

**Planning Committee:** 05 July 2011

**Item Number:**

**Application No:** W 11 / 0526 CA

**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**  
Removal of existing boundary fence and gate to Hawksworth Drive and Tainters Hill FOR Mr A Honess

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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 encouraged 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.

**Public comment:** Two objection have been received, one saying that the original fence (the subject of this application) was removed a few months ago. The second, while quoting this reference, actually objects to the erection of the replacement wall.

### **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 remove the fence which was granted planning permission in 1970, although the application is actually retrospective. The application was accompanied by a Design and Access Statement and an Arboricultural survey.

### **Assessment**

The issue in this case is whether the removal of the fence would have an unacceptable impact on the character of the Conservation Area.

In the present case, not only was a wall and railings approved in 2006, for which work has commenced, but the present proposed wall is also considered acceptable and would be a significant improvement over the 1970 fence. It is considered, therefore, that retrospective consent should be given for the removal of the fence.

## **RECOMMENDATION**

That Conservation Area consent be GRANTED.

## **CONDITIONS**

## **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 proposed demolition would not result in harm to the character or appearance of the Conservation Area and the proposal is considered to comply with the policies listed.

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