Planning Committee:30 April 2013 **Item Number:14**

Application No:W13 / 0314

Registration Date:11/03/13
Town/Parish Council: Kenilworth **Expiry Date:**06/05/13
Case Officer: Penny Butler
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57 Roseland Road, Kenilworth, CV8 1GA
Renewal of extant planning permission W/09/1502- Front, side and rear ground floor extensions to existing shop. First floor side and rear extensions to form 2no. additional dwellings. FOR Mrs SSidhu

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

At the side and front of the building, a single storey extension is proposed with a hipped roof wrapping around the corner of the building, which will also form a new shop front. The currently open front corner of the site, between the side gable and the front of the rear wing will be infilled by this extension. Above this, a first floor side extension is proposed which will be set 1m in from the side boundary. At the rear at first floor, a new wing is proposed to extend 7m, forming a rear facing gable end with an external metal staircase from first floor to ground level. This staircase will provide access to two new flats, giving a total of three flats at first and second floor. A single storey flat roof rear extension is also proposed to replace the existing lean to, with an excavated ground level so that the side wall adjacent to the neighbours side boundary is no higher than 2m. The existing single storey flat roof wing beyond the proposed two storey wing would be replaced as existing. The retail shop area would increase from approx. 70 sq. metres to 180 sq. metres as a result of the proposals.

THE SITE AND ITS LOCATION

The application site is located at the junction of Roseland Road and Mortimer Road, on a corner plot at the end of a row of terraced dwellings fronting Roseland Road. This property is a larger version of the other houses in the terrace, as it is about half a storey higher. The building has been extended by a single storey side and rear extension with a flat roof, and an infill extension between this wing and the side boundary with a low lean to roof. The ground floor retail unit has a shop frontage at the side and rear.

On the opposite side of Mortimer Road is St Johns Middle School, with its sole vehicular access opposite the vehicular access into the rear garden of the application site. The applicants rear vehicular access is currently gated and located behind the end of the long rear wing. To the rear of the site is a shared private vehicular access to dwellings on Roseland Road and two garage blocks, whilst the residential property on the other side of this access has a side gable facing the site and a tall conifer hedge along their side boundary. The adjoining neighbour (no.55) has an existing rear conservatory close to the side boundary with a pergola behind this.

PLANNING HISTORY

Permission was granted in 2010 (W/09/1502) for front, side and rear extensions to the existing shop, and for first floor side and rear extensions to form two additional dwellings. In 2009 an application was withdrawn for one and two storey extensions to the ground floor shop and to create one additional flat, and for the erection of a two storey block of two flats in the rear garden. In 1973 a single storey flat roofed rear extension was added forming a long rear wing adjacent to the public foot way, and at this time a single storey very low mono pitch roofed rear extension already existed.

RELEVANT POLICIES

- 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)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Although Members recognised this was a renewal the Council object on the grounds of inadequate parking, traffic regulation is inadequate and delivery lorries are in close proximity to a school causing a serious hazard.

WCC Ecology: Recommend a nesting bird note. The building has low potential for bats as demonstrated by the submitted bat survey.

WCC Highways: No objection subject to conditions for widening of the access, wooden bollards, a turning area and removal of existing gates.

Assessment

Since this application is to extend the time limit for implementation of an extant consent, in accordance with the Government guidance "Greater flexibility for planning permissions", a positive and constructive approach should be taken to towards applications which improve the prospect of sustainable development being taken forward quickly. The development has already been judged to be acceptable in principle, and was previously considered by Planning Committee in March 2010. The main issue, therefore, is whether any policies or other material considerations have changed since the original grant of permission. There has been no material change in relevant local policy since this time, but national policy has been changed by the introduction of the NPPF.

The NPPF states that significant weight should be attached to the need to support economic growth, and does not introduce restrictions affecting the type of development being proposed, therefore it is considered that the development would accord with the NPPF.

