

Planning Committee: 05 January 2016

Item Number: 9

Application No: [W 15 / 1851](#)

Town/Parish Council: Warwick
Case Officer: Emma Spandley
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Registration Date: 12/11/15

Expiry Date: 07/01/16

15 Mark Antony Drive, Warwick Gates, Warwick, CV34 6XA
Change of use of land to garden land, erection of a detached outbuilding and a boundary wall (retrospective application) FOR Mr Pol

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Change of use of land to garden land, erection of a detached outbuilding and a boundary wall (retrospective application).

THE SITE AND ITS LOCATION

The application property is a two storey detached dwelling located on a corner plot within a large modern housing estate of detached houses. The proposal relates to land in the applicant's ownership but which was originally laid out outside of the boundary wall.

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)

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)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Warwick Town Council - Comments awaited. These shall be reported to Members in the additional observations report prior to the committee meeting.

WCC Highways - Comments awaited. These shall be reported to Members in the additional observations report prior to the committee meeting

Public Response - 5 objections have been received on the following grounds: The boundary wall makes the pavement oppressive; visibility issues; the outbuilding is too large, too high and unattractive. There are potential safety issues relating to visibility for cars reversing out of driveways.

Assessment

Impact on the character and appearance of the area

The land the subject of this application is owned by the applicant, however, as originally laid out it was separated from the garden by a boundary wall set back from the pavement. Whilst the set back of the wall provided some relief to the street, it is not considered that the land provided any significant amenity value and it is important to note that it was not public open space. The wall has been moved forward to abut the pavement in order to incorporate this area of land into the garden. There is no increase in the height of the wall.

The objections with regards to the boundary wall are noted, however, there are examples of other boundary walls and detached garages built close up to the back of the pavement in the locality, namely nos. 21 & 23 Mark Antony Drive, and therefore the wall the subject of this application is not considered to result in material harm to the character and appearance of the area. Objections have been received from Cassandra Grove where only limited glimpsed views of the wall exist.

The outbuilding the subject of this application is single storey and 20cm higher than what would be permitted under Class E permitted development rights. The building has been built out of matching materials to blend in with the surrounding development.

It is therefore considered that the boundary wall and outbuilding do not appear as incongruous features within the street scene and the proposal accords with Policy DP1 of the Local Plan.

Impact on Neighbouring Residential Amenity

The wall and outbuilding do not breach the 45 degree line from No.17 Mark Antony Drive and the outbuilding is set in the rear garden of No.15 Mark Antony Drive with the rear of the building adjacent to the shared side boundary with No.17. Due to the siting of the outbuilding there is no material impact on No.2 Cassandra Grove in terms of light or outlook.

The proposal is therefore considered to accord with Policy DP2 of the Local Plan.

Sustainability

Due to the limited scale of the development it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables/ fabric first approach would not be appropriate in accordance with Policy DP13 and the associated SPD.

Health and Wellbeing

N/A.

Ecology

No issues

CONDITIONS

- 1 The development hereby permitted relates strictly with the details shown on the site location plan and approved drawings, and specification contained therein, submitted on 12 November 2015.
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.



