

Planning Committee: 25 April 2017

Item Number: **13**

Application No: [W 17 / 0294](#)

Town/Parish Council: Kenilworth
Case Officer: Dan Charles

Registration Date: 16/02/17
Expiry Date: 13/04/17

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Land adjacent 62 Rounds Hill, Kenilworth, CV8 1DU
Proposed new dwelling FOR Ms Tara Tamms

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

That Planning Permission is GRANTED.

DETAILS OF THE DEVELOPMENT

The proposed development is for the erection of a two storey structure attached to the side of 62 Rounds Hill for the creation of a two bedroom dwelling.

The footprint and design is akin to the scheme approved under planning application reference W/16/2091 although this related to a two storey side extension.

The proposal also includes the sub-division of the existing garden area to create separate garden areas and the creation of a vehicle parking and turning area to the rear of the property and accessed from Oaks Road.

The parking area requires the removal of an existing brick built garage.

THE SITE AND ITS LOCATION

The site is an existing semi-detached dwelling located on a corner plot. The site fronts onto Rounds Hill and the side is adjacent to Oaks Road.

The plot for the new dwelling is currently the side garden of No. 62 Rounds Hill.

The boundary is formed by a mature hedge with fencing along the inside edge to provide security.

There are no environmental designations affecting the application site.

PLANNING HISTORY

W/16/2091 – Erection of two storey side extension, new pitched roof to existing single storey flat roofed front element, erection of front porch extension, new pitched roof to existing single storey rear flat roofed element and external alterations – Granted 01.02.2017

W/12/1010 - Erection of a four-bedroom detached house adjacent to 62 Rounds Hill - Refused and Appeal Dismissed 14.05.2013

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- 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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- 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)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

Guidance Documents

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

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - Members COMMENTED that although they had no reason to object, they had concerns over intensification of use and car parking due to an original proposal for an extension now changing to a proposal for a new dwelling.

WCC Highways - No objection subject to conditions.

WCC Open Space - Recommend contribution towards Castle Farm Public Open Space.

WCC Ecology - No objection subject to a Nesting Bird Note.

Public Response

A total of 8 letter of objection received. Comments made;

Additional traffic harmful to highway safety.
Out of character with other properties.
Loss of openness of corner setting.
No precedence for terraces in the area.
Loss of light to garden areas.
Overlooking and loss of privacy.
Loss of garden area harmful to character of area.
Loss of hedge, tree and habitats should be resisted.
Drainage is insufficient.

ASSESSMENT

Principle of development

The site lies within the built up area boundary of Kenilworth which is considered to be a sustainable area for new residential development.

Impact on character of surrounding area

The proposed dwelling has been designed to reflect the extension as approved under planning application reference W/16/2091. However, unlike this permission, the proposal is for a new, two bedroom self-contained dwelling instead of an extension to the existing dwelling. In terms of appearance, the only change to the external appearance of the extension is a new access door to the side elevation.

In Officers opinion, the design would create an acceptable design that would not be out of character with the existing street scene. Officers are mindful that the character of the existing buildings would be changed from a pair of semi-detached dwellings to a terrace of three dwellings. However, when viewed from the local street scene, the additional dwelling would be viewed as an extension to the existing property and would respect the character of the dwelling. The resultant form of development would not be viewed as a traditional terrace of three properties as the new dwelling would have the access to the side so when viewed from the frontage, it would still retain the appearance as an extension.

The parking area to the rear utilises an area of the rear garden for the parking of vehicles associated with both properties. The parking area would utilise an existing rear access that is already used for parking of vehicles. As such, Officers are satisfied that the creation of an enlarged parking area would not be out of character with the local area.

Impact on adjacent properties

The proposed dwelling is located to the side of the existing dwelling on a corner plot within the local area. The proposed dwelling would have a side to side relationship with the existing dwelling and would not result in any harm to the amenity of the existing occupants of 62 Rounds Hill.

The proposed dwelling is located away from the boundaries of other properties due to the corner plot location. Concern has been raised by neighbouring residents regarding the loss of light to garden areas. Officers have considered this element and note that the site is located well away from the garden area of the neighbouring properties and the separation distance would be sufficient to ensure that there would be no

significant loss of light sufficient to warrant the refusal of planning permission in this case.

Overall, Officers are satisfied that the proposed dwelling would not result in any significant harmful impact on the amenity of neighbouring properties.

Access and Parking

The current property has a parking area to the front, accessed from Rounds Hill together with an access serving a garage that fronts onto Oaks Road.

The County Highways Officer has requested a condition to widen the existing access to create a 5 metre wide access point. The plans indicate an access of approximately 4 metres. Officers are satisfied that the access can adequately be widened to 5 metres without causing harm. This can be secured by condition. Within the area, a total of 5 parking spaces are provided. The parking standards require 2 spaces per dwelling and as such, adequate provision is provided together with a visitor space for the properties.