Since there has been no change in local circumstances in relation to the visual impact of the proposal, its impact on neighbouring amenity, sustainability and parking/traffic, the proposal would continue to comply with local planning policies. The comments from the Town Council are noted so the Highways Authority were re-notified on this application in case they were aware of a change in circumstances that would justify a revised recommendation. The same recommendation has been made as to the extant permission, therefore there are no grounds for a revised decision. All the conditions imposed on the 2009 application are repeated.

Summary/Conclusion

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of parking or amenity which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.

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(s) submitted with planning application W/09/1502 (1550-02L received 10 February 2010), and specification contained therein, 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 The development hereby permitted shall not be commenced unless and until details of the location and specification of the air source heat pump detailed in the OG Energy statement submitted with the application have been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

4 Details of the means of disposal of storm water from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made for the disposal of storm water and to satisfy Policy DP11 of the Warwick District Local Plan 1996-2011.

5 Prior to the occupation of the development hereby approved, the pedestrian crossing adjacent to number 57 should have wooden bollards installed in accordance with a scheme to be submitted to and agreed in writing by the District Planning Authority. **REASON** : To ensure that this crossing is not used by cars, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.

6 The development hereby permitted shall not be commenced until the existing vehicular access to the front of the site from Roseland Road has been widened to 7 metres (i.e. to the edge of the applicants boundary, as measured from the near edge of the public highway carriageway). **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

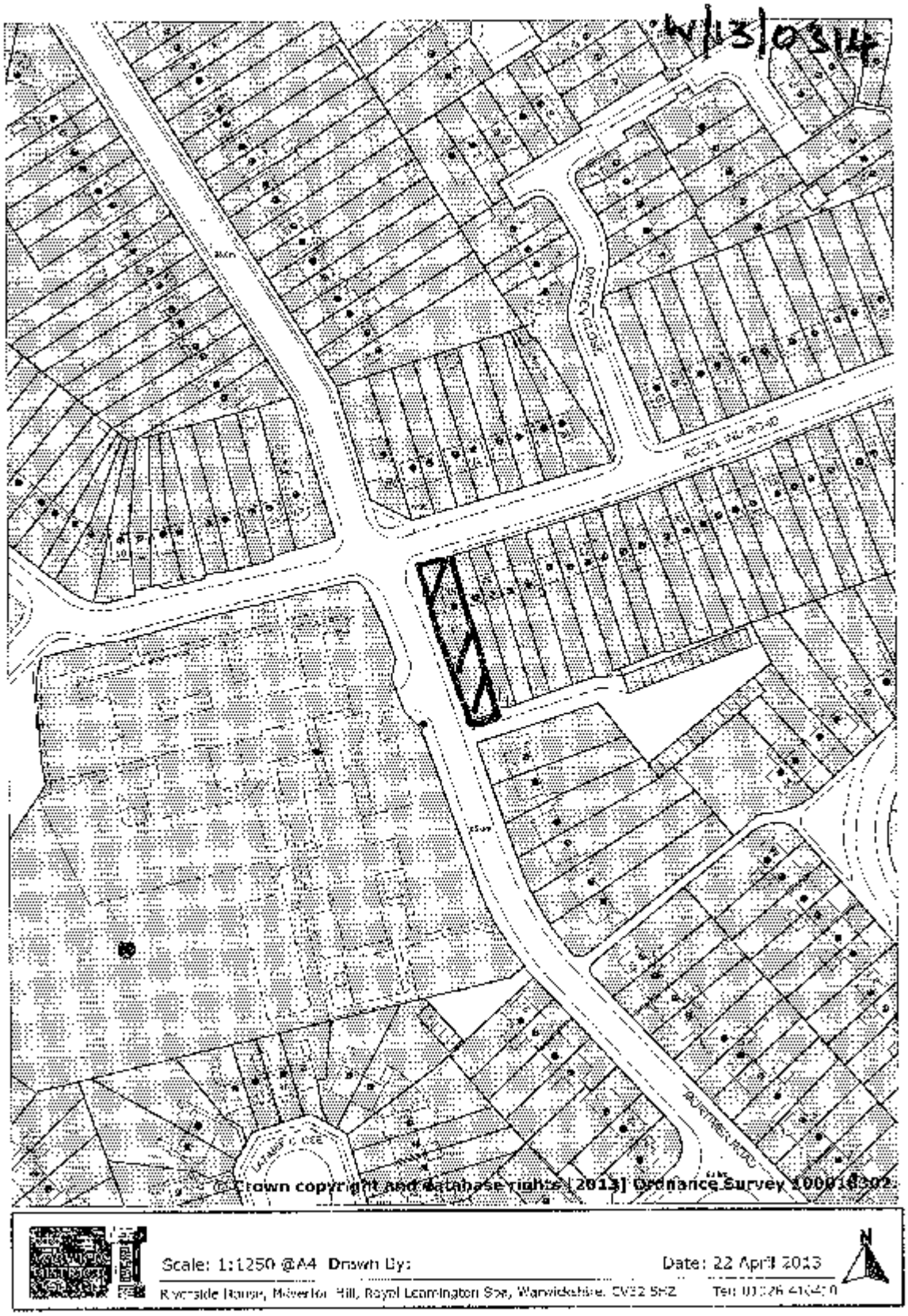
7 The parking area hereby permitted shall be surfaced, with a permeable material and available for use prior to the occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.

