

# Committee Report with Amended Conditions.



## **PUBLIC**

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## **COMMITTEE REPORT 8**

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**Planning Committee**

**31/01/2002**

### **Report of Head of Development Regulations**

APPLICATION No. - 49734

Description of Development - Residential development

Site - Land At Plots 1 And 2 Ten Shilling Drive Off Westwood Heath Road

Applicant - Westbury Homes (Holdings) Ltd

Ward - Westwood

### **INTRODUCTION.**

- The purpose of this report is to consider the above application which proposes development on land currently within the ownership of the City Council.

### **RECOMMENDATION.**

- Planning Committee are recommended to delegate the grant planning permission to the Head of Development Regulations subject to the Secretary Of State indicating that he does not wish to intervene, and completion of a planning obligation to secure a contribution for off site play provision, and subject to the conditions specified in the attached schedule.

### **DESCRIPTION OF APPLICATION SITE.**

- Large area of open former farm land, located on the northern side of Westwood Heath Road, between Ten Shilling Drive and Roughknowles Road.
- Spine roads and drainage infrastructure have recently been installed on the site.
- Mature woodland, Cable and Wireless College and Westwood Business Park are located to the north and east of the site.
- Roughknowles Road containing 1980's detached dwellings is located to the west, and to the south is open countryside within the Green Belt.
- A loose surfaced public footpath runs along the eastern boundary of the site.

- A mature native hedgerow runs along the eastern and northern boundaries of the site.
- The site is identified as Principal Housing Site 2 (Westwood Heath) in your CDP.
- The development site is divided into three distinct parcels, site 1A and site 1B fronting Westwood Heath Road, and site 2 towards the rear.

#### **PROPOSAL.**

- Erection of 51 large detached four and five bedroom dwellings arranged around private driveways and mews courts, as well as the existing spine road.
- The development proposes eight units within site 1A, ten units within site 1B, and thirty three units within site 2.
- Each dwelling includes either integral or detached garages, which together with hardstanding provide a minimum of two off road parking spaces per dwelling.
- The proposed house types are of strong architectural design and proposed to be of traditional brick and tile construction.
- Rear garden boundaries prominent within the street scene are to be 1.8 metre high decorative brick walls, those partially visible are to be 1.8 metre high close board fencing with brick piers, while all other rear boundaries are proposed 1.8 metre high close board fence.
- A 15 metre wide landscaped buffer is indicated along the Westwood Heath Road frontage of the site.
- The public footpath which runs along the eastern boundary of the site is indicated for retention within a 7 metre wide landscaped reservation, which includes the existing mature boundary hedgerow which will be retained.
- Boundary treatment proposed for dwellings which abut this footpath is 1.8 metre high hit and miss fencing with planting to either sides.
- The scheme also involves the erection of a brick and tile construction electricity substation in the south eastern corner of the site to serve the proposed development.
- A full landscaping scheme has been submitted in support of the application.

#### **RELEVANT PLANNING HISTORY.**

- The application site represents the first two parcels of land released for development from Principle Housing Site 1, identified within your superseded Unitary Development Plan in 1993.
- Planning Policy Team considered and approved a development brief for the site at their meeting on 11<sup>th</sup> February 1999.
- The defining statements from the development brief relevant to the application site are :-
  - ♦ *'This area is reserved for high quality 'executive' housing of similar quality to established developments at Roughknowles Road and Westwood Heath Road. In the immediate vicinity of Roughknowles Road and Westwood Heath Road a maximum density of 13 units per hectare (5 units per acre) is prescribed. For the remainder of this area a maximum of 18 units per hectare (7 units per acre) is prescribed.'*

