** To enhance the value of the site for biodiversity in accordance with the aims of the NPPF.
- 5 The development hereby permitted shall not commence until a qualified ecologist has been appointed by the applicant to inspect the habitat suitable for nesting birds, hedgehogs, amphibians & reptiles immediately prior to works. Suitable habitat features, such as compost heaps and log piles, are to be removed carefully by hand. If evidence of these species are found works may not proceed otherwise than in accordance with the advice of the qualified ecologist on the most appropriate approach. The qualified ecologist shall submit a brief report to the local planning authority within one month following completion of the supervised works to summarise the findings. **Reason:** To ensure that protected and notable species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the NPPF.
- 6 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **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 DP1 of the Warwick District Local Plan 1996-2011.
- 7 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates;

footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off 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 similar size and species, unless the local planning authority gives written consent to any variation. 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 DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 8 The works hereby permitted shall be carried out only in strict accordance with the submitted Arboricultural Report and Tree Survey carried out by Ruskins Group Consultancy T/a RG Consultancy Limited and submitted to the Local Authority on 11th July 2016. **REASON:** To ensure that any works are carried out only in strict accordance with the terms of this permission in the interests of visual amenities of the locality in accordance with Policies DP1 & DP3 of the Warwick District Local Plan 1996-2011.
- 9 The development shall not be commenced until an access for vehicles has been provided to the site not less than 5.0 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 10 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 11 The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

- 12 The access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
 - 13 The development shall not be commenced until a turning area has been provided within the site so as to enable vehicles to leave and re-enter the public highway in a forward gear, and thereafter the turning area shall be retained at all times. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
 - 14 The development hereby permitted shall only be undertaken in strict accordance with drainage details, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan, which have been submitted to and approved in writing by the local planning authority. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details unless alternative drainage methods have been approved in writing by the local planning authority. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.
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