

Planning Committee: 25 April 2016

Item Number: **9**

Application No: [W 16 / 0200](#)

Town/Parish Council: Baddesley Clinton
Case Officer: Liam D'Onofrio
01926 456527 liam.donofrio@warwickdc.gov.uk

Registration Date: 03/03/16
Expiry Date: 28/04/16

Greenacre, Rising Lane, Baddesley Clinton, Solihull, B93 0DA
Minor alterations to house types approved under planning permission ref:
W/15/1443 FOR Kingswood Homes (West Midlands) Ltd

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, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to vary condition 2 under planning permission ref: W/15/1443 to allow the minor alterations to the approved house types.

THE SITE AND ITS LOCATION

The application site relates to the southern (side) garden of Greenacre, which is located on the eastern side of Rising Lane within the village of Baddesley Clinton. The site is washed over by Green Belt.

PLANNING HISTORY

W/15/1443 - Erection of 2 detached dwellinghouses - Granted 11/11/15

W/15/0839 - Erection of 1 dwellinghouse - Granted 24th July 2015

W/02/0799 - Erection of 2 dwellinghouses, garaging and access - Refused July 2002 - Appeal: Dismissed March 2003.

W/01/0647 - Erection of 17 two and three bedroom dwellinghouses - Refused December 2001.

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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (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)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Baddesley Clinton Parish Council: Objection. The original plan submitted for this site was for a single dwelling within the garden of Greenacre. Subsequently an application for 2 houses, purporting to be within the same footprint as the single dwelling was granted. This proposal increases that footprint and the Parish Council considers this to be excessive development of this site within Green Belt.

WCC Ecology: No objection, subject to protected species and tree protection conditions.

Public Response: One objection received from the occupier of the adjoining property raising the following concerns:

- The plans are misleading and incorrectly shows the (red line) boundary.
- Loss of light, tunnelling effect, loss of amenity, noise.
- Potential for loss of trees.

ASSESSMENT

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

- Principle;

- Siting and design;
- Impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Health and wellbeing;
- Ecology/ Landscaping;
- Drainage and flood risk;
- Renewable energy.

The Principle of the Development

The principle for the development has already been established under planning permission ref: W/15/1443.

Siting and design

The proposed dwellinghouses will remain well sited within the existing pattern of development, fronting the highway. Adequate gaps are considered to be retained between the dwellinghouses and the side boundaries.

The two dwellinghouses will form a handed pair. The approved design is of one with a contemporary glazed forward gable and one with a traditional window design with cambered brick arches over. The design has been amended so that both houses now have a contemporary design solution with minor design tweaks. The changes also include a subordinate two-storey side projection to plot 2, which will be unobtrusive within the streetscene. The bulk and mass of the proposed dwellinghouses largely reflects that of adjoining properties. No chimneys are provided, however, this is consistent with existing properties on this side of the highway.

The proposed dwellinghouses, as amended, are therefore considered to provide an acceptable scale and design and will not harm the visual amenity of the streetscene. The proposal is therefore considered to accord with Policy DP1 of the adopted Local Plan.

The impact on the living conditions of nearby dwellings

The location and siting of the proposed dwellinghouses has already been approved and the minor alterations proposed are not considered to result in any material loss of light, outlook, privacy or amenity to the occupiers of surrounding properties.

The additional two-storey side projection to Plot 2 will not breach the 45-degree sightline measured from the front/rear windows of neighbouring properties in compliance with the Council's Residential Design Guide SPG. The adjoining neighbour has raised concerns that the block plan is inaccurate, however, the applicant has confirmed the position of the boundary with an updated plan from the land registry and no further issues are therefore raised in this regard.

As before, it is suggested that first floor side-facing windows be conditioned to be obscure glazed to avoid any overlooking/ perception of overlooking to neighbouring properties.

The proposal is therefore considered to accord with Policy DP2 of the adopted Local Plan.

Car Parking and Highway Safety

The new access point was granted under the previous planning permission to which the Highway Authority raised no objection. Highway Authority comments are awaited for the current application and will be provided to Members in the additional observation report ahead of the Planning Committee meeting, however, previous conditions to secure visibility splays have been applied.

The site will provide adequate off-street parking with room for vehicles to turn and exit in a forward gear in accordance with the adopted Vehicle Parking Standards SPD.

