

**Planning Committee:** 18 August 2015

**Item Number:** 17

**Application No:** [W 15 / 0453](#)

**Town/Parish Council:** Rowington  
**Case Officer:** Liam D'Onofrio  
01926 456527 liam.donofrio@warwickdc.gov.uk

**Registration Date:** 09/07/15  
**Expiry Date:** 03/09/15

**Crossways, Rowington Green, Rowington, Warwick, CV35 7DB**

Outline planning application for the erection of two new dwellings. Discharging means of access and layout only. FOR Mr Redwood

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

**RECOMMENDATION**

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

**DETAILS OF THE DEVELOPMENT**

Outline planning permission is sought for the erection of two detached dwellinghouses with all matters reserved for future consideration, with the exception of access and layout.

The application is accompanied by a Preliminary Ecological Appraisal, which concludes that there are no protected or notable habitats or species on or adjacent to the site, and the likelihood of protected species is assessed as very low. No significant adverse impact on biodiversity as a result of the proposed development is predicted, however the report makes a number of recommendations to minimise ecological impact during development.

**THE SITE AND ITS LOCATION**

The application site relates to the rear garden of the property Crossways, which fronts Old Warwick Road and has a rear garden extending along the southern side of Rowington Green. The site is within the emerging Local Plan's Rowington Green Infill Village Boundary, identified as a grouping of properties around Rowington Green, Queens Drive, The Avenue and Beech Close. The site is within Green Belt.

**PLANNING HISTORY**

None relevant.

**RELEVANT POLICIES**

- National Planning Policy Framework

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)
- 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)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

#### The Emerging Local Plan

- 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)
- H11 - Limited Village Infill Housing Development in the Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

#### Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

### **SUMMARY OF REPRESENTATIONS**

**Rowington Parish Council:** Objection on the grounds of overdevelopment. A single dwelling would be preferable and the scale and massing and impact upon a rural streetscene cannot be supported. The design and character is not in keeping.

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

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

#### **Public response:**

One letter of objection raising the following concerns:

- Principle for limited infill is accepted but consider two 4-bedroom dwellings to be over-development and only a single dwelling is appropriate.
- Vehicle access not unreasonable but it is imperative that existing hedgerow is retained.

- Also concerned about loss of the existing hedgerow running north/south, Crossways original garden boundary.

## **ASSESSMENT**

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

- Principle;
- Siting and design;
- Impact upon the living conditions of nearby dwellings;
- Car parking and highway safety;
- Health and Wellbeing;
- Ecology/Landscaping;
- Drainage and flood risk;
- Renewable energy.

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

The site is within Green Belt where the current Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. The National Planning Policy Framework (NPPF) 2012 states (para. 49) that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement. The Council's current position is that the Council cannot demonstrate a five year supply of deliverable housing sites against the housing requirement and Policy RAP1 is to be considered out-of-date.

Nevertheless this does not override the fact that the National Planning Policy Framework (NPPF) states that the construction of new buildings is inappropriate development in the Green Belt, unless it is development falling within one of the various categories listed as exceptions. One such category is limited infilling in villages.

The site falls within the Rowington Green infill village boundary as defined on the emerging Local Plans Proposals Map (No.27). The site is between built form and will provide an active frontage with the proposed properties sitting within the general pattern of development. Whilst there is no definition of 'limited' within the framework, the insertion of two new units is considered to meet this definition and reflects Policy H11 of the emerging local plan. Appeal decisions indicate that garden land can also be considered for infilling.

The proposal would therefore fall within the category of 'limited infilling in villages' in paragraph 89 of the NPPF. Consequently it is concluded the proposal would not be inappropriate development in the Green Belt. There is therefore no need to consider whether there are other considerations amounting to very special circumstances.

### **Siting/design**

The proposed dwellinghouses will sit appropriately within the streetscene fronting the highway, with adequate gaps provided to the common boundaries to ensure that the dwellinghouses do not appear cramped within their plots. The plot sizes

and property footprints appear commensurate to properties to the south on The Avenue. The layout is therefore considered to be acceptable.

Although the approval of the layout secures the footprint of the dwellinghouses, their scale and appearance will be considered at reserved matters stage. These footprints may therefore need to contain two-storey and single storey elements to secure a suitable design solution. It is also noted that Rowington Green is characterised by two-storey properties and it is considered reasonable and necessary to condition the properties to two storey only, reflecting the general character of the village and ensuring that the properties do not have an unnecessary impact upon the openness of the Green Belt/streetscene.

