Planning Committee: 30 April 2013 **Item Number:** 16

Application No: W 13 / 0099

Registration Date: 13/03/13
Town/Parish Council: Warwick **Expiry Date:** 08/05/13
Case Officer: Liam D'Onofrio
01926 456527 liam.donofrio@warwickdc.gov.uk

9A Masefield Avenue, Warwick, CV34 6JX
Demolition of existing single garage and construction of new 3 bedroom detached house with associated off-street parking for two cars. FOR Mr D Keep

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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

Planning permission is sought for the erection of a two-storey, three bedroomed dwellinghouse, which will measure 8.9m deep by 6.2m wide and will have a pyramidal hip roof over reaching 8.2m high. The application is accompanied by a Flood Risk Assessment, Energy Statement and supporting information.

THE SITE AND ITS LOCATION

The application site relates to a rectangular plot of land located on the eastern side of the highway and set between existing dwellinghouses. The site is currently occupied by a single storey garage, previously belonging to No.9 Masefield Avenue, but now in separate ownership. The area is predominantly residential in nature.

PLANNING HISTORY

None relevant

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)
- 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)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- National Planning Policy Framework: paragraph 53.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection - The Town Council consider that the mass of the building will impact adversely on the amenities of the adjoining properties and that the development represents an overdevelopment of this limited plot and that the proposal therefore does not meet the requirements of Polices DP1 and DP2. A site visit is recommended.

Severn Trent Water: No objection, subject to condition

Environment Agency: No objection

Community Protection: No objection

Environmental Health Officer: No objection

Public observations:

Two letters of objection have been received raising the following concerns:
- The scheme is garden grabbing and was previously part of No.9's garden.
- There is no need for the property.
- The property should have a hip roof like other properties.
- The property will be squeezed into an already overdeveloped estate, changes the character for the worse, loss of green space.
- The sewage system cannot cope.
- The proposed dwelling will cause overlooking, overshadowing and reduce light.

ASSESSMENT

Principle

Local residents have raised concerns with regard to 'garden grabbing'. Planning Policy Statement 3: Housing (Annex B) stated that garden land does not constitute previously developed land, however PPS3 has since been replaced by the National Planning Policy Framework April (NPPF) 2012, which states at paragraph 53 that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. This does not preclude the use of garden land for new residential development where the proposal can be adequately sited to sit within the existing pattern of

development, as opposed to contrived or 'backland' developments which are unlikely to be acceptable. Subject to achieving appropriate siting and design the scheme is considered acceptable in principle and in accord with Policy UAP1 of the Warwick District Local Plan 1996-2011.

Siting/design

The properties to the north of the site No.9 Masefield Avenue and No.2 Longfellow Avenue are set at 45-degrees to the highway, as are corresponding properties on opposite sides of the cross-roads junction, so that principle elevations face the junction. There are gaps of varying sizes between these corner properties and properties that front the linear sections of highway, however the application site forms one of the widest gaps between built form and new residential development is unlikely to be able to be accommodated elsewhere on this junction.

The new dwelling will sit within the existing pattern of development, fronting the highway, and will reflect the existing building line fronting Masefield Avenue. The site is considered to have sufficient plot width and depth and can accommodate an adequately scaled house to follow the rhythm of the streetscene on the eastern side of the highway. The proposed dwelling is considered to have adequate gaps to the property boundary and will not appear cramped within its plot.

The streetscene is characterised by semi-detached properties, however the proposed detached house will follow the style and character of surrounding properties and is considered to be of an appropriate scale and mass that provides an acceptable design solution that will integrate well within the established streetscene.

The scheme is therefore considered to provide an acceptable design solution that will not harm the visual amenity of the streetscene.

Neighbours' amenity

Neighbours have raised concern with regard to loss of light, outlook and privacy that would be created by the proposed property. The dwelling will have a deeper footprint than neighbouring properties, however the building will sit well within the 45-degree sightline when measured from No.11, which is also set south of the application site. The properties to the north of the site angle towards the site, however there is considered to be an adequate separation distance between properties to avoid any significant loss of light or outlook. There may be some overshadowing of the southern part of the garden to No.9, however this is not considered to be so significant as to warrant refusal of the application.

There are adequate separation distances between properties to avoid any overlooking issues, however a condition is suggested to ensure that any overlooking opportunity from side-facing first floor windows, albeit limited, is avoided by requiring obscure glazed units.

Given that this is an in-fill dwelling, already set deeper than the adjacent property, it is considered reasonable and prudent to remove permitted development rights under Class A to ensure that the dwelling is not extended further, as this could otherwise result in an adverse impact upon neighbouring amenity.

The application site has been subdivided from No.9 Masefield Avenue, however this adjoining property retains an adequate private garden area and frontage for off-street parking of two vehicles.

Sustainability

The applicant has provided an Energy Statement, which seeks to provide solar PV panels that will exceed the 10% requirement set in the Sustainable Buildings SPD. This can be agreed and implemented through condition.

Other matters

The property will provide two off-street parking spaces in accordance with the Council's parking standards.

