

**Planning Committee:** 22 June 2005

**Item Number:** 19

**Application No:** W 05 / 0631

**Registration Date:** 15/04/2005

**Town/Parish Council:** Warwick

**Expiry Date:** 10/06/2005

**Case Officer:** Will Charlton

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**Land adjacent to 76, Cape Road, The Cape, Warwick, CV34 5AB**

Erection of a detached dwelling following demolition of existing garage. FOR Mr & Mrs J Woolvin

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This application has been requested to be presented to Committee by Councillor R Smith.

**SUMMARY OF REPRESENTATIONS**

**Town Council:** Object to the proposal as “*WDLP and emerging policies DP1, DP2 & DP6 of the 1<sup>st</sup> deposit version of the Local Plan (1996-2011) require the developments should have regard to the character of the surrounding area, provide satisfactory access and harmonise with its surroundings. The proposed development, in the opinion of the Town Council does not meet these criteria and would not harmonise with the surrounding pattern of development and would be detrimental to the amenities of adjoining residents and the character of the area and should be refused. Additionally the proposed development would fail to provide an acceptable standard of amenity for future residents which would be contrary to the LPA’s policies.*”

**County (Highways):** The loss of off street parking for No 76 is undesirable as it could result in on street parking near a junction. There are no highway objections to a dwelling providing the scheme provides parking for the existing house. Although there is insufficient frontage to Oken Road, access could be provided to Cape Road providing there is no damage to the mature verge trees.

**Neighbours:** A total of 5 letters of objection have been received from neighbouring properties relating to privacy and parking problems. Three neighbours have raised issue that Cape Road is a busy road, with poor visibility and access to the property would be very close to a zebra crossing, road junction and 2 bus stops. There is limited on road parking and as garaging and parking would be removed there may be an issue with cars parking on the pavement area.

The two neighbours either side of the application property object due to loss of light and privacy, with No1 Oken Road stating that there is a direct line of sight between first floor windows. Both neighbours consider that the size and location of the property would stop sunlight and daylight reaching their rear gardens, with No78 Cape Road stating they were considering a conservatory.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (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)

## **PLANNING HISTORY**

There is no relevant planning history for this property.

## **KEY ISSUES**

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

The application property is located on a plot on the corner of Cape Road and Oken Road. This north eastern side of Cape Road is made up of rows of four terraced properties, with the end units being set forward, with the corner plots being occupied by a pair of semi detached dwellings, with feature gables at an angle. On the opposite side of Cape Road, there is a more varied street scene with a mixture of semi detached and detached properties.

The front of the dwelling faces onto the junction of Oken and Cape Road, whilst the application site faces onto Cape Road, adjacent to the pedestrian crossing.

### **Details of the Development**

It is proposed to divide the existing residential curtilage of No 76 into two units, retaining a proportion of the front and rear gardens for the existing property. On the remainder of the land, it is proposed to erect a detached three bedroom dwelling following demolition of the existing single garage.

### **Assessment**

Although the application property currently has a relatively wide side garden, as compared to its neighbours, the depth of the garden is very shallow due to the layout of gardens in the original estate. This has meant that although most of the properties have long rear gardens, with very little to the side, No76 Cape Road, together with a couple of other plots have the major part of their garden area to the side of the property.

The proposed plot would cover approximately 174sq m, whereas the current plot occupies 430sq m, resulting in the remaining 256sq m being occupied by the existing property. These plot sizes are substantially lower the neighbouring gardens, with the gardens of No1 Oken and No78 Cape Road being over 18m and 28m in length respectively. This plot size is considered to be considerably smaller than that for the recently approved and constructed dwelling at No23 Shakespeare Avenue (194sq m proposed, 406sq m remaining, 600sq m original).

The street scene to the north of Cape Road is made up of a distinctive form of development with rows of four terraces and a pair of identical semi-detached dwellings located on the inside of each corner. It is considered that whilst the application site is relatively wide as compared to others, the overall plot size and width is not sufficient for an additional dwelling. It is considered that the insertion of a single detached dwelling would be out of keeping with this part of the street scene and would as such be incongruous and appear cramped particularly given

the small size of plot that it would occupy and the small amount of amenity area that would be retained by No76.

There would be no windows directly facing the dwelling of No1 Oken Road, however the rear windows of the proposed dwelling would only be 8m from the rear boundary with the properties garden. Although this is a relatively short distance, it is not considered that views into the gardens of No1 Oken or No78 Cape Road would be compromised by the development to such a degree over the situation which currently exists.

Whilst appreciating that a building of the size proposed would infill the current gap between No76 and 78, and as such would increase the feeling of enclosure of the rear gardens, it is not considered that the overall loss of light to the rear of the neighbouring properties would be sufficient as to warrant refusal. However, it is considered that due to the orientation of the existing property and the new dwelling proposed, further emphasised by the very small rear garden area being retained for No76, the amenities of the existing property would be substantially compromised by the close proximity of the proposed dwelling.

It is considered that the applicants could provide adequate off road parking to the front of No 76 Cape Road, with an access point between the two large verge trees, and that this together with two spaces for the dwelling proposed would meet current parking guidance. Whilst appreciating the concerns of residents, County Highways have stated that they would have no objection to another access point and the access referred to by residents as adjacent to the crossing currently exists and accesses the existing drive and garage to No76. It is therefore considered that there are no grounds to raise a highway objection to the scheme.

## **RECOMMENDATION**

REFUSE for the following reasons :

- 1 Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) require all development proposals to have regard to the character of the surrounding area and harmonise with their surroundings. The insertion of a detached dwelling between the unified terrace of 78-84 Cape Road and the distinctive pair of semi-detached houses 76 Cape Road and 1 Oken Road would appear as a cramped form of infill at variance with the rhythm of the existing street scene, detrimentally affecting the local townscape. The proposal would thereby be contrary to the aforementioned local plan policies.
- 2 Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) requires all development proposals to harmonise with their surroundings in terms of design and land use. In the opinion of the District Planning Authority, the dwelling proposed would constitute an unneighbourly form of development in relation to the existing adjoining property by reason of the substantially reduced private amenity space to No 76 Cape Road, exacerbated by the very close proximity of the proposed dwelling situated within its current curtilage.