

Planning Committee: 05 April 2006

Item Number: 13

Application No: W 06 / 0199

Registration Date: 08/02/06

Town/Parish Council: Leamington Spa

Expiry Date: 05/04/06

Case Officer: Fiona Blundell

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21 Arlington Avenue, Leamington Spa, CV32 5UD

Increase height of rear wall to 2.6m FOR Mr RB & Mrs C Payne

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

SUMMARY OF REPRESENTATIONS

Town Council: Objection received on the grounds that :*"The proposal represents an increase in the height of over 50% compared with the existing wall. This will impact adversely on the amenity enjoyed by those dwellings adjoining the site".*

Neighbours: No representations received.

W.C.C (Ecology Unit): Recommendation that a 2-3 metre buffer zone to protect the existing trees and hedges during the development together with nesting birds notes.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

PLANNING HISTORY

There is no relevant planning history for this site. However, the site abuts onto the rear garden of Droskyn and Archway House, where a comprehensive redevelopment of the rear garden of Droskyn and Archway House for the demolition of existing dwellings, erection of a detached building containing 13 apartments on 3 and 4 floors, erection of a detached one and half storey dwelling to the rear, construction of new vehicular access , ref. (W20042143) was recently allowed at appeal.

KEY ISSUES

The Site and its Location

The application relates to a two storey detached property which is located on the west side of Arlington Avenue, within a well established residential area which lies outside the Conservation Area. The property is set back from the public highway, and enclosed by a low brick wall with further tall hedging. The rear garden is enclosed and separated along its southern boundary with Parmiter House by a brick wall of over 2.0 metres in height, with additional screening afforded by the presence of dense high hedging. At the rear of the site there is a brick wall of some 1.6 metres and dense planting.

Details of the Development

The proposal seeks permission to increase the height of the rear wall to 2.6 metres, to maintain the residents privacy and reduce the visual impact of the development allowed at appeal, ref. (W2004/2143). The additional wall height would be constructed from reclaimed Leamington brick to match the existing wall with the existing saddleback copings reused.

Assessment

Whilst I note the Town Council's objection, I consider that as the proposal would abut directly onto the rear garden of the new coach house, with its plain blank rear elevation set back by some 7.0 metres, it would not have a detrimental impact on the amenities of the future occupants of the new development. Furthermore, I consider that as the new wall would be of a similar height to the existing wall along the south boundary, it would not have an adverse impact on the amenities currently enjoyed by the residents of Parmiter House. I am of the opinion therefore that the proposal would accord with the general development principles of the Local Plan 1995.

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 and specification contained therein, submitted on 8th 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.

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 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. In the opinion of the District Planning Authority, the development does not adversely impact on the character and appearance of the area or the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.