

**Planning Committee:** 26 January 2004  
**Application No:** W20031236

**Part 2 Item Number:** 1

**Town/Parish Council:** Warwick

**Registration Date:** 19/11/03

**Case Officer:** Penny Butler  
01926 456544 planning\_west@warwickdc.gov.uk

**The Moorings, Myton Road, Warwick**

Minor Amendment: Changes to size of internally illuminated lettering  
(Elements A and B only) FOR Charles Wells

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**SUMMARY OF REPRESENTATIONS**

Warwick Town Council: No comments received to date.

Neighbours: Three letters of objection have been received from two neighbours, and The Moorings residents management company. The proposal is at odds with the character of the Victorian style canal side building, particularly the bright two tone blue signage in a modern typeface. When coupled with backlit illumination this will appear as a blue neon sign. The style of the new signs is unsuitable for the traditionally shaped boards and is in bad taste.

**RELEVANT POLICIES**

(DW) ENV3 – Development Principles (Warwick District Local Plan 1995)

(DW) ENV20 – Shopfronts and Advertisements (Warwick District Local Plan 1995)

**HEAD OF PLANNING & ENGINEERING**

Advertisement consent was granted at Planning Committee on 20 October 2003 for the display of internally illuminated fascia lettering together with various externally illuminated freestanding signs, with the refusal of one freestanding canal side sign (G). This minor amendment now proposes to change the size of two signs (A and B) only, which are to be displayed on the pub premises. The approved sign A measured 1.3m by 2.65m, the amendment proposes 0.4m by 3.15m. Approved sign B measured 0.8m by 4.8m, the amendment proposes 0.65m by 5.2m. The wording, font style and colour are also shown changed on all signs, but as this could be done without advertisement consent, this does not form part of the minor amendment and cannot be controlled. I do not consider that the replacement of the approved dark green lettering with dark blue would increase any visual impact.

In my opinion the changes in size to signs A and B are so minor that they would not increase the visual impact of the signs on the surrounding area and should, therefore, be approved.

**RECOMMENDATION**

APPROVE.

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**Planning Committee:** 26 January 2004  
**Application No:** W20031602

**Part 2 Item Number:** 2

**Town/Parish Council:** Warwick

**Registration Date:** 15/10/2003

**Expiry Date:** 10/12/2003

**Case Officer:** Martin Haslett  
01926 456526 planning\_west@warwickdc.gov.uk

**Land rear of, 258 Myton Road, Warwick, CV346PT**  
Erection of detached bungalow.  
FOR Mr and Mrs P Thorpe

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### **SUMMARY OF REPRESENTATIONS**

Town Council: recommend site visit.

Neighbours: one neighbour objects: proposal out of character with area, precedent, loss of open space, access dangerous and loss of on-street parking.

Warwick Society: if permission is granted, strict conditions to safeguard the trees should be imposed and monitored.

WCC (Ecology): no objection, subject to bat and bird notes.

Leisure and Amenities: no objection to amended plans, subject to details of driveway construction, as the proposed Bredon gravel and grasscrete are not acceptable.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

Distance Separation (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

### **HEAD OF PLANNING & ENGINEERING**

Consideration of this application was deferred at the meeting of the Committee on 6 January 2004, so that a site visit could be made. The report which follows is the same as that given previously.

No. 258 Myton Road has a large back garden with access onto Myton Lane. At the end of the garden there are two mature trees, a Norway Maple and a sycamore, both of which are protected by Tree Preservation Orders. Access to the site for the bungalow would be taken to one side of these trees, adjoining the existing boundary hedge. The plans as originally submitted showed the dwelling closer to the trees, but the amended plans show it moved towards the existing house, so as to protect the trees. The Leisure and Amenities arboricultural officer is satisfied that these amended plans would protect the trees, although further details of the treatment of the driveway would need to be submitted. The driveway would need to be constructed on top of the existing soil level and contained so as to withstand light traffic.

The amended plans show the proposed bungalow 20.5m from the existing house at no. 258 and 17m diagonally across the neighbour's garden to no. 260 Myton Road. The approved Distance Separation standards have no figures for separation between bungalows and houses, but the bungalow to bungalow figure is 17m and the house to house is 22m. The proposal is therefore considered to be broadly in accordance with these standards.

There is also the issue of street scene. The site is well-screened by the existing hedge (which is substantial) and by the two trees. A bungalow in this location would have little impact on the street scene if the vegetation is retained. Adjoining houses in Myton Road do not have direct access to the public highway to the rear, because their land is separated from the public highway by public open space or they back onto the Social Services premises which are reached from Myton Lane. There are therefore unlikely to be similar applications from adjoining land owners, which would otherwise cumulatively alter the established character of the area.

### **RECOMMENDATION**

That outline permission be GRANTED, subject to standard outline conditions, and additional conditions on protection of trees and hedge, details of driveway construction, bat and bird notes.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

Distance Separation (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031725

**Part 2 Item Number:** 3

**Town/Parish Council:** Warwick

**Registration Date:** 04/11/2003

**Expiry Date:** 30/12/2003

**Case Officer:** Steven Wallsgrove  
01926 456527 [planning\\_west@warwickdc.gov.uk](mailto:planning_west@warwickdc.gov.uk)

**Land adjacent to 23, Shakespeare Avenue, Warwick, CV346JR**  
Erection of a detached house.  
FOR Mr J. Bajwa

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This application was deferred at Planning Committee on 6th January 2004 for a site visit and there have been no changes to make to the report previously considered.

### **SUMMARY OF REPRESENTATIONS**

Warwick Town Council: consider plot too small for compatible standard with existing and too small on amenity space. Recommend site visit.

Highway Authority: have no objection subject to turning within site and access conditions.

