

Planning Committee: 04 September 2013

Item Number: 11

Application No: W 13 / 0715

Town/Parish Council: Leamington Spa

Case Officer: Rob Young

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Registration Date: 25/06/13

Expiry Date: 20/08/13

31 Augusta Place, Leamington Spa, CV32 5EL

Retention of timber pergola to front elevation (retrospective application) FOR Mr
L Saidi

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

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the retention of a timber pergola that has been erected to the front of the property. This is a retrospective application.

THE SITE AND ITS LOCATION

The application relates to a two storey building situated on the eastern side of Augusta Place. Augusta Place is a mixed residential and commercial street situated within Leamington Town Centre and the Leamington Spa Conservation Area. The property is used as a restaurant on the ground floor with dwellings on the upper floor. There are also dwellings on the upper floor of adjacent properties and on the opposite side of Augusta Place and to the south in Augusta Place. The application property has a small front garden area and the timber pergola has been erected over part of this area.

PLANNING HISTORY

In 2002 planning permission was granted for "Erection of conservatory to front entrance; removal of existing stepped entrance; partial demolition of front boundary wall/railings and creation of new access footpath; alteration and reinstatement of boundary wall railings" (Ref. W02/0887).

There have been a significant number of other planning applications relating to the application property but none of these are relevant to the consideration of the current proposals.

RELEVANT POLICIES

- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Town Council: The proposal is unsympathetic and not in keeping with the character of the street scene and area.

Conservation Advisory Forum: This was not considered to be appropriate for the front of a building within the Conservation Area. Painting the structure would not sufficiently mitigate the harm.

WDC CCTV Manager: No objection.

WDC Environmental Health: No objection.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- the impact on the living conditions of neighbouring dwellings; and
- the impact on the character and appearance of the Conservation Area.

Impact on the living conditions of neighbouring dwellings

The nearest dwellings are on the upper floors of the application property and on the opposite side of Augusta Place. The proposed pergola is situated well below the level of the first floor windows in the application property and therefore does not have any significant implications in terms of loss of light or loss of outlook for the upper floor dwellings. The pergola is far enough away from other nearby dwellings to ensure that it does not have any significant implications in terms of loss of light or loss of outlook for any other dwellings.

In terms of the potential for noise and disturbance, the forecourt of the property could be used as a customer seating area without the need for any further planning permission. Therefore no significant additional noise and disturbance can be attributed to the presence of the pergola. There has been no objection from Environmental Health.

For the above reasons it has been concluded that the development has had an acceptable impact on the living conditions of nearby dwellings.

