

Planning Committee: 05 July 2011

Item Number:

Application No: W 11 / 0525

Town/Parish Council: Kenilworth
Case Officer: Steven Wallsgrove
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Registration Date: 14/04/11

Expiry Date: 09/06/11

Loweridge House, Upper Ladyes Hills, Ladyes Hills, Kenilworth, CV8 2FB
Erection of screen walls and gates FOR Loweridge House

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

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Members COMMENTED that they considered the fence to be too high and needed to be adjusted to blend with existing situation. They considered that an accommodation could be agreed on this matter; if it was not they would OBJECT to the application in its present form.

(Following reconsideration, with information supplied by the applicant, the original decision was not changed.)

CAAF: After discussion it was considered that there could possibly have been a high wall around this part of the property as this is really the rear of the property and the house does have a front door onto Upper Ladyes Hills which is the formal entrance. It was felt subject to appropriate bricks being used with an appropriate copping and gate piers this would be acceptable. It was considered that landscaping should be encourages to climb up the wall and that landscaping should be maintained within the garden itself. Details of the gates should be close boarding and painted and should be conditioned together with the materials for the wall, coping and the gate piers.

Conservation: No objection.

WCC (Ecology): Mature trees should be protected during the works.

Public Comment: One resident considers that the brick wall would be in keeping but is concerned about parking on the site, while another welcomes the use of the property as a family home. One resident objects as the wall is not in character with Hawkesworth Drive and queried privacy reason as wooden fence has been removed.

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)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

The property was the subject of previous planning applications in the 1950s and 1960s for development in the grounds, with a consent for conversion of the house itself into flats in 1961 and a 6ft fence fronting Hawkesworth Drive in 1970. Planning permission was granted for conversion of the property into a care home in 1985, with an extension being approved early the next year. Planning permission was granted to change the use to a guest house in 2004 with an extension later the same year. Planning permission and listed building consent was granted for a boundary wall and railings in 2006 and for use of the property as a single dwelling under W10/1030.

KEY ISSUES

The Site and its Location

The property is a semi-detached house fronting Upper Ladyes Hills with its rear boundaries onto Hawkesworth Drive and Tainters Hill. It is a 'listed' building and lies in the Conservation Area.

Details of the Development

The proposal is to replace the approved wall and railings fronting Hawkesworth Drive with a 1.8m brick wall with 'saddleback' copings to match the existing wall and to continue it around onto Tainters Hill. Two pedestrian gates would be provided in the Hawkesworth Drive frontage. The application was accompanied by a Design and Access Statement and an Arboricultural survey.

Assessment

The issues in this case are the impact on the setting of the listed building and the Conservation Area and on the amenities of neighbours and the potential impact on the trees.

On the last point, the foundations for the wall and railings approved in 2005 have already been dug out and the concrete poured so the actual erection of the wall on those existing footings will have no further impact on the trees.

There will be some impact on neighbours opposite but this is minimal and the comments received are more to do with impacts on the Conservation Area. The only real comment on this aspect is that from the Town Council, but the applicants are not prepared to reduce the height of the wall since it would not give them privacy.

In terms of impact on the Conservation Area and the listed building, the proposed wall follows the design of the existing boundary wall on Tainters Hill, which is of the same height but has steps in its height to reflect the changes in ground level on that frontage. It is considered, therefore, that the design and height is appropriate for the rear boundaries of the houses on Upper Ladyes Hills and this opinion is supported by CAAF and the Conservation Section.

RECOMMENDATION

GRANT, subject to the condition below.

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 no. Loweridge 01, and specification contained therein, submitted on 14th April 2011 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.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.