Neighbours: One neighbour objects to loss of privacy, plot too small, traffic, out of character.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

### **HEAD OF PLANNING & ENGINEERING**

The proposed plot measures some 21.6 m deep and 9.0 m wide and originally formed part of the large garden of 23 Shakespeare Avenue, which is set at an angle due to it lying on the corner with Browning Avenue.

The proposed dwelling would be a two-storey, three-bedroomed, house with a hipped roof, as with all the other detached and semi-detached houses. The original layout, however, showed the back garden as being only some 6.5 m deep, which was considered inadequate, while the house was set back behind the general building line.

The plans have now been amended to bring the dwelling forward to the general building line, thereby providing a 9.5 m long back garden.

This does mean, however, that the house has more of an impact on the adjoining dwelling (No. 25 Shakespeare Avenue) since it has its front door and a first floor window facing towards the plot, but at some 5.5 m distance, due to the 'L' shape of the house.

This is considered to be not unreasonable, and the revised position also still satisfies the adopted 45° code.

### **RECOMMENDATION**

GRANT, as amended, subject to sample materials, landscaping, boundary treatments and access conditions.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031747

**Part 2 Item Number:** 4

**Town/Parish Council:** Leamington Spa

**Registration Date:** 10/11/2003

**Expiry Date:** 05/01/2004

**Case Officer:** Fiona Blundell  
01926 456545 planning\_east@warwickdc.gov.uk

**29 Edmondscote Road, Leamington Spa, CV326AG**

Proposed residential development comprising 2 no. 2 bedroom semi-detached houses  
on garden land.

FOR Mr & Mrs M. Suominen

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This application was deferred at Planning Committee on the 6 January 2004, to enable a site visit to take place on 24th January 2004. The Environment Agency had no objection to the proposal, subject to condition surface water drainage, was outlined in the addendum to the Planning Committee on 6th January 2004.

**SUMMARY OF REPRESENTATIONS**

Town Council: raise no objections, but comment that this site is better suited to the development of a single unit of accommodation.

Neighbours: Two objections received from neighbours on the grounds that any additional car parking facilities would exacerbate the car parking situation. It was felt that this would be particularly difficult during the summer months when the use of Edmondscote Track car parking was greatly increased; often creating traffic over spill onto the road, especially with the traffic generated by school coaches. Further concerns were expressed particularly in reference to the possible future expansion of Edmondscote Track facilities and its associated car parking problems.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The application site relates to a side/rear garden of a semi-detached residential dwellinghouse which is located on the north west of Edmondscote Road, off a spur road that leads to an area of lock-up garages. The site has an area of approximately 202 square metres and abuts part of this garage court to the south-west and the garden of 33 Edmondscote Road to the north. The site has a frontage to the access road leading to the garages, and the road also serves as the means of access for the car parking facilities for Edmondscote Athletic Track, which is located in the adjacent field, to the rear of the garages.

The application seeks outline planning permission to erect 2 semi-detached dwelling houses in the side garden of No. 29 Edmondscote Road, and includes details of their siting, access and external appearance but reserves matters relating to design and landscaping for future approval.

Whilst noting the neighbours's objections, the development would include one car parking space for each dwelling, together with a car parking space for No. 29 Edmondscote. A reasonable garden space is provided for each dwelling and there is no contravention of any Distance Separation guidelines. In my opinion, therefore, the proposal accords with the policies relating to general development principles in both the existing and emerging Warwick District Local Plan.

In conclusion, it is considered that the size of the plot would allow for the erection of two dwellings in a reasonable manner and, in my opinion, there would not be any serious adverse impact on the amenities of the neighbouring properties in terms of overlooking or dominance.

### **RECOMMENDATION**

GRANT subject to conditions on materials, parking including details of surface treatment of parking spaces, surface water drainage and permitted development rights.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031751

**Part 2 Item Number:** 5

**Town/Parish Council:** Stoneleigh

**Registration Date:** 06/11/2003

**Expiry Date:** 01/01/2004

**Case Officer:** Martin Haslett  
01926 456526 planning\_west@warwickdc.gov.uk

**Milburn Grange, Telecommunications Mast at Milburn Trees, Kenilworth Road,  
Stoneleigh, Kenilworth, CV8 2FE**

Erection of a 21m slimline lattice mast with 6 antenna, 2 dishes, 2 equipment cabinets  
and ancillary development.  
FOR Vodafone Ltd

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**SUMMARY OF REPRESENTATIONS**

Parish Council: no objection.

Coventry City Council (adjoining authority): object- incongruous, conspicuous and unsympathetic feature in the Green Belt, would affect the setting of the Kenilworth Road Conservation Area.

Coventry Airport: no objection.

WCC (Highways); no objection.

CPRE: objection, site in Green Belt and Special Landscape Area, mast would be visible over the trees, not convinced that sharing is impossible.

Environmental Health Officer: no objection.

**RELEVANT POLICIES**

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

SC8 - Telecommunications (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The site lies close to the boundary with Coventry, within a small group of trees, about 700m north of Milburn Grange farm which itself is reached from a long driveway over the railway line from Kenilworth Road. It is proposed to erect a 21m lattice tower, with transmitting aerials up to 23m high. There would also be a compound contained within a chainlink fence, equipment cabins and a meter cabinet.

The group of trees reach up to between 15m and 18m and thus provide a measure of screening, although the mast would be at least 5m taller than the highest of the trees. The applicants have provided photomontages of the proposal which indicate that the mast will be visible from Kenilworth Road and Stoneleigh Road. In view of this, and the

location of the proposal in Green Belt and Special Landscape Area, the applicants were asked to provide further information about their site search. The information submitted indicates that other sites in the area of search had been investigated and found to be unsatisfactory in terms of signal provision or in amenity terms.

The alternative sites have been investigated and it would appear that the proposed site is the most satisfactory available. It is therefore considered that there is justification for the proposed development in the Green Belt.

