

Planning Committee: 08 December 2010

Item Number: 18

Application No: W 10 / 1237

Registration Date: 17/09/10

Town/Parish Council: Warwick

Expiry Date: 12/11/10

Case Officer: Debbie Prince

01926 456555 planning_west@warwickdc.gov.uk

51 Hill Street, Warwick, CV34 5NX

Application to extend the time limit on p.p W05/1210 for the erection of two storey block of six apartments FOR Mr J Jackson

This application is being presented to Committee due to the number of objections received and the need for a legal agreement.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: has no objection.

Public Response: 5 letters of objection have been received from residents in Packwood Mews including their residents association objecting to the proposal on the grounds of over development, access traffic/parking problems and concerns over loss of hedge and trees on boundary as this acts as a visual screen.

A letter of support has also been received from a neighbour on Hill Street to the extension of the time limit.

WCC Highways: has no objection.

RELEVANT POLICIES

- 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)

PLANNING HISTORY

Planning permission was granted in 1960 for the erection of the bungalow on the site and in 1994 (W931413) for the erection of the two adjacent dwellings.(No's 51a & 51b). Permission was granted for the erection of a 2 storey block of 4 flats on the 18th February 2003 W030053. W051210 which is the subject of this renewal application gave permission for the erection of a two storey block of six apartments.

KEY ISSUES

The key and only issues to be considered in an application such as this are whether there has been any change in policy or any significant physical change on or near the site.

The Site and its Location

The application site is occupied by a large flat roof bungalow which is set back behind a front drive area. It has a large rear garden and is adjoined by residential properties to either side, with a car park to Humphries Street to the rear. The site is situated on a turn in Hill Street, adjacent to a turning area and a footpath which runs through to Beauchamp Road.

There are two semi-detached dwellings (51a and 51b) situated to the north of the property, sharing the egress to the application site from Hill Street, with a detached property (No 49), to the south which is situated at the end of a row of terraced properties. The car park and terrace of 5, two and three storey properties in Packwood Mews, to the west and north respectively, are set at a substantially higher level than those in Hill Street.

Details of the Development

This application only deals with an extension of time for implementation of the extant planning permission W/05/1210.

The scheme provides for a two storey block of six, one bedroom apartments. The bulk and scale of the proposed building is very similar to that previously permitted in 2003. There would be a communal entrance and staircase. The majority of the windows would face east and west towards the rear parking area and Hill Street. It is proposed to have small windows at ground floor and roof lights at first floor to the kitchen areas and bathrooms on the side elevations.

There would be a rear parking court for 7 vehicles and a communal bin store, with a small amenity garden to the rear of 49 Hill Street. Access to the parking area would be via a drive down the side of the property.

Assessment

This application only deals with an extension of time for implementation of the extant planning permission W/05/1210. In these particular cases only changes in policy or physical circumstances during the intervening time can be considered or be used to refuse such an application. The issues raised by neighbours in Packwood Mews were dealt with in consideration of the original planning application and it also appears from the plans of their development that the laurel hedge mentioned may well be on land that they own and have control over.

Policies regarding renewable energy, open space and adopted parking standards have been introduced since 2005. In my opinion, however, the site has not changed significantly since consent was originally given nearly 5 years ago and, as the proposal is still in accordance with all current policies, subject to an additional condition covering the submission of a scheme to provide 10% of the energy used by the development from renewable sources and a Section 106 agreement which would cover a contribution towards open space, I see no reason why this application should not be granted again.

RECOMMENDATION

GRANT, subject to the conditions listed below following the completion of a Section 106 Agreement covering a contribution towards open space provision.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON :** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 2006/III/2, 2006/III/3, and specification contained therein, submitted on 15th July 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall take place until details of all external facing materials have been submitted to and approved by the District Planning Authority. Development shall be carried out in accordance with the approved details. **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 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON :** To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 5 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full

accordance with such approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 6 The development hereby permitted shall not be brought into use until the proposed means of access has been constructed in strict compliance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 7 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **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.
- 8 The car park hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in accordance with details which have previously been approved by the District Planning Authority. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall not be brought into use unless there is available vehicular turning space within the site so that vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 10 The ground floor windows in the southern and northern elevations of the property hereby permitted shall be obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District 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. The proposal is therefore considered to comply with the policies listed.