- ◆ *'A public footpath runs alongside the eastern boundary hedgerow. This is to be maintained within an adequate reservation and the layout and design of adjoining housing must make in to account the requirements of natural surveillance.'*
- ◆ *'No direct vehicular access will be allowed from Westwood Heath Road apart from that highways infrastructure already indicated for installation'.*
- ◆ *'Emphasis should be placed on creating attractive informal groups of dwellings, each with a distinctive design character and distinguished from adjoining groups by existing or new planting. The design objective is variety between groups, not excessive variety within groups. The maximum height of development shall be 2 storeys.'*
- ◆ *'No dwelling will be allowed within 15 metres of the back of the footway line on Westwood Heath Road'.*
- ◆ *'It is expected that a sensitive landscaping scheme will make a major contribution towards the creation of the a semi-rural, non estate character sought for this development.'*
- ◆ *'A new native hedgerow will be planted behind the sightlines along the Westwood Heath Road frontage. Behind this a 6 metre wide tree planting strip is required.'*
- Permission granted by Planning Committee in August 2000 for installation of main spine road and infrastructure works at Ten Shilling Drive and Roughknowles Road, and widening of Westwood Heath Road. (Application number 48770). These works were completed in Autumn 2001.

#### **DEVELOPMENT PLAN POLICIES.**

- CDP H1, H8, H12, BE1, BE2, BE3, BE20.
- SPG Design Guidance For New Residential Development.
- SPG Development Brief For Westwood Heath Housing Land.
- PPG3.

#### **STATUTORY CONSULTATION RESPONSES.**

- The Ramblers Association have no objection in principle to the proposed development, however they are concerned that the 7 metre wide footpath reservation indicated may be eroded and encroached upon by adjacent dwellings. They therefore request that a condition is attached to any permission protecting the footpath.
- The Coal Authority raise no objection to the proposed development.
- Severn Trent Water have no objection to the proposed development subject to the provision of further details prior to the commencement of works on site.
- West Midlands Fire Service have no objections in principle to the development proposed providing access for fire-fighting vehicles complies with Approved document B of the Building Regulations.
- Warwick District Council raise no objection to the proposed development.

#### **PUBLIC CONSULTATION RESPONSES.**

- Neighbour notification letters were sent to adjacent premises at 567 to 581 (odds) and 428 to 450 (evens) Westwood Heath Road; 5 and 24

Roughknowles Road; 1 to 36 Whitefield Close; Cable and Wireless Group Westwood Heath Road; and Powergen Westwood Way.

- Site notices were posted to lamp posts in Ten Shilling Drive and Westwood Heath Road adjacent to the application site.
- The application was also advertised in The Coventry Evening Telegraph on Thursday 20<sup>th</sup> December 2001.
- One letter of objection received from the occupier of 571 Westwood Heath Road on the grounds that the density of housing proposed has been exceeded by 20% or eight dwellings to that stipulated within the design brief. This is contrary to the density agreed with residents and the additional houses will increase vehicular movements and compromise highway safety at an existing busy and dangerous junction.
- One letter of comment from the occupier of 32 Whitefield Close expressing concern about the potential loss of the public footpath and mature hedgerow along the eastern boundary of the site, and suggesting that conditions regarding their retention are attached to the permission.

### ISSUES.

- The site falls within a larger area indicated for housing development by Policy H8 'Principle Housing Sites' of your CDP.
- The policy indicates that housing development on the site should conform to Density Category C – exceptional lower density sites (15 – 29 dwellings/ha) which are already committed for development.
- The site was identified by your UDP for lower density housing development in an attempt to redress the short fall of 'executive' type housing within the City which are necessary to support efforts to continue to diversify the economy of the city.
- This specific low density allocation has been carried over to your CDP in the context that previously-developed sites make up 79% of total indicative capacity.
- PPG 3 requires applications to be referred to the Secretary of State where they involve the development of any greenfield land for housing which, in themselves or as part of a wider but contiguous allocation for housing, relate to a site of 5 hectares or more, or comprise 150 dwellings or more.
- The density requirements as defined by the Development Brief approved by Planning Policy Team in February 1999 have been followed, and accordingly 51 detached dwellings are proposed, 18 units to the front of the site and 33 units within the slightly higher density area to the rear.
- An objection to the proposed number of dwellings has been received on the grounds that the 51 houses indicated represents a higher density than that indicated in the development brief. The proposal does conform to the density requirements within the development brief, and I believe the objector may have made an error in converting hectare to acres during calculations.
- Each dwelling has either a detached or integral double garage which together with hardstanding to the front provides four off road parking spaces. This provision is in excess of the maximum indicated within PPG3, which aims to increase housing density.

