

**Application No:** W 11 / 0779

**Town/Parish Council:** Old Milverton

**Case Officer:** Jo Hogarth

01926 456534 planning\_east@warwickdc.gov.uk

**Registration Date:** 20/06/11

**Expiry Date:** 15/08/11

**8 Hopton Crofts, Leamington Spa, CV32 6NT**

Erection of a single width garage at the side of dwelling FOR Mr N Gill

-----

This application is being presented to Committee due to the number of objections and an objection from the Parish Council having been received.

**SUMMARY OF REPRESENTATIONS**

**Old Milverton and Blackdown Joint Parish Council: (Original Plans)**

"This Parish Council objects to the application on the following grounds:

- (a) Neighbours maintain there has been a lack of consultation (it is for you to determine whether this has been the case within the regulations, please)
- (b) Some important trees would have to be removed to effect the proposed development
- (c) There is "scope creep" since gradual enlargement would result in a building out of scale with its neighbours
- (d) The development would create a blind corner, creating a safety hazard
- (e) The open space aspect would be compromised.
- (f) There appear to be inaccuracies within the planning application.

Local residents are averse to the proposals and will be lodging their own objections direct.

It is requested that this application be deferred until the following matter is resolved, and then that it be referred to the Planning Committee for determination, when local residents might wish to speak in connection with the proposal."

**WCC Ecology:** Recommend a note relating to bats, nesting birds and reptiles is added to any approval granted.

**WCC Highways (amended plans):** Raise no objection subject to conditions on driveway material, width of drive, no additional run-off into highway drains and notes to applicant relating to works within the highway.

**Public Response(s):** 10 letters have been received (including one from the Hopton Crofts Residents Association) on the following grounds:

- Impact to highway safety on a blind corner, reducing visibility which will be a hazard to pedestrians (as this is a school route), as well as other road users;
- Overdevelopment of the site as there is a two storey extension being built and the proposed garage will detract from the open character and appearance of the area;
- Loss of amenity to neighbouring residents as it will reduce light and overshadow;
- Loss of green space and impact to ecology and the grassed area will be lost;
- Inaccuracies in the planning application and plans do not show the entire property;
- Creation of dropped kerb in close proximity to a corner;
- Impact of incremental development;
- Size of the garage compared to others in the area, and
- Lack of consultation.

A petition of 18 signatures objecting to the proposal has also been submitted.

### **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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

### **PLANNING HISTORY**

The application site was constructed as part of a wider residential development comprising of 37 detached properties granted consent in 1982. A planning application (ref: W/10/1336) was granted under delegated powers for a two storey side extension following the demolition of the existing garage. This is currently under construction.

### **KEY ISSUES**

#### **The Site and its Location**

The site relates to a detached property located on a corner plot on the southern side of Hopton Crofts. A 'branch' off the main Hopton Crofts turns to the side of the property leading to 5 properties. There are pedestrian walkways which link to other roads such as Ravensdale Avenue and Range Meadow Close. The properties in this road are largely similar in design and style, some with sizable front gardens which reflect the shape of the turning head.

#### **Details of the Development**

The proposal seeks to construct a single garage to the side of the extension currently being built. The original proposal was for a double garage; however following negotiations this has been amended.

## **Assessment**

I consider the key issues relating to this proposal to be the impact on highway safety; impact on the streetscene and impact on neighbours.

### Impact on highway safety

A Highway Control Engineer from Warwickshire County Council visited the site and based on the amended plans raises no objection. The extent of the dropped kerb has been reduced in line with their guidance and whilst I note the objections from neighbours that the proposed extension would result in reduced visibility, as there is no objection from Highways on grounds that the garage would cause a hazard to road users, I do not consider that a refusal of permission could be sustained on Highway grounds and therefore I consider the proposal to be acceptable.

### Impact on streetscene

As amended, the distance between the side of the garage and the edge of the highway would range between 2.5 metres and 3 metres which in my view would allow for some planting to take place in order to soften the brickwork. I consider that this could be suitably conditioned. As amended, there would be some openness retained and therefore I consider the proposal to be acceptable and would not result in significant harm to the streetscene or the character of this residential estate. The Council's adopted Supplementary Planning Document the "Residential Design Guide" states that the design of any extension should not substantially reduce the openness of a traditional corner plot. In my view the reduction in width of the proposed garage from a double to a single no longer significantly reduces the openness such that would justify refusal on these grounds. I note that some trees and shrubs which were to the side of the property have been removed to allow for the construction of the extension; these trees were not protected and therefore consent was not required to remove them.

### Impact on neighbours

In terms of impact on neighbouring residents, I do not consider the proposed garage would have an adverse overbearing effect or would result in a loss of privacy and I am satisfied there would be no conflict with the Council's adopted Distance Separation and would maintain a distance of approximately 14 metres from the nearest property (number 9 Hopton Crofts) which I consider to be acceptable. I am of the opinion that the single storey garage would not impact on the amenity of neighbouring dwellings which would warrant refusal.

### Other matters

Clearly I am aware of the objections received, most of which maintain an objection to the approved two storey extension and the incremental growth in size of this property; however as this site is within a substantial plot I do not consider the overall development to be at odds in terms of proportions.

There would be adequate space for the storage of wheelie bins and recycling boxes and there would be no conflict with the Council's adopted Vehicle Parking Standards. With regard to renewables, a condition was attached to the previous approval (W/10/1336) requiring 10% renewable energy. Given the scale and nature of this application to provide a single garage I do not consider the requirement to provide additional renewables has been triggered.

### **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **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 number 004 Rev D, and specification contained therein, submitted on 10 August 2011 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 A landscaping scheme for the area between the side of the garage and the edge of the Highway known as Hopton Crofts 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. **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.
- 4 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a suitable bound material for its whole length in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy DP6 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 The development hereby permitted shall not be commenced until the existing vehicular access to the site has been widened/remodelled so as to provide an access of not greater than 5 metres or less than 3 metres as measured from the near edge of the public highway carriageway and shall be retained in perpetuity and not increased in width without the prior written consent from 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 access to the site shall not be reconstructed/widened in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

### **INFORMATIVES**

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and 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.

-----