

Planning Committee: 05 April 2006

Item Number: 14

Application No: W 06 / 0200

Registration Date: 07/02/06

Town/Parish Council: Warwick

Expiry Date: 04/04/06

Case Officer: Steven Wallsgrove

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23 Jury Street, Warwick, CV34 4EH

Erection of a triple garage and boundary wall FOR Dr H Mulder

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

SUMMARY OF REPRESENTATIONS

Town Council: Object on the following grounds:- "The development is within a conservation area and in the curtilage of a listed building and the Town Council considers that the mass and bulk of the proposal is such to be detrimental to both the conservation area & the listed building & should be refused.

If permission is likely to be granted then the Town Council suggest that any permission should be conditioned to ensure the garage use to the storage of private motor vehicles and that any commercial and or storage use is prevented."

W.C.C. (Ecology): comment on need to protect trees and recommend nesting bird note due to coming nesting season.

Neighbours: One neighbour objects due to size and height of garage having effect on value of property, and suggests alternative position.

WCC (Archaeology): request an archaeological excavation condition.

RELEVANT POLICIES

- (DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
- (DW) ENV22 - Evaluation of the Archaeological Effects of Development Proposals (Warwick District Local Plan 1995)

PLANNING HISTORY

The property has been the subject of many applications over the years, including being the former Warwick Borough Council offices. Following this office use, permission was granted for use as a single dwelling. The relevant

more recent ones are planning permission for a detached triple garage in 2003, and a refusal for a similar building (but with storage over, accessed from an external staircase) in 2005.

KEY ISSUES

The Site and its Location

The property lies on the north side of Jury Street and has a large rear garden accessed off The Butts, the access way also serving other properties. The whole area is in the Conservation Area and the property itself is listed.

Details of the Development

The proposal is to erect a detached, three car, garage at the bottom of the garden in a position where it would have least impact on existing trees and shrubs. It would be built in brick with a tiled, hipped, roof.

The application also includes the erection of a 2 m high brick boundary wall to replace a close boarded fence.

Assessment

The principal issue is the impact on the character of the Conservation Area and the setting of the listed buildings surrounding it.

In this context, the garage part of the proposal is almost identical to that granted permission under reference W20030491, except that the approved building had a small section of flat roof and the single garage door and double garage door were "handed". I am satisfied that the present garage proposal will have no greater impact than the approved scheme and will have minimal impact on the surrounding trees and shrubs. The roof height is now 4.5 metres whereas the previously approved roof height was 4 metres.

The boundary wall is considered to be an improvement since it will replace an existing close boarded fence, and the other boundaries to the garden are brick walls.

RECOMMENDATION

GRANT, subject to the conditions listed 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 numbers 917.09b, /18c and /19, and specification contained therein, received on 7th February 2006 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 Local Plan Policy ENV3.
- 3 No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development is of an acceptable standard of design which respects the setting of the listed building and is in keeping with the architectural and historic character of the Conservation Area within which the site is located. The proposal is therefore considered to comply with the policies listed.