Impact on the character and appearance of the Conservation Area

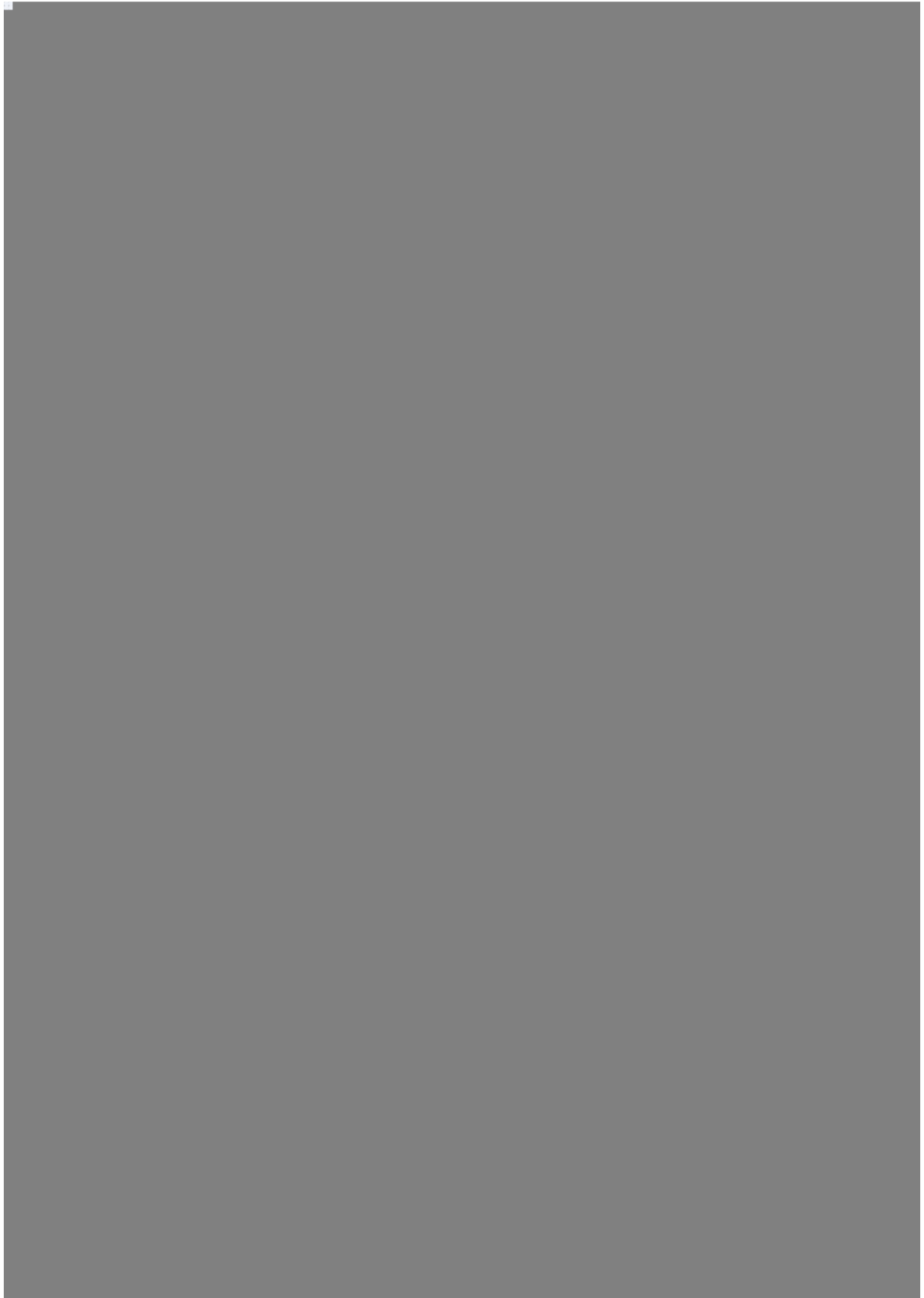
The pergola is an unusual feature for the front of a building within the Conservation Area. However, the front elevation of the application property has been significantly altered in the past, with the part of the front elevation where the pergola stands being a blank wall with all of the original features removed. The layout of the site in relation to the adjoining building at No. 29 Augusta Place also serves to limit the visual impact of the pergola. When approaching the site from the north along Augusta Place the pergola is partially screened by No. 29, which is set forward of the application property. The pergola is more visible when approaching from the south along Augusta Place, although the prominence of the structure is limited by the fact that it is viewed against the side wall of No. 29 from that direction. The visual impact would be further limited if the pergola was painted magnolia to match the adjacent buildings or improved if it was painted black to provide a crisp contrast. On this basis it is not considered that it can be demonstrated that the pergola harms the character and appearance of the Conservation Area.

SUMMARY / CONCLUSION

The proposals have had an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the Conservation Area. Therefore it is recommended that planning permission is granted.

CONDITIONS

- 1 Within 2 months of the date of this permission, the pergola hereby permitted shall be permanently painted in its entirety either magnolia (BS 08B15) or black and thereafter shall be permanently retained in that condition. **REASON:** To preserve the character and appearance of the Conservation Area, in accordance with Policy DAP8 of the Warwick District Local Plan.





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WARWICKSHIRE
DIRECT
23 MAY 2013
LEAMINGTON