The site is within flood zone 2, however the Environment Agency and Community protection have raised no objection to the scheme. Residents have raised concerns with regard to the capacity of the sewage system. Although this would be dealt with by separate legislation it is noted that Severn Trent Water have raised no objection to the scheme.

The scheme raises no landscaping or ecology issues. No further soft landscaping conditions are considered necessary for this existing garden site and hard standing will be permeable.

Open Space contributions in line with Policy SC13 and the Council's adopted Open Space SPD are required. This can be secured by condition.

Summary/Conclusion

In the opinion of the Local Planning Authority, the development respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and

approved drawing(s) 001/7.11, 001/7.10, and specification contained therein. **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 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

4 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has 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. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **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.

5 The development hereby permitted shall be carried out in strict accordance with the details of surface and foul water drainage works that have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.

6 The development shall be carried out only in full accordance with sample details of the elevational materials which have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external

appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development included within Schedule 2, Part 1, Class A shall be carried out. **REASON:** That due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the local planning authority in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the first floor window(s) to be formed in the side facing elevation of the dwellinghouse hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

9 The dwelling hereby permitted shall not be occupied unless and until the car parking provision for that dwelling has been constructed and made available for use for the occupants and thereafter those spaces shall be retained for parking purposes. **REASON:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies DP1 & DP8 of the Warwick District Local Plan 1996-2011.

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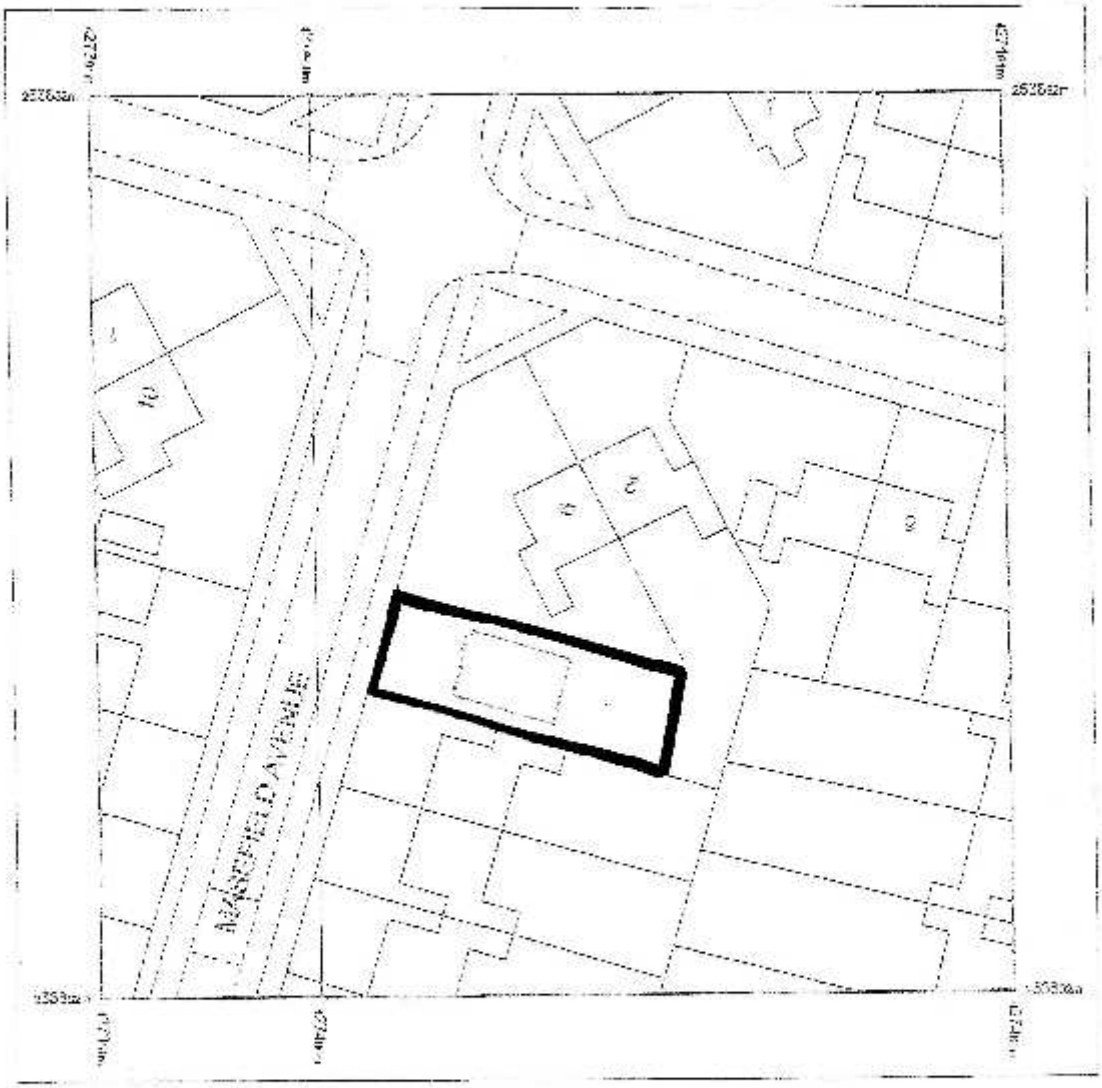