### **RECOMMENDATION**

That planning permission be GRANTED.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

SC8 - Telecommunications (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031816 /1720LB

**Part 2 Item Number:** 6

**Town/Parish Council:** Warwick

**Registration Date:** 25/11/2003

**Expiry Date:** 20/01/2004

**Case Officer:** Steven Wallsgrove  
01926 456527 planning\_west@warwickdc.gov.uk

**18 Neville Court, Castle Lane, Warwick, CV344EZ**

Construction of a balcony.

FOR Mr Mrs W McCracken

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This application was deferred at the meeting on 6th January for plans of the proposal to be shown and, therefore, this report is that previously considered, except for the inclusion of the CAAF comments which were in the addendum report.

**SUMMARY OF REPRESENTATIONS**

Warwick Town Council : Object to balcony of modern design due to visual impact on building.

Warwick Society : Consider design alien to setting and very prominent.

Neighbours : One neighbour objects to loss of light to passageway, noise, and out of keeping with conversion.

CAAF: Consider balcony alters character and is inappropriate as the strength of the building is in its simplicity.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The proposed balcony is at first floor level on the rear of one of the listed buildings now forming this courtyard development and will be overlooking the car park. The balcony would be constructed in wrought iron with a hardwood base. It is not above a passageway and will not affect light to any of the other units, particularly since it is less than 1m deep.

The original proposal, however, was for a balcony that was some 2.8m wide. This was considered to be too large in relation to the building and an amended plan was therefore negotiated. This reduces the width to some 1.8 m, which is now considered acceptable.

Objections also related to the design, but I am of the opinion that a contemporary design is not out of place as long as the quality of the detailing is correct, e.g. they are not too 'weak'. These details can be resolved through an appropriate condition.

### **RECOMMENDATION**

GRANT planning permission and listed building consent, as amended, subject to large scale details.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031821

**Part 2 Item Number:** 7

**Town/Parish Council:** Bishops Tachbrook

**Registration Date:** 25/11/2003

**Expiry Date:** 20/01/2004

**Case Officer:** Fiona Blundell  
01926 456545 planning\_east@warwickdc.gov.uk

**Land rear of 15, 16 & 17, Ryefields, Bishops Tachbrook, CV339UB**

Change of use from scrub land to gardens.

FOR Mrs S. Lowe

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**SUMMARY OF REPRESENTATIONS**

Parish Council raise objection on the grounds that the partial uptake of additional garden combined with the inconsistent fencing will lead to untidy transition between domestic and rural land use on the fringe of the village boundary.

**RELEVANT POLICIES**

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

**HEAD OF PLANNING & ENGINEERING**

The application site relates to a plot of unused agricultural land of 0.08ha, which is located at the rear of the gardens of existing dwellings; the rear of these gardens presently forms the village boundary of Bishops Tachbrook. The views of the application site are obscured to a significant degree by an existing belt of small trees and hedges.

The application seeks permission for a change of use from agricultural land to garden land, in order to extend the residents existing small gardens. Whilst noting and having high regard for the need to protect the open countryside for its own sake; given the fact that this site directly abuts existing gardens of limited depth and is not exposed to distant views (ie: it is not prominent in the landscape); it is considered that the proposal would not constitute such a degree of change to the character of the area that it would warrant a refusal. I am of the opinion, therefore, that the development would not have an adverse impact on the amenities or the character of the area and the development would not be incompatible with the rural environment and would not undermine the objectives of DW Policy C1 of the Local plan.

Whilst noting the objections of the Parish Council and CPRE, it is considered that the proposal would not result in such harm as to sustain a refusal

**RECOMMENDATION**

GRANT subject to condition on boundary treatment.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031822

**Part 2 Item Number:** 8

**Town/Parish Council:** Kenilworth

**Registration Date:** 28/11/2003

**Expiry Date:** 23/01/2004

**Case Officer:** Steven Wallsgrove  
01926 456527 planning\_west@warwickdc.gov.uk

**19 De Montfort Road, Kenilworth, CV8 1DE**

Alterations and extensions to existing bungalow to form new dwelling house.

FOR Mr & Mrs Priest

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This application was deferred at the meeting on 6th January for a fuller pictorial presentation and, therefore, the report has only been amended to incorporate items in the addendum.

**SUMMARY OF REPRESENTATIONS**

Kenilworth Town Council - Object as the proposal in very unneighbourly and is considered to be overdevelopment of the site thereby causing loss of light to both of the neighbouring properties.

Neighbours - Three neighbours object as being unneighbourly, overbearing, overdevelopment, out of character with surroundings, object on sunlight and daylight, overlooking, inadequate parking.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The proposal is to erect a first floor over the original bungalow, and to erect a replacement single storey side extension, with replacement front garages. These extensions, with internal alterations, would result in a detached, four bedroom, house with an attached double garage and a rear conservatory.

The property lies on the corner with Woodcote Avenue, which mainly has bungalows in this section, while De Montfort Road generally has two-storey houses. I consider, therefore, that, as a matter of principle, the erection of a first floor would not be out of place in the street scene.

The remaining issues, therefore, relate to the details of the scheme and, in particular, the impact on the adjoining properties 21 De Montfort Road and 2 Woodcote Avenue.

The plans, as submitted, had a discrepancy on the north elevation (i.e. facing the side of the De Montfort Road property) but amended plans show that the two windows here

would both be high level, one being to a bedroom and the other to a bathroom. There should, therefore, be no loss of privacy either into the side windows of No. 21 or into their back garden. The only rear window proposed is into an en-suite and, therefore, there should be no loss of privacy from here either.

Whilst the development will be visible from the side kitchen window of 2 Woodcote Avenue, I am of the opinion that the impact would not be unreasonable due to the existing tall boundary hedge close to that bungalow and the length of the back garden of the applicants property.

