

Application No: [W 14 / 1625](#)

Town/Parish Council: Warwick
Case Officer: Jo Hogarth

Registration Date: 11/11/14

Expiry Date: 06/01/15

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36 Paradise Street, Warwick, CV34 5BT

Construction of 2 no. 2 bedroom houses following the demolition of a 4 bedroom house FOR Mr A G Cummins

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received. Furthermore, this application has been requested to be presented to Committee by Councillor Elizabeth Higgins.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of two semi detached two bedroom dwellings on the site following the demolition of the existing four bedroom dwelling. The proposal makes provision for the storage of bins and recycling boxes in the rear gardens and maintains pedestrian access via an alley to allow them to be presented on collection days. There is no off street parking for the current dwelling and no off street parking is proposed for the two new dwellings.

THE SITE AND ITS LOCATION

The application site relates to a two storey four bed dwelling located outside of the designated Conservation Area within a predominantly residential area. Historically, the dwelling was formerly two dwellings and formed a terrace of three houses. In the rear garden are two lock-up garages, the site of which has recently been granted planning permission under W/14/0887 for the erection of two semi-detached dwellings fronting onto Vine Lane.

PLANNING HISTORY

There have been no previous planning applications submitted for this site.

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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (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)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

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

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object: The house has considerable historic significance, the development by reason of design and mass is over development, contrary to Policy. It will exacerbate parking problems and fail to comply with the 45 degree line. The District Council should seek guidance on possible listing of the property. Suggest a site visit.

Cllr Elizabeth Higgins: This is a concrete house of unique construction in 1873. Request that this application is called into committee. Considers that it should be locally listed and put on the national register.

WCC Ecology: No further bat survey work is considered necessary and recommend notes on bats to be attached.

WCC Highways: No objection as it is recognised that the number of bedrooms will remain unchanged and therefore the level of parking required is unchanged.

WCC Archaeology: No objection.

WDC Contract services: No objection.

Public response(s): 8 letters of objection on grounds of overlooking due to the large rear facing windows; restricted on street parking exacerbated following the approval of W/14/0887 for 2 dwellings in Vine Lane; failure to meet distance separations and the 45 degree guideline; and the recent deterioration of the property following its sale.

ASSESSMENT

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

- Principle of development
- Design
- Impact on neighbours
- Parking and highways
- Renewables
- Public open space
- Health and Wellbeing

The Principle of the Development

In terms of principle, the application to construct two dwellings would be in accordance with Local Plan Policy UAP1 in that it is previously developed land within the confines of the urban area, subject to accordance to other relevant policies within the Local Plan.

Design

Policy DP1 only permits development which positively contributes to the character and quality of its environment through good layout and design. It requires proposals to reinforce or enhance the established urban character of streets, reflect, respect and reinforce local architecture and historical distinctiveness and respect surrounding buildings in terms of scale, height, form and massing. The Residential Design Guide also provides a design framework for maintaining and enhancing the distinctive qualities of the District's towns.

The height of the proposed dwellings would be the same as the existing dwelling and the end terrace to which it would be attached. The external appearance would also be white render which would match the adjoining house. The footprint of the development is on that of the original and is hard up against the back of the footpath. The design incorporates a feature brick course under the eaves which relates back to the original dwelling and that on the adjoining property, number 38 Paradise Street. This would be on both front and rear elevations.

It is considered that the design and the materials are acceptable and would meet the objectives of Policy DP1 in the Local Plan and those of the NPPF which places a strong emphasis on good design.

Impact on neighbours

Policy DP2 requires development to not lead to an unacceptable adverse impact on the amenity or nearby users or resident, and to provide acceptable standards of amenity for future users/occupiers of the development. The Residential Design Guide also requires development to take into account of the impact on neighbouring properties, and in particular sets out the 45 degree guideline for assessing over-development, loss of privacy and dominance over adjoining dwellings, and to secure reasonable standards of outlook and amenity. Furthermore the Distance Separations Standards for limiting the potential for over-development, loss of privacy and dominance over adjoining dwellings and to secure amenity and outlook for local residents.

The application has been amended so that there is no breach of the 45 degree line. The first floor has been set back to ensure that the Council's distance separation of 22 metres is met in relation to the backs of the recently approved dwellings in Vine Lane. Although these dwellings have not been constructed to date, their approval is a material consideration.

On the rear elevation it is proposed to have doors at first floor; however these would have a Juliette guard so it would not enable occupiers to walk or sit out at first floor. As such it is not considered unreasonable to incorporate these features.

As amended it is considered that the development would not result in unacceptable harm to neighbours such that would justify refusal on grounds of loss of amenity, outlook or adverse harm to living conditions and for these reason the proposal is considered to comply with Policy DP2 and the Residential Design Guide.

Parking and Highways

No off street parking is proposed for the replacement dwellings and there is no objection raised from the County Council Highways in this respect. It was apparent during the assessment of the application to build in Vine Lane under W/14/0887 that the garages which did belong to number 36 Paradise Street were not in use. It was on this basis that it was considered reasonable to consider that parking for 36 Paradise Street would not be lost as part of that proposal. As such it is considered that due to there being no increase in the number of bedrooms, the proposal would not generate an increase in parking requirements under the Council's published and adopted Supplementary Planning Document on Vehicle Parking Standards. It is considered that the application accords with Policy DP8 in the Local Plan.

Renewables

The development proposes to use solar panels in order to achieve the required 10% predicted energy requirement as set out in Policy DP13 in the Local Plan and the Council's adopted Supplementary Planning Document on Sustainable

Buildings. As such it is considered that a condition requiring the renewables scheme to be carried out is appropriate in this instance.

Public Open Space

A contribution towards the improvement and enhancement of public open space in the vicinity, as no provision is made on site, is justified and will be required by condition.

Health and Wellbeing

N/A

Other matters

A bat survey has been carried out to the satisfaction of the County Ecologist and it is considered that a note relating to bats is sufficient.

SUMMARY/CONCLUSION

The proposed development is of an acceptable standard of design which would harmonise with the design and appearance of its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. 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 numbers 410-03 Rev A; 410-04 Rev A; 410-05 Rev A and 410-06 Rev A and specification contained therein, submitted on 19 December 2014. **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 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 4 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 5 The passageway shown on the submitted drawing shall be kept free from obstruction and retained as such at all times. **REASON:** To ensure adequate means of access to the rear of the properties to enable bins and recycling boxes to be presented on collection days, in accordance with Policy DP1 in the Warwick District Local Plan 1996-2011.
- 6 The external finish of the development hereby permitted shall be white render in accordance with the details shown on drawing number 410-06 Rev A submitted on 19 December 2014. **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.