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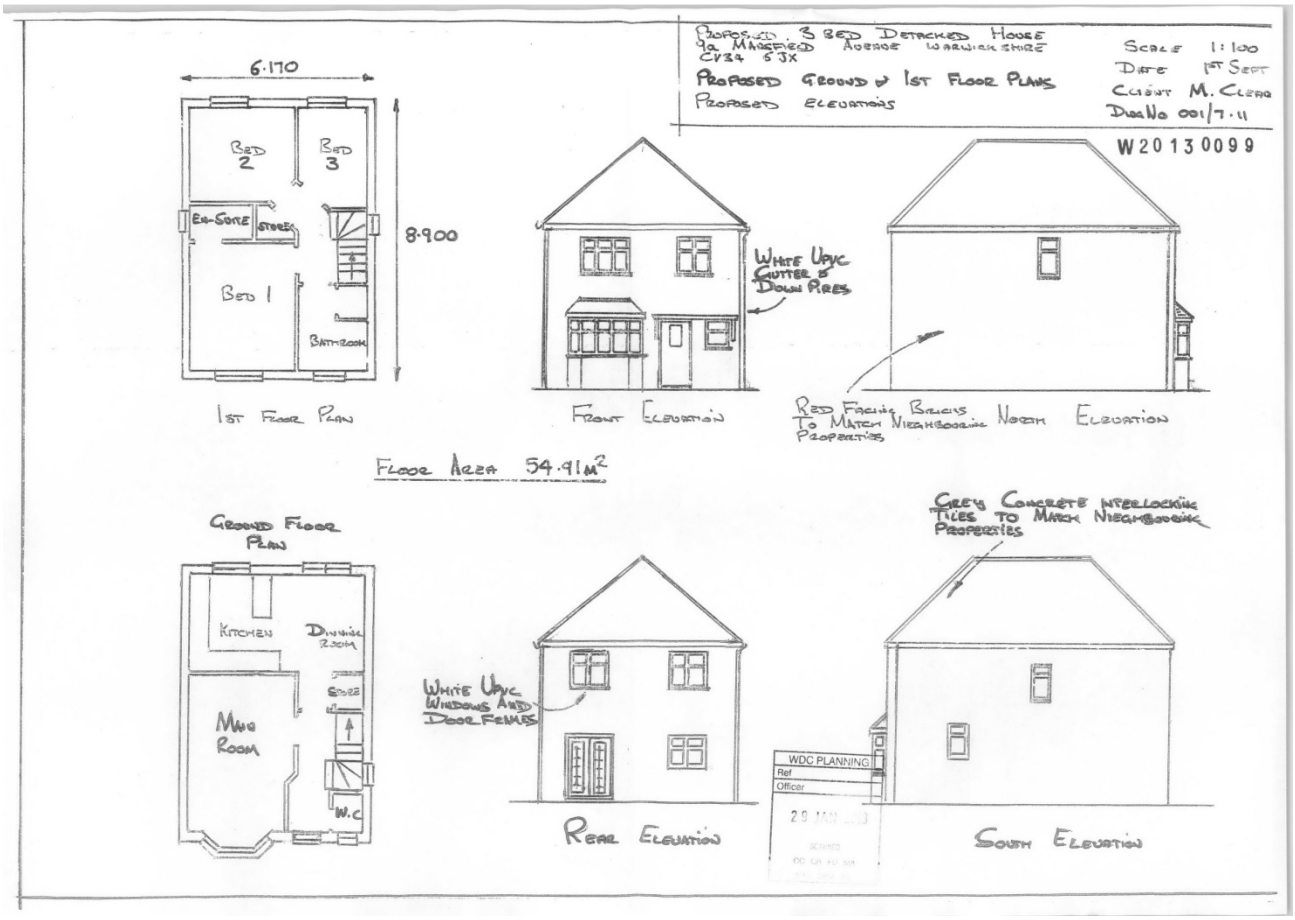
Proposed 3 Bed Detached House
9a Mansfield Avenue Warwickshire
CV34 5JX
Proposed Ground & 1st Floor Plans
Proposed Elevations
Scale 1:100
Date 1st Sept
Client M. Clegg
Dwg No 001/7.11
W20130099
6.170
8.900
Bed 2
Bed 3
En-Suite
Store
Bed 1
Bathroom
1st Floor Plan
White UPVC Gutter & Down Pipes
Front Elevation
Red Facing Bricks To Match Neighbouring Properties
North Elevation
Floor Area 54.91m²
Ground Floor Plan
Kitchen
Dining 2.30m
Stairs
Main Room
W.C
White UPVC Windows And Door Frames
Rear Elevation
Grey Concrete Interlocking Tiles To Match Neighbouring Properties
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Ref
Officer
South Elevation