Health and Wellbeing

No health and wellbeing issues are considered to be raised by this application.

Ecology and landscaping

The Country Ecologist has raised no objection to the current scheme, subject to conditions. These include the supervision of ground works/vegetation clearance by a qualified Ecologist (to check for protected species) and a scheme for tree protection measures to protected retained trees during construction. The proposal is therefore considered to accord with Policy DP3 of the adopted Local Plan.

Drainage and Flood Risk

The application site is within Flood Zone 1 and no flood risk issues are raised. The Council's Health & Community Protection Team have suggested a condition to secure a drainage plan with permeable hardstanding, Aco drainage adjacent to the property and soakaways sufficient to avoid any localised flooding issues.

CO²/ Renewables

The standard planning condition is suggested to secure either 10% of the predicted energy requirement of the development from renewable energy resources, or 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 to ensure compliance with Policy DP13 and the associated SPD.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the proposed changes to the previously approved development are minor in nature and retain an acceptable design solution that does not adversely affect the amenity of nearby residents or highway safety. 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 24th July 2015, the date of the original permission W/15/1443. **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) 250D, 251D, 150B (and 150B overlay) and specification contained therein, submitted on 03/02/16 and 23/03/16, except as required by conditions 3-6 below. **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 shall be carried out in strict 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.
- 4 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **REASON:** To protect trees and other features during site construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall be carried out in strict accordance with details of surface water drainage works that shall have been submitted to and approved in writing by the local planning authority. Details shall include sustainable urban drainage methods to avoid localised flooding from the highway onto the lower application site. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

- 6 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. 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 in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 7 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. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 8 The development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON:** To ensure that a satisfactory visibility splays in the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted (including site clearance) shall not commence unless and until two weeks' notice in writing of the start of works has been given to a licensed great crested newt ecologist appointed by the applicant to supervise all ground work elements of the development within the site. The Ecologist's report shall be submitted to the Local Planning Authority within one month of its completion. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and NPPF.
- 10 The development hereby permitted shall either:
a.) Be timetabled and carried out to avoid the bird breeding season

(March to September inclusive) to prevent possible disturbance to nesting birds.

b.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by ecologist. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and NPPF.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor window(s) and stairwell windows to be formed in the side elevations of the dwellinghouses 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.

- 12 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.



© 2015 Kingswood Homes. All rights reserved. This document is the property of Kingswood Homes and is not to be distributed, copied, or reproduced in any form without the prior written consent of Kingswood Homes.



KINGSWOOD HOMES

Revisions	
No.	Description

Kingswood Homes, Greenacre
Rising Lane, Baddesley Clinton

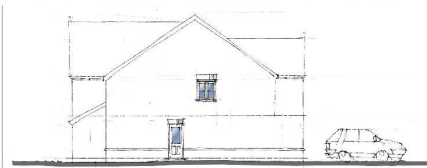
New Residential Development

Ritchie & Ritchie Architects LLP
The Manor House, 101 Field Street, Tamworth,
Staffordshire, B79 7DF
Tel: (01827) 62951
www.ritchieandritchie.co.uk

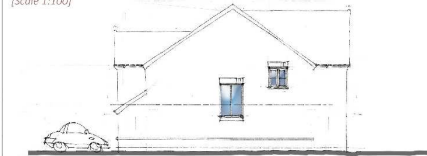
Location Plan

112350	Mar 15	KAL	7411	100
--------	--------	-----	------	-----





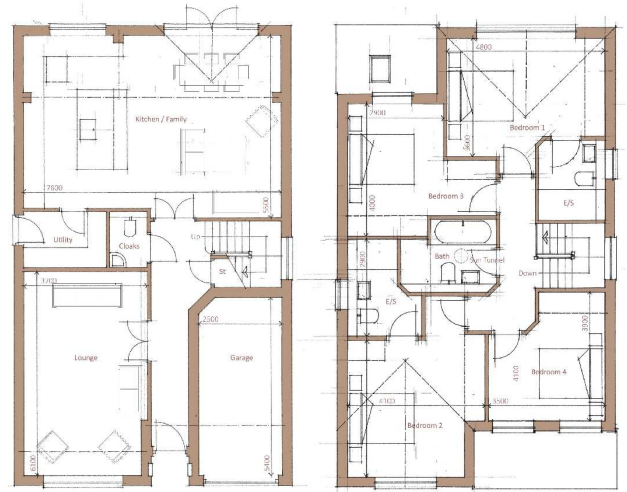
Plot 2 Side Elevation
[Scale 1:100]



