

Planning Committee: 17 January 2012

Item Number: 13

Application No: W 11 / 1314

Town/Parish Council: Leamington Spa

Registration Date: 19/10/11

Case Officer:

Jo Hogarth

Expiry Date: 14/12/11

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18 Augusta Place, Leamington Spa, CV32 5EL

Insertion of fixed timber windows in rear elevation at first floor level.
(Retrospective application) FOR Mr Jamie Balfe

This application is being presented to Committee in order to request that enforcement action be taken.

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

CAAF: No comment, part II Item.

Conservation Architect: This application is a retrospective application for the retention of a horizontal window inserted in to the rear of 18 Augusta Place, which at first floor level has office use. I am of the opinion that the horizontal window, although indicated in the design and access statement as being in character with the interior of the office, is not in character with the external appearance. The building has a well designed south elevation with vertical windows and strong vertical buttressing. The west elevation is a plainer elevation with access doors that appear to be of a vertical nature, together with a blocked oculus in the gable. I therefore consider that the horizontal slot is not in character with the gable end appearance of the building on to which quite a number of properties have a view. It would be more appropriate to either have a vertical slot window and preferably set within a rebate, or to reduce the horizontality of the window by reinstating a section of brickwork in the middle, thus creating two square porthole type windows. Again, preferably set within a recessed rebate. If there are issues of overlooking, these windows could be obscured glass and would still let in a significant amount of light in to the corner area of the office.

Public response(s): 2 Letters of objection have been received, stating that whilst the tree in the garden of number 39 Portland Street offers some protection to the bedroom window, once the leaves are gone this window is in full sight. Number 41 Portland Street raises objection on grounds of overlooking and request frosted glass.

RELEVANT POLICIES

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

PLANNING HISTORY

There have been previous planning applications submitted for this site; however none are relevant to this current application.

KEY ISSUES

The Site and its Location

The site relates to a two and a half storey building currently used as offices. It is located within the designated Conservation Area, and Town Centre on the west side of the road and is not a Listed Building. To the rear of the building are backs of properties which front onto Portland Street which runs parallel to Augusta Place.

Details of the Development

The proposal seeks to retain a first floor rear facing window which was inserted in July 2011.

Assessment

I consider the key issues relating to this proposal to be the impact on neighbours and impact on the Conservation Area.

Impact on neighbours

The rear of this part of the building measures approximately 24 metres from the backs of properties in Portland Street and whilst I am mindful that the Council's adopted Distance Separations would require 27 metres for dwellinghouses, given that this building is not residential I do not consider there would be a significant loss of privacy. Furthermore, the single storey element at the rear of the building has a pitched roof which obscures any views into gardens and in my view therefore would not result in overlooking such as to refuse planning permission.

Impact on the Conservation Area

The Council's Conservation Architect does not consider that the window which has been inserted is in character with the external appearance of the building and is of the view that should a window be inserted in this location it should be of a more vertical design, recessed into the building with a central section of brickwork thereby giving two square porthole style windows. In light of this strong objection I am of the view that the window which has been inserted results in unacceptable harm to the character and appearance of this building and wider Conservation Area. Therefore I consider that the application should be refused on the basis of this harm, and request that enforcement action is authorised for the removal of the window and reinstate the rear elevation.

RECOMMENDATION

1. REFUSE, on the refusal reason listed below and
2. AUTHORISE enforcement action for its removal and the reinstatement of the rear elevation within a period of 3 months.

REFUSAL REASONS

- 1 Policy DAP 8 of the Warwick District Local Plan 1996-2011 requires development to preserve or enhance the special architectural and historic interest of the Districts Conservation Areas.

The site relates to an office building located within the designated Conservation Area and Town Centre. In the opinion of the District Planning Authority, the retention of this first floor horizontal shaped window in the rear elevation is at odds with the character and appearance of this building which has a strong vertical emphasis in terms of window and door openings. The proposal to retain this window in its current form therefore is considered to be harmful to the Conservation Area and is thereby considered to be contrary to the aforementioned policy.