In terms of loss of daylight and sunlight, since this property is directly south of the De Montfort Road neighbour, and with its rear wall only 3 metres behind that of this neighbour, I consider that the difference will be small and only for a very short period as the sun passes. It should also only have a limited effect on the side windows or ground floor rooflight since the two-storey part is over 2 metres from the side boundary and some 5 m from the 1st floor side windows.

### **RECOMMENDATION**

GRANT, as amended, subject to not altering the approved windows.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031825

**Part 2 Item Number:** 9

**Town/Parish Council:** Whitnash

**Registration Date:** 27/11/2003

**Expiry Date:** 22/01/2004

**Case Officer:** Sarah Laythorpe  
01926 456554 planning\_east@warwickdc.gov.uk

**17 Goldacre Close, Whitnash, CV312TW**

Erection of rear conservatory.

FOR Mr & Mrs Palmisciano

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**SUMMARY OF REPRESENTATIONS**

Town Council: No objection

Neighbours: One objection from 15 Goldacre Close on the grounds of loss of light to the neighbouring property, as well as the conservatory causing an oppressive effect. They also object on the grounds that the conservatory would not be in line with the exterior side wall of the property and would project towards their property.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The host dwelling relates to a 2-storey detached dwelling situated on the north-west side of Goldacre Close at the head of the cul-de-sac.

The proposal relates to the erection of a conservatory on the rear elevation of the property. As proposed, the conservatory would extend 6 metres across approximately half the width of the rear elevation to a depth of 3 metres, whilst it would extend beyond the existing side elevation by approximately 1.8 metres, to within approx. 1 metre of the south-west side boundary with no.15. Due to the topography of the site the rear garden slopes gently away from the property.

I fully appreciate the neighbouring residents' concerns regarding the impact of the conservatory, as expressed above. However, given the relative orientation of these neighbouring properties away from each other and the absence of windows in the side gable elevation of the adjoining property, I do not consider the proposal would have an unacceptable adverse impact on neighbouring residents' amenities. I am also satisfied that the proposal would satisfy the adopted SPG 45 degree guideline.

**RECOMMENDATION**

GRANT subject to matching materials.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031829

**Part 2 Item Number:** 10

**Town/Parish Council:** Leamington Spa

**Registration Date:** 27/11/2003

**Expiry Date:** 22/01/2004

**Case Officer:** Alan Coleman  
01926 456535 planning\_east@warwickdc.gov.uk

**9 Farley Street, Leamington Spa, CV311HB**

Erection of a two storey extension.

FOR Mr Jardine

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**SUMMARY OF REPRESENTATIONS**

This application was deferred by Members at the previous meeting on 6 January 2004 in order to undertake a site visit, which took place on 24 January 2004. Further objections and comments received since the report was compiled were contained in the addendum which were summarised as follows:

"Cllr Cheryl Flanagan (ward member) has confirmed that she has visited the site and considers that the scheme now proposed has properly addressed previous objections and is satisfactory.

Two further letters of objection on grounds of overlooking, noise nuisance from raised garden area, excessive scale and detrimental impact on local amenity and conservation area. It is considered that the revised plans are little changed from the previous refusal. Loss of sunlight to neighbours conservatory and garden, loss of privacy from rooflights. Inaccuracies in the plans are also referred to, particularly height clearance to the French doors which lead to the roof terrace."

Two further letters of objection on similar grounds and a statement in support of the proposals from the applicants were also circulated to members in the late papers, all of which had also been sent to members by the respective authors by e-mail.

The report that follows is that which was previously presented.

Town Council: No objection.

CAAF: No comments.

Neighbours: 6 letters of objection have been received from the residents of 4,5, 6 and 12 Squirhill Place, the owner of 9&10, and the Squirhill Place Management Company on the grounds that the revised application does not fully address the previous reason for refusal in relation to the size, height, scale, mass and proximity of the extension in relation to neighbouring properties, overdevelopment by reason of there being inadequate capacity within the site to accommodate the proposal in an acceptable manner, harm to the visual amenities of the surrounding area, loss of daylight, sunlight and outlook, loss of privacy from overlooking between the roof garden and neighbouring flat windows, which would be exacerbated by the intensified use of the roof terrace following the loss of the existing garden area to accommodate the extension and its increased accessibility from the extension, noise and disturbance arising from the use of

the roof terrace in close proximity to habitable room windows of neighbouring flats and noise, dust, inconvenience and loss of amenities/use of clothes drying facilities throughout the construction period.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)  
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)  
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)

This application was deferred by Members at the previous meeting on 6 January 2004 in order to undertake a site visit, which took place on 24 January 2004. Further objections and comments received since the report was compiled were contained in the addendum which were summarised as follows:

"Cllr Cheryl Flanagan (ward member) has confirmed that she has visited the site and considers that the scheme now proposed has properly addressed previous objections and is satisfactory.

Two further letters of objection on grounds of overlooking, noise nuisance from raised garden area, excessive scale and detrimental impact on local amenity and conservation area. It is considered that the revised plans are little changed from the previous refusal. Loss of sunlight to neighbours conservatory and garden, loss of privacy from rooflights. Inaccuracies in the plans are also referred to, particularly height clearance to the French doors which lead to the roof terrace."

Two further letters of objection on similar grounds and a statement in support of the proposals from the applicants were also circulated to members in the late papers, all of which had also been sent to members by the respective authors by e-mail.

The report that follows is that which was previously presented.

### **HEAD OF PLANNING & ENGINEERING**

The premises comprise a two-storey detached house that is situated on the eastern side of Farley Street within a predominantly residential part of the Conservation Area. The building dates to the mid 19th Century and is unique in its design and appearance but is not listed. A modern development of 21no. apartments stand adjacent to the site in two detached blocks to the east and west, known as Squirhill Place. The car parking area serving Squirhill Place adjoins the rear boundary of the premises, which is defined by a brick wall containing two windows to the property. The wall itself descends in height

across its 20 metre length in six stages from approximately 4.8 metres at its southern end to approximately 2.1 metres at its northern end where it adjoins the side boundary of 42 Willes Road. Habitable room windows in the northern rear elevation of the neighbouring apartments at 1-8 Squirhill Place face onto the southern return elevation of this wall at a distance of approximately 3.5 metres away.

