

**Planning Committee:** 27 May 2015

**Item Number: 14**

**Application No:** [W 15 / 0449](#)

**Town/Parish Council:** Warwick

**Registration Date:** 23/03/15

**Case Officer:** Liam D'Onofrio

**Expiry Date:** 18/05/15

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**25 and 27 Shakespeare Avenue, Warwick, CV34 6JR**

Proposed two bedroom dwelling within land of No.25 & 27 Shakespeare Avenue.  
FOR Mr L Dhesi

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

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the erection of a two bedroom dwelling house. The property will adjoin an existing detached dwelling house (No.25) to create a semi-detached property. Part of the garden of No.25 and the adjoining property No.27 will be sub-divided to create the new plot with existing garage and stores demolished. Two parking spaces will be provided to serve the new dwelling.

The application is accompanied by a Flood Risk Assessment and Design and Access Statement.

**THE SITE AND ITS LOCATION**

The application site is located on the southern side of Shakespeare Avenue on the opposite side of the road to a local shopping parade. The locality is otherwise residential in nature and located within the urban area of Warwick. The site falls within Flood Zone 2, which is land with a medium probability of flooding.

**PLANNING HISTORY**

None

**RELEVANT POLICIES**

- National Planning Policy Framework (NPPF)

#### 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)
- DAP3 - Protecting Nature Conservation and Geology (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)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

#### The Emerging Local Plan

- TR4 - Parking (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)
- H1 - Directing New Housing (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**

**Warwick Town Council:** Objection. The application is squeezed between two existing dwellings and will introduce an unacceptable and unsympathetic feature contrary to Policy DP1 and emerging Policy BE1.

**WCC Highways:** No objection, subject to conditions.

**Environment Agency:** Additional information requested on levels. This has been provided by the applicant and sent to the EA for comment. The response of the EA will be updated to members at your meeting.

**WCC Ecology:** No objection.

## **ASSESSMENT**

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

- Principle;
- Character and appearance;
- Neighbouring amenity;
- Highway safety;
- Flood risk;
- Renewable energy;
- Ecology;
- Health and Wellbeing.

### **The Principle of the Development**

Policy UAP1 states residential development will be permitted on previously developed land and buildings within the confines of the urban area. Garden land does not fall within this definition and para.53 of the NPPF 2012 states that Local Planning Authorities should resist inappropriate development on garden land where this would cause harm to the local area. In this case the proposed development would integrate well into the existing pattern of development and would not form a contrived development.

The scheme is considered to be acceptable in principle.

### **The impact on the Character and Appearance of the Area**

The concerns raised by the Town Council that the proposed dwelling will be squeezed between two dwellings creating an unsympathetic feature in the streetscene is noted, however the proposed dwellinghouse will sit comfortably within the existing pattern of residential development. No.25 will effectively become a semi-detached property and it is noted that there are a mix of semi-detached and detached properties within the locality. A generous gap of 2 metres will be provided between the proposed dwellinghouse and No.27 Shakespeare Avenue, exceeding the 1 metre typically sought to avoid a terracing effect. The design and proportions of the proposed dwellinghouse are acceptable and will follow the style and character of No.25.

The proposed dwellinghouse is therefore considered to sit appropriately within the streetscene and will not appear prominent or cramped within its plot.

### **The impact on the living conditions of nearby dwellings**

The proposed dwellinghouse will sit commensurate to adjoining properties and will not therefore breach the 45-degree sightline. The development will meet all other necessary separation distances and is not considered to result in any significant impact upon the amenities of the occupiers of surrounding properties.

Ample outdoor amenity space will be provided for the proposed dwellinghouse and retained for the existing properties No.25 and No.27, with pedestrian access to the rear of all three gardens.

### **Car Parking and Highway Safety**

The new dwelling house and existing properties No.25 and No.27 will all have two off-street parking spaces in accordance with the Council's Parking Guidelines. The Highway Authority initially objected to the scheme on the basis that the new access point would affect the root zone of an established highway tree. To overcome this concern the Highway Authority suggested that No.25 and the new dwelling house should have a shared access. The applicant has amended the plan accordingly and the Highway Authority have responded with no objection, subject to conditions to require access works to be completed prior to first occupation of the proposed dwelling house.

### **Drainage and Flood Risk**

The site is located in Flood Zone 2, where a Flood Risk Assessment is required. The Environment Agency have requested further information to supplement the submitted Flood Risk Assessment regarding site levels. The applicant has provided this additional information and the EA's comments are awaited. members will be updated on the EA's final comments at Committee.

### **Renewable Energy**

The scheme will require the provision of either renewable technology to meet 10% of the predicted energy requirements for the dwelling house or a fabric first construction to reduce the energy demand of the property. This can be secured through condition.

### **Ecological Impact**

The County Ecologist notes that the buildings appear well sealed and a bat survey is not therefore considered necessary, however bat, bird, amphibian and reptile notes are suggested.

### **Health and Wellbeing**

There are no health and wellbeing issues raised by this scheme.

### **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority, the development respects surrounding buildings in terms of scale, height, form and massing and 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 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) 003 Rev B, 004 Rev A, and specification contained therein, submitted on 23/03/15 and 18/04/15. **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 No.25 Shakespeare Avenue. **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 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 CO<sup>2</sup> 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.
- 5 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.
- 6 The development hereby approved shall not be occupied unless and

until the existing vehicle access has been widened and the approved off-street car parking spaces have been provided in accordance with the approved details on drawing No.003 Rev B. Thereafter car parking facilities shall remain available for use at all times. **REASON:** To ensure that a satisfactory provision of off-street car parking is maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

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