8 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.

9 The development hereby permitted shall not be brought into use unless there is available vehicular turning space within the site so that vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

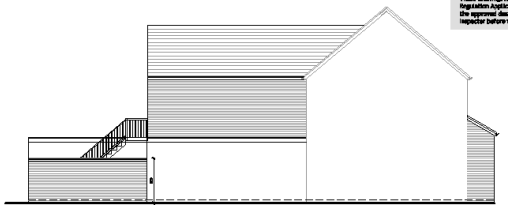
10 The development hereby permitted shall not be brought into use until the gates to the rear access of the development have been removed. **REASON** : To enable vehicles to access the parking spaces without blocking the public highway, in the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.


W/13/0314
© Crown copyright and database rights [2013] Ordnance Survey 100018302
Scale: 1:1250 @A4 Drawn By:
Date: 22 April 2013
Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire. CV32 5HZ
Tel: 01926 41(4)0

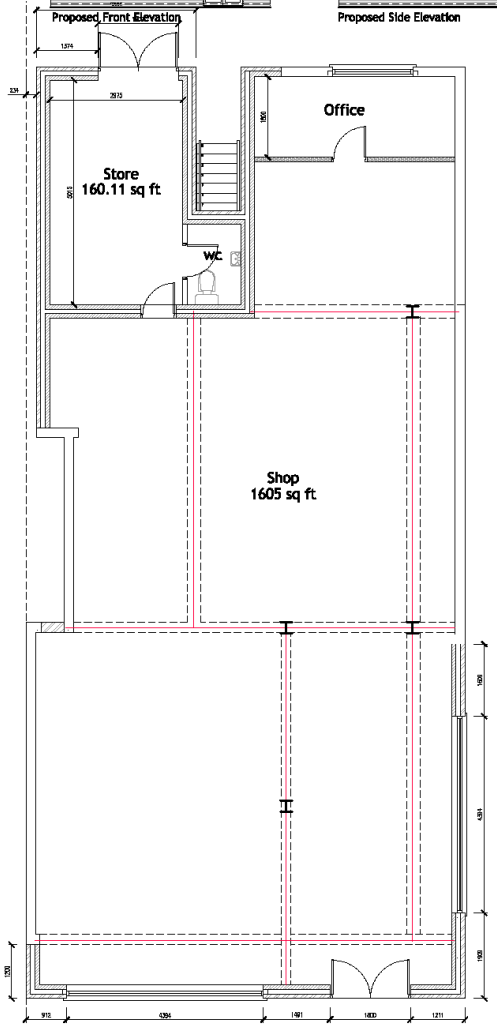
Proposed Front Elevation

Proposed Side Elevation

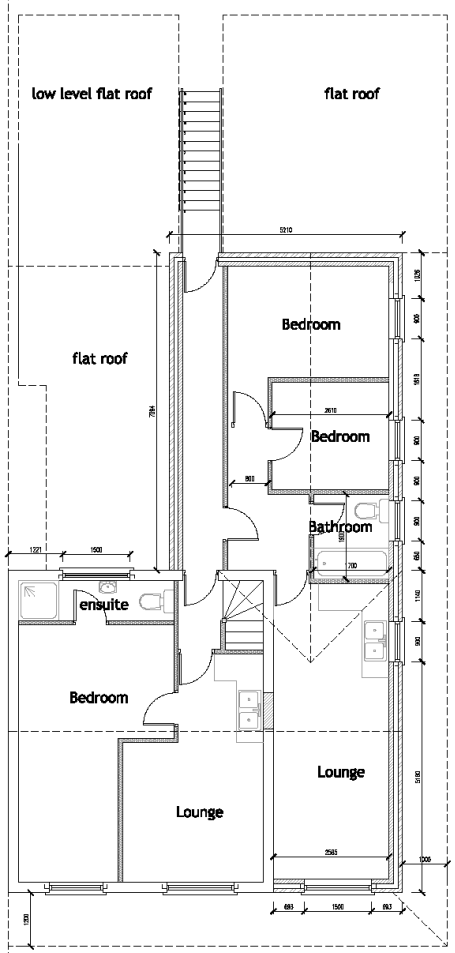
Proposed Rear Elevation



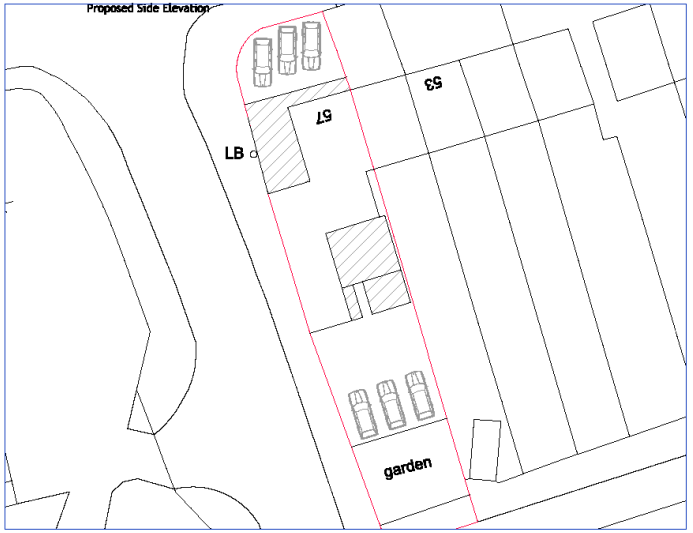