Plot 2 Side Elevation
[Scale 1:100]



Plot 1 + 2 Rear Elevation
[Scale 1:100]

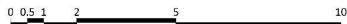


Plot 1 | Proposed Ground Floor Plan
[Scale 1:50]

Plot 1 | Proposed First Floor Plan
[Scale 1:50]



Plot 1 + 2 Front Elevation (Facing Rising Lane)
[Scale 1:50]



Revisions		
No.	Description	Date
A	General Alterations	14/02/2015
B	Plot 2 Penetration - Apertures	21/07/2015
C	Minor Alterations to Both Plots	26/01/2016
D	Minor Alterations to Both Plots	26/01/2016

Kingswood Homes, Greenacre
Rising Lane, Baddesley Clinton

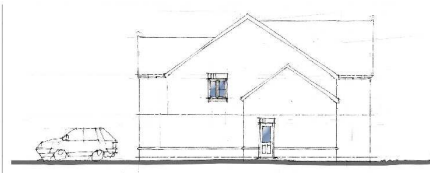
New Residential Development



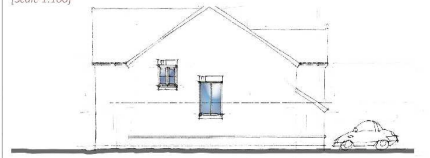
Ritchie & Ritchie Architects LLP
The Manor House, Lichfield Street, Tamworth,
Staffordshire, B79 7DF
t: +44 (0)1827 422151
www.randrarchitects.co.uk

Plot 1
Proposed Plans + Elevations

Rev	By	Check	Date	Scale
1	Mar	KAL	7411	1:500



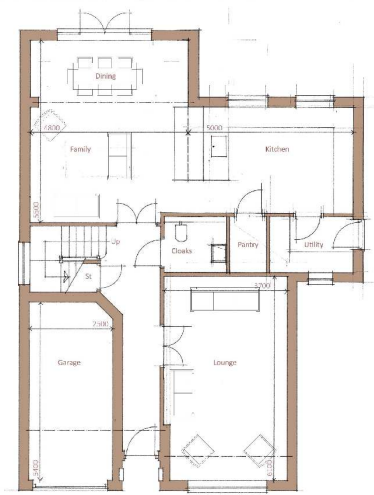
Plot 2 Side Elevation
[Scale 1:100]



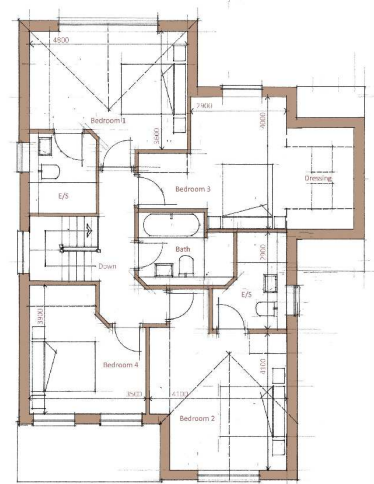
Plot 2 Side Elevation
[Scale 1:100]



Plot 1 + 2 Rear Elevation
[Scale 1:100]



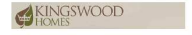
Plot 2 | Proposed Ground Floor Plan
[Scale 1:50]



Plot 2 | Proposed First Floor Plan
[Scale 1:50]



Plot 1 + 2 Front Elevation (Facing Rising Lane)
[Scale 1:50]



No.	Description	Date
A	Overall Alterations	24/11/2017
B	Plot 2 Foundation Approval	25/01/2018
C	Minor Alterations to Best Photo	26/01/2018
D	Minor Alterations to Best Photo	26/01/2018

Kingswood Homes, Greenacre
Rising Lane, Baddesley Clinton

New Residential Development



Plot 2
Proposed Plans + Elevations

Rev	Date	By	App'd	Scale
1	Mar 15	JAL	JAL	1:50