Officers are satisfied that the proposed access and parking area is acceptable subject to the imposition of conditions regarding the construction of the proposed works to the access onto the public highway to ensure the works are carried out the appropriate standards

Energy Efficiency / CO2 reduction

The proposal has been submitted with a Sustainable Building/Energy Statement that states that the proposed development will utilise a number of sustainable technologies to reduce water and energy consumption including rain water harvesting and the use of an air source heat pump. The statement calculates that a 35% saving in CO2 emissions can be achieved as a result of the proposed use of sustainable energy sources.

These details can be secured by condition.

Other Matters

Open Space Provision

The additional residents brought into the area by this application will put more pressure upon existing open space, both in the locality and the wider district in relation to destination parks.

As set out in SC13 of the WDC Local Plan (and HS4 of the new Local Plan), a contribution is therefore required in order to mitigate the impact of this additional use. The contribution rates are set out in the 'Open Space Supplementary Planning Document' and its associated guidance, 'Developer Contributions for commuted payments for new provision/enhancement of open space'.

On the basis of the above, the Open Space team have requested a contribution of £1,684 based upon a net gain of 2 bedrooms @ £842 per room. The contribution will be put toward the development objectives of Castle Farm, relating specifically to infrastructure improvements. Castle Farm scored only 'average' in the latest Parks

Audit (2016). The Green Space Strategy sets out the objective of having our public open spaces rated as 'good' or better'.

This contribution can be secured by condition.

Trees and Hedgerows

The proposed dwelling is to be located on the side garden area and utilises the existing boundary treatments to form the curtilage area of the new property. None of the proposed works will have a detrimental impact on any existing trees or hedgerows to the side of the dwelling.

The proposed access point will require the removal of a small section of the hedge to the rear of the site to allow the widening of the driveway. I am satisfied that the loss of such a small section of hedge would not have a detrimental impact on the overall level of trees and hedgerows on the site. Officers consider it appropriate to attach a condition requiring tree and hedgerow protection measures to be installed for the duration of development works to ensure that the retained boundary hedge is not damaged during the construction works.

Ecology

The County Ecologist has assessed the proposal and raised no objection to the scheme in terms of impact on protected species. A note is recommended regarding Nesting Birds to advise the applicants responsibility regarding protected species.

Drainage

The submitted application form states that the new dwelling will connect to the mains sewer for the disposal of foul sewage and will utilise a sustainable drainage system for surface water in the form of rainwater harvesting with any surcharge to be dealt with via soakaways. Officers are satisfied that the drainage solutions proposed are acceptable.

Permitted Development Rights

Due to the fairly limited size of the plot, Officers consider that it would be appropriate to remove Permitted Development Rights for extensions to the proposed dwelling to prevent overdevelopment of the site and harm to the amenity of neighbouring properties. This can be secured by condition.

Conclusion

The proposed development seeks the provision of a dwelling attached to 62 Rounds Hill in lieu of a previously approved two storey side extension. The provision of a new dwelling in this location is considered to represent sustainable development and therefore is acceptable in principle.

Officers are satisfied that the development will not result in any unacceptable harm to the character and amenity of the local area, the amenity of neighbouring properties, highway safety or ecological matters.

- 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 drawings 5051/17B, 5051/18B and 5051/19B and specification contained therein, submitted on 9 March 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 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.
- 4 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.
- 5 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.
- 6 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.

- 7 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 building or enclosure shall be provided within the curtilage of, and no extension or addition erected or constructed to, any dwelling(s) hereby permitted without the prior written approval of the local planning authority.
REASON: That due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the local planning authority in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 8 The development shall not be occupied until the existing vehicular access to the site has been widened so as to provide an access of not less than 5 metres at any point, as measured from the near edge of the public highway carriageway. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.
- 9 The access to the site for vehicles shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.
REASON: In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.
- 10 The existing access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound macadam material for its whole length in accordance with details to be approved in writing by the Local Planning Authority. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.
- 11 The access to the site shall not be widened in such a manner as to reduce the effective capacity of any drain within the limits of the public highway. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.
- 12 The development shall not be occupied until a turning area has been provided within the site so as to enable a car to leave and re-enter the public highway in a forward gear. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.

- 13 Prior to the commencement of the development hereby permitted protective measures for all retained trees including tree protective fencing and/or ground protection shall be installed in accordance with BS 5837:2012 and thereafter maintained throughout the lifespan of the building operations. **REASON:** To protect the existing trees on the site in accordance with Policy DAP3 of the Warwick District Local Plan 1996-2011.
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