Proposed Side Elevation



Proposed Ground Floor Plan



Proposed First Floor Plan



Block Plan 1:500

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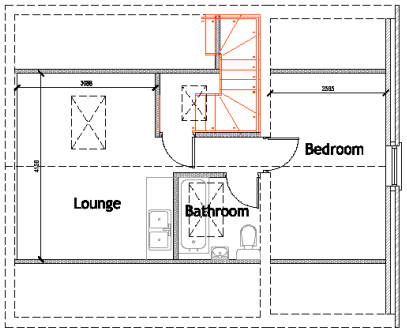

Proposed Second Floor Plan

Approved Drawings

These drawings have been prepared solely for Planning and Building Regulation Applications only. Any amendments by the contractor to the approved design must be agreed on site with the Local Building Inspector before works are undertaken.

Before works begin

Contractors must verify all dimensions on site before commencing works on site. Any discrepancies must be reported to Easyplan before works are undertaken or materials are ordered.

EasyPlan

Warwick Corner
40 Warwick Road
Kenilworth, CV8 1HE

Telephone 01926 866606

project

Proposed Extension
57 Roseland Road
Kenilworth
CV8 1GA

drawing

Proposed Floor Plans & Elevations

scale 1:50/1:100 date July 2009 drawn apn

Job no 1550-02M

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