

**Planning Committee:** 14 February 2005  
**Application No:** W 05 / 0032

**Principal Item Number:** 15

**Town/Parish Council:** Kenilworth  
**Case Officer:** Debbie Prince  
01926 456555 planning\_west@warwickdc.gov.uk

**Registration Date:** 10/01/2005  
**Expiry Date:** 07/03/2005

**Rear of 12, Amherst Road, Kenilworth, CV8 1HA**  
Erection of a detached dwelling. FOR Applestone Homes Ltd

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### **SUMMARY OF REPRESENTATIONS**

Kenilworth Town Council: No views received

Councillor Blacklock: Requests that the application is taken before the Planning Committee and is concerned that the proposal is very similar to that refused by the Committee at the meeting of the 4th January 2005.

W.C.C. (Highways): has no objection.

Neighbours: 10 letters have been received objecting to the proposal on the grounds of over development of the site, there are no significant changes to the previous (rejected) application, the size and scale of the dwelling is out of character, impact on drainage, adverse impact on road safety and detriment to Nos 10 and 14 Amherst Road.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

### **PLANNING HISTORY**

In 1978 two applications were submitted for the erection of a detached house and double garage. These were refused and one dismissed on appeal on the grounds that the Kenilworth Sewage works did not have the capacity to take the extra load at the time and that the size of the plot was not characteristic of the area.

A further application was made for the erection of a detached dwelling on 14th October 2004. This application was refused by Committee at the meeting held on the 4th January 2005 following a site visit on the 18th December 2004 on the grounds of overdevelopment by reason of mass and bulk. It would also be out of proportion with the size of plot and have an unneighbourly impact on no.14 by reason of its height and proximity.

## **KEY ISSUES**

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

The application site consists of part of the large rear garden of 12 Amherst Road, Kenilworth which is located on a corner plot. The site measures 18m wide by 24m in length.

### **Details of the Development**

This is a resubmission of an application (W04/1850) for a new dwelling in Amherst Road which was refused by Committee at the meeting held on the 4th January 2005 on the grounds of overdevelopment of the plot and unneighbourly impact on No.14 Amherst Road by reason of height and proximity. The scheme has been revised by the applicants in an attempt to overcome the Committee's objections to the original scheme. The case officer has suggested to the applicant further modifications in that the property should be two storey with a single storey element in keeping with the design of no 14 but this has not been included in the current proposals.

The proposal has been amended and is now for the erection of a single four bedroom, two storey house fronting Amherst Road. The property would be located further away from the boundary with No 14 Amherst Road than that originally proposed. Consequently, No 14 Amherst Road would now be approximately 3.5 metres from the new property at its closest point.

The shape and style of the property has also been changed in an effort to reflect the 'Georgian' style of other houses on Malthouse Lane/older part of Amherst Road and to reduce its bulk and mass. The proposed property now has 'Georgian' style windows, a shallower pitched roof and consequently a lower ridge height, with chimneys at either end. The applicants have also ensured that the rear elevation would be in line with that of number 14 rather than having an element projecting into the rear garden.

### **Assessment**

Although the property is large, I do not consider that it is significantly larger than the neighbouring properties, especially those in the older part of Amherst Road. Furthermore the scheme still includes the retention of many of the existing trees and a 2m high fence with brick pillars along the front boundary so that the impact on the street scene would be kept to a minimum. Although the revised proposal means that the new property would now be located closer to No 12 Amherst Road, the required separation distances and amenity space provided for each dwelling are still satisfactory. I therefore, consider that there would be no significant loss of privacy or other adverse effect on neighbouring properties. Moreover, taking into account the current advice given in PPG3 for new residential development, I am satisfied that the revised proposal would not harm the character of the area or that it would represent inappropriate overdevelopment of the site.

Government Guidance also advises that car parking standards that result in more than 1.5 off street parking places per dwelling are unlikely to reflect the Government's emphasis on securing sustainable residential environments. The proposed application provides up to 3 off street parking places. The applicants have not changed the details of the vehicular access to the property and this would therefore, still meet the requirements of the Highway Authority as regards visibility splays (details are shown on the applicant's plans). Therefore, there are insufficient grounds to raise an objection on lack of parking or on highway safety grounds.

The drainage problem referred to by neighbours is not a reason to refuse planning permission.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

### **RECOMMENDATION**

GRANT subject to the following conditions:

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
  - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 10160,10155,10181,10184, and specification contained therein, submitted on 10th January 2005 and 31st January 2005 respectively 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 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 5837:1991. 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 Policy ENV3 of the Warwick District Local Plan.
  - 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. 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 ENV3 of the Warwick District Local Plan.
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