### **Neighbours' amenity**

The site is bound by residential gardens to the south and west and the Rowington Club to the east. Surrounding properties are set well off the common boundaries and the new dwellinghouses will not breach the 45-degree sightline measured from the habitable windows of neighbouring properties in compliance with the Council's Residential Design Guide SPG.

There is ample scope to ensure that windows within the new dwellinghouses will not breach minimum window-to-window separation distances, however specific design details will be considered in detail at reserved matters stage.

### **Parking/Highway safety**

The Highway Authority have raised no objection to the scheme, subject to the access (serving two dwellings) being at least 5 metres wide for a minimum distance of 7.5 metres, as measured from the near edge of the carriageway. The plan originally proposed a 4.5 metre wide access and this has been amended to 5 metres accordingly.

The Highway Authority consider that the required visibility splays commensurate with a 40mph speed limit can be achieved in both directions, when measured 2.4 metres back from the edge of the carriageway. Conditions are suggested to secure and maintain the access and visibility splays.

Two integral garage spaces are shown on elevational plans, however these are indicative only. Nevertheless there will be ample off-street parking on the frontage of each new dwellinghouse for two vehicles.

The proposals therefore raise no highway safety or parking concerns.

### **Health and Wellbeing**

No health and wellbeing issues are considered to be raised by this application.

### **Ecology/landscaping**

The County Ecologist has previously requested a pre-determinative Ecological Survey, which has been submitted by the applicant. The County Ecologist has confidence in the report's findings and notes that trees on site were considered to offer no potential for bats, but the site is predominantly considered to be suitable for nesting birds, hedgehogs, amphibians and reptiles.

Conditions are recommended for tree protection during construction, a site inspection prior to site clearance for protected species by a qualified Ecologist and the provision of bird/bat boxes for species enhancement.

### **Drainage and Flood Risk**

The site is situated within Flood Zone 1, and has no flood risk issues. The use of permeable hardstanding and sustainable urban drainage methods can be secured as part of the reserved matters landscaping scheme.

### **Renewable Energy**

A condition is suggested to ensure that subsequent reserved matters application accords with Local Plan Policy requirements in respect of either generating 10% of the energy needs from renewable sources or reducing the energy demand of the development and its CO<sup>2</sup> emissions by 10% through initial construction methods.

The standard condition relating to controlling noise is suggested to guard against potential nuisance to neighbours should an air source heat pump be selected for renewable technology under the reserved matters scheme.

### **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority, the development is acceptable in principle and will not affect highway safety. The proposal is therefore considered to comply with the policies listed.

### **CONDITIONS**

- 1 Details of the appearance of the building(s), landscaping of the site and the scale of building(s) (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved.  
**REASON:** To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later.  
**REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 The access and layout hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and

approved drawing(s) PAL.005 and specification contained therein, submitted on 30/07/15. **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.

- 5 The vehicular access hereby approved shall not be used in connection with the development unless and until: (a) visibility splays have been provided to the site with an 'x' distance of 2.4 metres and 'y' distances of 120 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway; and (b) the vehicular access has been provided at a width of not less than 5 metres for a distance of at least 7.5 metres in a bound macadam material, as measured from the near edge of the public highway carriageway.  
**REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 6 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect trees and other features on site during construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 7 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.

- 8 Prior to the first occupation of the dwellings details of bird boxes/artificial nests and bat boxes including their number, location and height from ground shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to the first occupation of the dwellinghouse: **Reason:** To enhance the value of the site for biodiversity in accordance with the aims of the NPPF.
  - 9 The dwellinghouses hereby permitted shall be of either single or two-storey construction only. **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.
  - 10 The development hereby permitted shall not commence until a qualified ecologist has been appointed by the applicant to inspect the habitat suitable for nesting birds, hedgehogs, amphibians & reptiles immediately prior to works. Suitable habitat features, such as compost heaps and log piles, are to be removed carefully by hand. If evidence of these species are found works may not proceed otherwise than in accordance with the advice of the qualified ecologist on the most appropriate approach. The qualified ecologist shall submit a brief report to the local planning authority within one month following completion of the supervised works to summarise the findings. **Reason:** To ensure that protected and notable species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the NPPF.
  - 11 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.
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