The main two-storey body of the house is set back from this boundary by approximately 3.9 metres behind a single storey flat roofed extension containing the kitchen and bathroom. The roof area is currently used as a roof garden with access from the courtyard via a step ladder and is set below the top of the boundary wall by approximately 1.8 metres.

Planning permission for a two-storey extension was refused under delegated powers on 20 August 2003 on the grounds that 1) its scale, mass and proximity to neighbouring properties would have an unacceptable over-bearing and over-shadowing effect and would thereby constitute an unneighbourly form of development, and; 2) its scale and design would neither preserve nor enhance the character or appearance of the Conservation Area (WDC Ref: W20031066).

In comparison with the refused scheme, the footprint of the development is identical. In terms of its design, parapet walls with corbelled eaves are now proposed to each gable of the extension and the entrance porch in order assimilate it with the gables of the original dwelling. The width of the porch has also now been reduced and indented, together with corresponding alterations to the porch roof, addition of a cement render surround to the entrance/patio doors, refinements to door/window glazing patterns and use of obscure glazing for the first floor bedroom window in the northern gable elevation of the extension. The overall height of the extension has also been reduced by lowering the ridge from 6.9 metres to 6.5 metres with a corresponding reduction in the height of the eaves from 4.9 metres to 4.5 metres. As a consequence, the height of the rear elevation of the extension above the rear boundary wall is also reduced by 0.5 metres, which equates to an overall area of brickwork of 3.05 sq. m.

In my opinion, these amendments are sufficient to render the scheme acceptable in terms of its design and appearance in relation to the host property and the character and appearance of the Conservation Area. I also consider it would be appropriate to attach conditions requiring the submission/use of matching reclaimed facing/roofing materials, large scale architectural details and details of the roofing pattern to ensure it would match the decorative finish of the existing roof. In terms of its impact on neighbouring residents' amenities, as summarised above, the development would undoubtedly be clearly visible when viewed from neighbouring properties. However, the reduction in the ridge and eaves height now proposed would have a material benefit overall in reducing the mass of the rear elevation and southern gable elevation to the extent that I consider it would not cause an unacceptable degree of harm.

With regard to the potential loss of privacy through overlooking, I note the roof terrace currently exists and is available for use. I also note the outlook therefrom/thereto is currently restricted by the height of the existing surrounding boundary wall. This wall would be retained at its current height and position as part of the proposals. I do not therefore consider the proposals would result in any greater prospect of direct overlooking. In terms of noise/disturbance arising from its use, I accept that it would be more readily accessible and convenient for the applicants to use as a result of the

development. However, I do not consider this, in itself, would render the scheme unacceptable in planning terms.

### **RECOMMENDATION**

GRANT, subject to conditions regarding facing/roofing materials, metal rainwater goods, timber doors and windows, large scale architectural details, matching decorative roofing and obscure glazing.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031838

**Part 2 Item Number:** 11

**Town/Parish Council:** Baddesley Clinton

**Registration Date:** 04/12/2003

**Expiry Date:** 29/01/2004

**Case Officer:** Martin Haslett  
01926 456526 planning\_west@warwickdc.gov.uk

**Ivy Cottage, Birmingham Road, Baddesley Clinton, Solihull, B93 0BY**  
Refurbishment and extension of existing cottage.  
FOR V Aukstolis

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### **SUMMARY OF REPRESENTATIONS**

Parish Council: object- development not in keeping with existing dwelling, substantial extension in Special Landscape Area and Green Belt. Reconstruction of outbuildings would make significant impact on landscape.

Neighbours: 2 letters of objection, on grounds of impact on approach to village, footprint increased by more than 33%, impact of additional outbuildings, character and appearance of the cottage would be significantly altered. Concern expressed about garage and stables to the rear.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 First Deposit Version)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)  
DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

### **HEAD OF PLANNING & ENGINEERING**

Ivy Cottage is a modest dwelling which had a small single storey extension in the 1950's. It is now proposed to add a front porch and a small 2 -storey side extension, of about 3m by 4m, which would provide an enlarged living room and bedroom. Additionally a small rear extension to accommodate a new staircase is proposed.

In view of the previous extension, the total extension would be in excess of the 30% limit implied in policy RAP 3 of the emerging Warwick District Local Plan, but within the 50% policy of the current local plan. In view of the very small size of the original cottage and the design of the proposals which respect the character of the original, the extensions are considered reasonable. The overall building would not have a seriously detrimental impact on the openness of the Green Belt, in my opinion.

Neighbours have expressed concern over stables and garages to the rear of the house. There is a considerable range of existing outbuildings and the applicants have indicated that these would be replaced by a new garage block and separate stables building,

which would be built under permitted development. These do not therefore form part of the current application and any objection to them cannot be used as a reason for refusal of the current application.

### **RECOMMENDATION**

That permission be GRANTED, subject to condition to make it clear the stables and garage do not form part of the permission.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031859

**Part 2 Item Number:** 12

**Town/Parish Council:** Lapworth

**Registration Date:** 03/12/2003

**Expiry Date:** 28/01/2004

**Case Officer:** Martin Haslett  
01926 456526 planning\_west@warwickdc.gov.uk

**Bow Hill, 178 Bakers Lane, Lapworth, Solihull, B93 8PS**  
Demolition of existing dwelling and the erection of a replacement dwelling.  
FOR Mr J Williams

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### **SUMMARY OF REPRESENTATIONS**

Parish Council: objection- inappropriate redevelopment of a Victorian building which is part of the character of the area.

WCC(Ecology): no objection, subject to bat and bird notes.