- In terms of car parking provision as the site has been specifically identified for low density development limiting parking provision would have no impact on overall density
- The site is however accessible by public transport, and a bus stop is located immediately adjacent to the site and services run on an hourly basis ensuring that the site is accessible by a choice of means of transport.
- The other requirements of the development brief have been met within the proposed housing layout.
- The scheme is based around several mews court developments, creating defined and distinct small groups of dwellings.
- The proposed house types are of high quality traditional architectural design, well proportioned with solid simple detail.
- The proposed layout activity addresses the specific characteristics of the site with key dwellings orientated on corner plots to actively address the corner and street scene.
- The materials indicated are of traditional appearance and it is recommended that a condition is attached requiring samples to be submitted for development commences.
- The landscaped buffer to Westwood Heath Road and footpath reservation along the eastern boundary are indicated as stipulated within the development brief, and conditions are recommended to ensure these elements are retained as indicated.
- A high quality landscaping scheme has been submitted in support of the application.
- The proposed substation will be constructed of brick and tile and will be located within the proposed landscaping buffer. Consequently it will not appear incongruous or visually prominent within the street scene.
- All prominent rear boundaries are to be constructed of brick, those less visible within the street scene will be constructed of brick and close board fence, while enclosed rear boundaries will be 1.8 metre high close board fence.
- The boundaries to the footpath will be 1.8 metre high hit and miss fence with substantial landscaping. The dwellings adjacent to the footpath have been orientated to provide natural overlooking and surveillance.
- The layout conforms to your minimum distance separation and amenity space standards throughout, apart from a limited number of relationships which are just short of the required distances.
- In these instances there are no direct window to window relationships and therefore no loss of privacy issues will result. Overall the slight relaxation of these minimum standards is required to achieve the high quality built environment proposed.
- Given the high standard of the resulting residential environment, the open nature of some areas of the site, to protect the high quality landscaping scheme proposed, and some of the minimal distance which exist between dwellings I consider it would be appropriate to remove permitted development rights.
- Conditions requiring minor secondary windows at first floor level to be obscure glazed thus preventing overlooking are recommended.

- The applicants have agreed to enter into a planning obligation to secure a £500 per dwelling contribution towards the provision of play equipment within the proposed area of public open space to be located towards the rear of the housing development site.

### **CONCLUSION.**

- I therefore recommend that Committee delegate the grant of planning permission subject to conformation of the Secretary Of State that he does not wish to intervene, and the completion of the planning obligation and the attached schedule of conditions.

### **SCHEDULE**

#### **Condition(s)**

1. The development to which this permission relates must be begun not later than the expiration of 5 years from the date of this permission.
2. No development shall commence until samples of the external facing, roofing and paving materials proposed to be used in the construction of the dwellings and sub station hereby permitted have been submitted to and approved in writing by the local planning authority. Once approved the development shall be carried out only in full accordance with such approved details or any approved amendments.
3. The existing hedges along the eastern boundary of the site indicated on the approved plan No.SA-3B to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedges falls below 2.4m at any point without the written consent of the local planning authority. Any hedges removed without consent or severely damaged shall be replaced with hedging, trees and/or shrubs of such size and species details of which must be submitted to and approved by the local planning authority. Any hedge, tree and shrub dying or becoming seriously diseased within five years from the substantial completion of development shall be replaced as soon as practicable with hedging, trees or shrubs of such size and species details of which must be submitted to and approved by the local planning authority .
4. Any landscaping including boundary treatment, paving and footpaths indicated on the approved drawings No.01-77-01 & No.01-77-02 shall be completed in all respects, with the exception of tree and shrub planting, within three months of the first use of any of the buildings and the trees and shrubs shall be planted within six months of that first use. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the substantial completion of the scheme shall be replaced as soon as practicable, by trees or shrubs of similar size and species to those originally required to be planted.

5. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or improved or altered such as to place the structure in front of the forwardmost part of any dwellinghouse fronting a highway or footpath without the written approval of the local planning authority.

6. None of the dwellings hereby permitted shall be occupied until the car parking provision for that dwelling has been completed in full accordance with the approved drawings made available for use by the occupant of and visitors to that dwelling. That parking provision shall thereafter remain available for that use.

7. Any garage erected under this permission shall be used only for a purpose incidental to the use of that dwelling with which it is provided and such use shall include the garaging of a private motor car.

8. The development shall not be commenced until drainage works have been carried out in accordance with details to be submitted to and approved by the local planning authority.

9. No development shall commence until measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway have been implemented in accordance with written proposals which shall have been submitted to and approved in writing by the local planning authority. Such approved measures shall thereafter continue while construction operations are taking place.

10. No dwelling shall be occupied until street lighting has been provided on the means of access serving that dwelling in accordance with details submitted to and approved by the City Council.

11. The windows to be formed in the east facing elevations of the dwellings proposed on plot numbers 15, 19 and 24; the south facing elevations of the dwellings proposed on plot numbers 13, 21, 39 and 41; and the west facing elevations of the dwellings proposed on plot numbers 9, 43, 44 and 48 shall only be glazed or re-glazed with obscure glass.

12. No windows or openings (apart from any shown on the approved drawings) shall be formed in the north facing elevations of the dwellings proposed on plot numbers 22, 39 and 44; and the east facing elevation of the dwelling proposed on plot number 11, without the written approval of the local planning authority.

13. The existing reservation located adjacent to the eastern boundary of the site shall be retained at a width of 7 metre in full accordance with the details indicated on the approved plan No.SA-3B, and shall not be removed or altered in any way without the prior written approval of the local planning authority.

#### **Reason(s)**

1. To comply with Section 91 of the Town and Country Planning Act 1990.

2. To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy BE2 of the Coventry Development Plan 2001.

3. To protect that hedging which is of significant amenity value to the area in accordance with Policies OS4 & GE14 of the Coventry Development Plan 2001.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE9, BE2 & BE20 of the Coventry Development Plan 2001.
5. That have regard to the layout and general nature of the proposed development it is important to ensure no development is carried out except with the permission of the City council, which would detract from the appearance of the area and affect the amenities of adjacent properties in accordance with Policies H12 & BE2 of the Coventry Development Plan 2001.
6. To ensure adequate parking provision within the development in the interests of the amenities of the locality and highway safety in accordance with Policies AM17, AM22 & H12 of the Coventry Development Plan 2001.
7. To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties and to ensure adequate car parking provision is maintained on site in the interests of highway safety in accordance with Policies AM17, AM19 & AM22 of the Coventry Development Plan 2001.
8. To ensure the satisfactory drainage of the site in accordance with Policy EM4 of the Coventry Development Plan 2001.
9. In the interests of highway safety and the amenities of the occupiers of nearby properties in accordance with Policy EM8 of the Coventry Development Plan 2001.
10. To ensure a satisfactory standard of development within the site in accordance with Policy BE2 of the Coventry Development Plan 2001.
11. To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policies BE2 & H4 of the Coventry Development Plan 2001.
12. To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policies BE2 & H4 of the Coventry Development Plan 2001.
13. To ensure the satisfactory appearance and retention of the footpath in accordance with Policy AM8 of the Coventry Development Plan 2001.

#### **LIST OF BACKGROUND PAPERS**

**PROPER OFFICER:** Head of Development Regulations

**AUTHOR:** Lesley Wroe - Planning Control Manager (024) 7683 1225

**PAPERS OPEN TO PUBLIC INSPECTION** (all at City Development Directorate, Tower Block, Much Park Street)



Planning Application File:49734

Coventry Development Plan 2001

CASE OFFICER : Marcus Fothergill