

Planning Committee: 28 February 2017

Item Number: 14

Application No: [W 17 / 0071](#)

Registration Date: 17/01/17

Town/Parish Council: Kenilworth

Expiry Date: 14/03/17

Case Officer: Satu Pardivalla

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13 Spring Lane, Kenilworth, CV8 2HB

Erection of a detached garage to front of property. FOR Mr. Gordon Cain

This application is being presented to Committee as the applicant is a Member of the Council.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

This application is a re-submission of an application for a detached garage on an area of land at the front of the application property immediately to the back of Spring Lane. The proposed garage has been reduced in size from the previous proposal and is proposed to be 3.9m in width (previously 5m), 5.6m in depth (previously 6.4m) and 3.9m to ridge (previously 5.6m). As previously, the front of the garage will face east and is adjacent to the gable wall of the neighbouring dwelling to the west, No 11 Spring Lane.

There is an existing wall and railing boundary feature on the site frontage which is proposed to be retained.

THE SITE AND ITS LOCATION

The application site is located to the north of Spring Lane, some 70m to the east of its junction with Albion Street. No 13 is a detached property, it has had a two storey side extension and an existing garage at the side of the property.

The main house is positioned at the rear of the plot with part of the area to its front forming its main garden. A 2.5m high brick wall encloses the majority of the garden nearest to the house, with the remaining land up to the highway being more open and delineated on the boundary as described above.

This part of Spring Lane is characterised by closely knit terraced housing to its south, and a variety of semi-detached, and detached dwellings to the north. The open character of the application site is uncharacteristic of the surrounding more densely built form.

PLANNING HISTORY

W/99/0141 - Two storey side extension and garage - Granted March 1999.

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)
- DP13 - Renewable Energy Developments (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)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Ecology: Recommends a nesting bird note.

Highway Authority: No objection.

Landscape Team: No objection subject to a condition requiring details of hard and soft landscaping.

Kenilworth Town Council: No objection.

Public Response: Representations have been received from two residents, the comments can be summarised as follows:

- Matching materials should be used.
- Consideration should be given to traffic during construction works.
- The proposed climbing roses and replacement tree should be required through condition.
- Concerns regarding the future storage use of the proposed garage, and wider access arrangements.

Assessment

The main issues in the consideration of this application are the impact of the proposal on the character and appearance of the area, and on the residential amenities of the occupiers of neighbouring dwellings and in terms of highway safety.

Character and Appearance of the Area

The surrounding area can be characterised as a close knit dense residential environment comprising a range of dwelling types of which the application site is not characteristic. This revised proposal, whilst proposing built form in a currently open area nevertheless proposes a building which will be of appropriate scale and design within this street scene such that it does not materially detract from the character and local distinctiveness of the area.

Residential amenities

The proposed garage will be set against the gable wall of a neighbouring dwelling, with access through an existing shared point on the highway. It is therefore considered that any adverse impact on residential amenities will be minimal.

There is a separation distance of 9.5m between the garage and the front of properties opposite the site and located on the southern side of Spring Lane which is considered to mitigate against any significant adverse impact through dominance and visual impact.

Highway Safety

It is not considered that the proposal raises any significant issues of highway safety.

Other Matters

Comment has been made about the loss/replacement/ecological value of a semi-mature tree at the site frontage. This tree is not subject to a Tree Preservation Order or considered to merit such protection. It is nevertheless considered appropriate to impose a condition requiring the submission of an appropriate landscaping scheme in order to assist with the softening of the proposed development.

Representations have been made about the impact of construction works on traffic, the use of the building for purposes of other than parking vehicles, and widening the access. The proposal relates to a minor development which is unlikely to have a significant impact on local traffic-the Highway Authority has no objections. Internal rearrangement with regards to vehicular circulation would not require consent.

Summary/Conclusion

The proposal is considered to be acceptable in retaining the character of the surrounding area without materially impacting on residential amenity or highway safety.

- 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)Nos: M1636_PL_DRG_0003, M1636_PL_DRG_0005, M1636_PL_DRG_006, and specification contained therein, submitted on 17 January 2017. **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 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **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 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) no windows or openings (apart from any shown on the approved drawings) shall be formed in the south facing elevation of the garage hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details 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:** To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.
- 5 The building hereby permitted shall be used only for purposes ancillary to the use of 13 Spring Lane for residential purposes and for no other purpose (even if such other purpose would not otherwise require planning permission or would otherwise be permitted by any legislation), unless otherwise agreed in writing by the local planning authority. **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.
- 6 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.