CPRE: objection- site in Green Belt and Special Landscape Area, development should only be permitted in 'very special' circumstances, unsure of the merit of what is to be demolished or the size of proposed replacement.

### **RELEVANT POLICIES**

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

### **HEAD OF PLANNING & ENGINEERING**

Bow Hill is a large house, probably of Victorian or Edwardian age which is situated in a part of Bakers Lane where there is a number of houses, cottages and farmhouses, often situated in substantial plots of land. The application is for a replacement dwelling and is in outline, with all matters reserved for the subsequent detailed application. Hence, there is no information on the replacement house.

PPG2, Green Belts, states that replacement dwellings may be appropriate development in the Green Belt, provided that the replacement dwelling is not materially larger than the dwelling that it replaces. The PPG goes on to say that local planning authorities should set out criteria under which they are prepared to accept applications for replacement dwellings. Since the PPG was published after the 1995 Local Plan was prepared, the approved plan does not set out any criteria.

This situation will be remedied by the emerging local plan, presently on deposit, where policy RAP4 sets out criteria for replacement dwellings- that the existing dwelling should be structurally unsafe, or of unsatisfactory architectural design. However, policy RAP4 is one to which rather little weight can be attached at this stage in the local planning process, as it is unsupported by current local plan policy. In these circumstances, I

consider that the principle of a replacement has to be accepted as it is in conformity with current local plan policy.

The outline application gives no details of the replacement dwelling, but this need not be an obstacle to granting permission as a condition could be imposed requiring the size of the replacement to be not materially larger than the existing.

### **RECOMMENDATION**

GRANT, subject to standard outline conditions and additional conditions to require the replacement dwelling to be not materially larger than the existing, and to require a survey giving the size, floorspace and height of the existing to be submitted with the detailed plans, (or prior to its demolition), whichever is the sooner, bat and bird notes.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031871

**Part 2 Item Number:** 13

**Town/Parish Council:** Kenilworth

**Registration Date:** 09/12/2003

**Expiry Date:** 03/02/2004

**Case Officer:** Penny Butler  
01926 456544 planning\_west@warwickdc.gov.uk

**22 Berkeley Road, Kenilworth, CV8 1AP**

Erection of a two storey front extension with 2 new front dormers.  
FOR Mr Mrs Greenway

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**SUMMARY OF REPRESENTATIONS**

Kenilworth Town Council: The Council is concerned at the effect on the building line caused by the proposed front extension.

Neighbour: Adjacent neighbour objects to the proposal on the grounds of overshadowing of their front elevation and subsequent loss of sunlight to their front lounge. The extension of the dormer ridge is larger than that on similar surrounding properties, which have not extended past their neighbours front walls. It is suggested that the dormers should extend no further than the front wall of their property.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
The 45 Degree Guideline (Supplementary Planning Guidance)

**HEAD OF PLANNING & ENGINEERING**

This is a two storey detached property with a projecting flat roof front garage and porch. The garage side of the property is set 1m off the side boundary with the adjacent neighbour, who has front windows at ground and first floor on this side. There is a 2m high conifer hedge along this boundary, and the other side of the application site borders an electricity sub station. It is proposed to extend the existing pitched roof down over the projecting front garage, and to insert two dormers into this to provide further accommodation at first floor. The ridge of the dormers will extend 4m forwards of the existing property, 1.7m from the side boundary. The neighbours affected windows are to a bedroom and a through lounge which has another window at the rear. A new porch is proposed next to the existing garage, so this will not extend any further forwards at ground floor and will not extend any closer to the neighbour.

A 45 degree guideline from these windows is not breached and, therefore, I do not consider that the loss of light and overbearing impact of the proposal on these windows would be so substantial as to warrant refusal. The neighbours property is also set 1m off the side boundary, and their front wall is set over 1m forwards of the applicant.

**RECOMMENDATION**

GRANT.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
The 45 Degree Guideline (Supplementary Planning Guidance)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031872

**Part 2 Item Number:** 14

**Town/Parish Council:** Barford

**Registration Date:** 09/12/2003

**Expiry Date:** 03/02/2004

**Case Officer:** Will Charlton  
01926 456528 planning\_west@warwickdc.gov.uk

**Tall Pines, 27 High Street, Barford, CV358BU**  
First floor extension and balcony over existing garage.  
FOR Mr & Mrs A Rhead

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### **SUMMARY OF REPRESENTATIONS**

Parish Council : No objection, but comment that the velux window should be placed in the north side of the roof so as to be less visible from the frontage of the property  
Neighbours : Two objections (No6 & No7 Ryland Road) have been received from the neighbouring properties to the north east. The proposed extension would significantly reduce light and the amount of skyline to the neighbours, with the height of the proposed extension being exaggerated as it is located on higher land. A flat roof extension is suggested as a way to partially overcome objections. The properties are not currently overlooked, however the inclusion of a side facing window would cause significant loss of privacy.

### **RELEVANT POLICIES**

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

### **HEAD OF PLANNING & ENGINEERING**

The first floor extension proposed would be positioned above an existing flat roof double garage situated at the front of the property, facing the High Street. The house and its front garden is dominated by a number of tall pine trees, which are also very visible in the street scene, effectively screening the house from the road.

Whilst the front of the property is not immediately apparent from the road, the proposed extension would eliminate the flat roof of the existing double garage at the front of the property, thereby visually improving the aesthetics of the property. As the front elevation of the extension would not be easily seen from the road, I cannot agree with the Parish Council's comments that the roof light should be repositioned.

There are two large detached properties in large gardens which back onto the applicants house, both set at angle. No 7 Ryland Road is set to the rear/side of the existing dwelling, with No 6 being located adjacent to the front garden and side of the proposed extension.

The dwelling at No 7 is located at an angle and over 25m from the proposed extension, with the majority of the proposed extension being obscured by the existing property, while the nearest section of No 6 is located over 20m away. Therefore, whilst recognising the concerns of both neighbours regarding loss of light, it is not considered that the extension proposed would materially affect light to the properties to such an extent as to warrant refusal.

Both neighbours objected to the proposed side window. It was agreed that this would impact upon privacy / perceived privacy and has therefore been removed from the scheme. It is recommended that a condition be imposed restricting permitted development rights so that a window could not be inserted in this elevation in the future.

### **RECOMMENDATION**

GRANT subject to matching materials and removal of permitted development rights to insert windows in the side (north east) elevation of the property.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031875

**Part 2 Item Number:** 15

**Town/Parish Council:** Cubbington

**Registration Date:** 05/12/2003

**Expiry Date:** 30/01/2004

**Case Officer:** John Beaumont  
01926 456533 planning\_east@warwickdc.gov.uk

**Land at, Church Lane, Cubbington, Leamington Spa, CV327JT**

Variation of Condition 6 of Planning Permission W20011149 (no permitted development shall be carried out without the prior permission of the District Planning Authority).  
FOR Mr D Rose

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**SUMMARY OF REPRESENTATIONS**

Parish Council: No clear justification for this variation which could avoid need for the proposed development to receive full and proper consideration. Therefore, the Parish Council strongly objects to this application which would result in a new development in the Conservation Area.

Neighbours: One neighbour does not wish to see future changes to the building itself but no objection to minor developments such as garden shed.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

Planning permission W20011149 was granted on 5th November 2001 for a dwelling on land west of Church Lane, Cubbington; the site of the dwelling adjoins the Conservation Area which includes the bank alongside Church Lane. No vehicular access was proposed to serve this dwelling and indeed it was considered the construction of such an access and associated hardstanding would be detrimental to the character and appearance of the Conservation Area.

A planning condition was imposed on the planning permission taking away 'permitted development' rights under Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

The applicant now wishes to modify this condition to allow certain works to still be permitted i.e. Class D (The construction of an external porch), Class E (ancillary garden outbuildings etc.), Class G (oil storage container) and Class H (satellite dish). In my opinion, there is no sound and clear cut planning reason not to allow these works to be undertaken without the need for planning permission. It would be important, however, given the restricted size and configuration of this site and its relationship to both neighbours and the Conservation Area to retain control over Classes A, B and C (alterations/extensions to the dwelling house) and Class F (construction of hardstanding).

### **RECOMMENDATION**

GRANT subject to a condition to withdraw permitted development rights under Class A, B, C and F of Part 1 of Schedule 2 to the Town and Country Planning (General Development Order) 1995.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031877

**Part 2 Item Number:** 16

**Town/Parish Council:** Warwick

**Registration Date:** 18/12/2003

**Expiry Date:** 12/02/2004

**Case Officer:** Steven Wallsgrove  
01926 456527 [planning\\_west@warwickdc.gov.uk](mailto:planning_west@warwickdc.gov.uk)

**15 Myton Crescent, Warwick, CV346QA**

Erection of a two-storey front and single storey side extensions.

FOR Jonothan Holland Architects

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**SUMMARY OF REPRESENTATIONS**

Warwick Town Council: No comments received.

Neighbours: Three letters have been received which refer to previous applications and object to this proposal on grounds of overdevelopment, lack of parking and as being contrary to Policies DP1, DP2, DP3 and DP6 of the Draft Review of the Local Plan.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

This property lies on the inside of the curve in this road, opposite The Malins, and has been the subject of a number of applications in the last few years, including three for a new dwelling (the last one being granted) and three (including the present application) for extensions, the previous two being refused.

The present proposal is in two parts, the first being to extend two existing ground floor bedrooms by 3 metres towards the road on the south west side (leaving some 13 metres to the back of the highway) with an additional bedroom in the roof space, adjoining an existing roof space bedroom. This extension would be no higher than the existing dwelling. A small error in the drawings of the side elevation and roof plan has now been corrected.

The other part is the erection of a single storey extension on the south east side which would form an infill in an 'L' Shape and provide a breakfast area and 'enlarged family room' on the side of the existing kitchen and lounge. This extension would come slightly closer to the highway than the existing dwelling due to the curve of the road but would still be some 7.5 metres back. The roof design of this extension respects the existing building by continuing the main roof line through and adding a side gable to match that of the existing lounge.

I am of the opinion, therefore, that the extensions would not unreasonably harm the character of the street scene or affect any neighbours due to their distance from the highway and the existing boundary trees. I consider that Policies DP3 and DP6 are not relevant since they relate to the natural environment (which is not intended to include private gardens) and access, which is not being altered.

**RECOMMENDATION**

GRANT, as amended.

**REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031883

**Part 2 Item Number:** 17

**Town/Parish Council:** Lapworth

**Registration Date:** 11/12/2003

**Expiry Date:** 05/02/2004

**Case Officer:** Steven Wallsgrove  
01926 456527 [planning\\_west@warwickdc.gov.uk](mailto:planning_west@warwickdc.gov.uk)

**Chessetts Cottage, Chessetts Wood Road, Lapworth, B94 6ES**

Erection of replacement dwellinghouse and part conversion of stables (following demolition of existing cottage and part demolition of stable block)  
FOR Mr & Mrs Reilly

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**SUMMARY OF REPRESENTATIONS**

Lapworth Parish Council : Object as stables redevelopment is out of proportion with proposed replacement dwelling and out of character with rural setting.

WCC (Highways) : Comments awaited - expected to request widening of access.

**RELEVANT POLICIES**

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) C3 - Criteria for the Conversion of Rural Buildings (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

PPG2 - Green Belts.

**HEAD OF PLANNING & ENGINEERING**

The proposal is to erect a replacement dwelling for the existing ancillary cottage, to link this to the large range of stables (and demolish another, detached, building), and to convert part of the existing stables into an extension to the replacement dwelling. A wing of the large stable range would also be demolished. Access to this dwelling would be along the existing driveway.

The site lies in a relatively prominent position in the Green Belt and Special Landscape Area where the long back wall of the stable range (and the detached building to be removed) are clearly visible, across a paddock, from the public footpath which follows the avenue of trees from Packwood House to Chessetts Wood Road. It is considered to be essential, therefore, that any conversion of the permanent and substantial stable range protects and, where possible, enhances the setting of the building and the character of the countryside, as required by Local Plan Policy (DW) C3.

Negotiations have therefore taken place to retain the stable block character by not enlarging the rear windows, retaining the wide eaves overhang, and not having patio doors in the rear gable end. In addition, it was considered essential that the approach to the development, and its relationship to the Victorian villa, should retain its

ancillary/incidental character and not look like a second, large, dwelling on the site. The negotiations, therefore, have included the provision of a front, walled, 'service' yard at the side of the villa.

I consider that, with these changes, the proposed development will protect the character of the Green Belt and be in accordance with approved policies.

### **RECOMMENDATION**

GRANT, as amended, subject to sample materials, boundary treatment, removal of permitted development rights, and access conditions.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) C3 - Criteria for the Conversion of Rural Buildings (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

PPG2 - Green Belts.

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**Planning Committee:** 26 January 2004  
**Application No:** W20031888

**Part 2 Item Number:** 18

**Town/Parish Council:** Lapworth

**Registration Date:** 12/12/2003

**Expiry Date:** 06/02/2004

**Case Officer:** Will Charlton  
01926 456528 planning\_west@warwickdc.gov.uk

**Tapster Mill, Bushwood Lane, Lapworth, B94 5PJ**

Erection of a dwelling to replace existing cottage (In accordance with Conditions 1A, 1B, & 1C of Outline planning permission W20031241).  
FOR Mr M Morgan

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**SUMMARY OF REPRESENTATIONS**

Parish Council : Object as not enough information; site visit is requested to clarify position of proposed development.

CPRE: Object to the proposal as no very special circumstances have been given. It is not a replacement dwelling as the existing building is to be converted to farm storage and the further increase in building in the area on the site is not acceptable.

**RELEVANT POLICIES**

(DW) ENV2 - Areas of Restraint (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP2 - Protecting the Areas of Restraint (Warwick District 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The application is for the approval of reserved matters relating to an outline planning permission granted for the erection of a replacement dwelling (Granted Sep 03). The outline planning permission accepted the principle of a dwelling on the site to replace an existing dwelling which was attached to the main complex of farm buildings.

The current application proposes a detached three bedroom dwelling positioned as approved by the outline permission. The floor area would be approximately 122 square metres, therefore below the current local plan requirement for agricultural dwellings (140 square metres). It is approximately the same area as the existing dwelling to be partially demolished and converted to farm storage, as required by the outline planning permission.

As the principle and justification of a replacement dwelling and its broad location have been accepted during the outline application, the consideration of this application is purely on the details of the dwelling, including siting, design, access and landscaping.

As proposed in the outline application, the dwelling would be located adjacent to the existing farm complex, including a large indoor training building, a range of stables and an indoor swimming pool attached to the main dwelling. The existing landscaping and trees would be retained, with the secondary access to the riding school being used as the access to this dwelling

The dwelling has been designed so as to be 1.5 stories in height, with the bedrooms in the roofspace having dormer windows. It has been designed so as to appear as a subservient character cottage, in keeping with the rural landscape. It is therefore considered that this element of the scheme is also acceptable.

### **RECOMMENDATION**

APPROVE

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV2 - Areas of Restraint (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP2 - Protecting the Areas of Restraint (Warwick District 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031893

**Part 2 Item Number:** 19

**Town/Parish Council:** Warwick

**Registration Date:** 11/12/2003

**Expiry Date:** 05/02/2004

**Case Officer:** Steven Wallsgrove  
01926 456527 planning\_west@warwickdc.gov.uk

**66 Mercia Way, Warwick, CV344QB**

Erection of conservatory on Plot 5 (amendment to W971393) (retrospective)  
FOR Mr M Marshall

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**SUMMARY OF REPRESENTATIONS**

Warwick Town Council: No comments received.

Neighbours: 1 neighbour objects due to encroachment into the impression of open space and being visible from rear. A further 10 letters have been received which object to the houses and consider the white finished conservatory a 'sore thumb' which should be removed.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

Planning permission was originally given in 1998, on appeal to the Secretary of State, for the erection of 5 houses on this site. These have now been built and are on the market, but none are occupied.

A conservatory was built on the rear of one of the houses, before it was completed and occupied, and, therefore, planning permission was required. (If it had been built after occupation, it would have been 'permitted development').

The conservatory is small (2 m deep) and is of a standard design, is within the garden, and complies with the Council's adopted 45° Guide. It is screened from the river walk by 1.8 m close boarded fences and is over 30 m from the river walk. I consider, therefore, that it does not encroach onto the open space and has a minimal impact on the visual amenities of the area.

**RECOMMENDATION**

GRANT.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031911

**Part 2 Item Number:** 20

**Town/Parish Council:** Leamington Spa

**Registration Date:** 19/12/2003

**Expiry Date:** 13/02/2004

**Case Officer:** Sarah Laythorpe  
01926 456554 planning\_east@warwickdc.gov.uk

**15 Lamintone Drive, Leamington Spa, CV326SJ**

Erection of a single storey rear extension.

FOR Mr & Mrs P. Shaw

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**SUMMARY OF REPRESENTATIONS**

Town Council: no objection

Neighbours: one objection on the grounds of loss of light to their conservatory.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The application site relates to a 2-storey detached property which is situated on the north side of Lamintone Drive. The property has previously been extended by means of a single storey rear extension adjacent to the boundary of 17 Lamintone Drive.

The proposed extension would be attached to the return elevation of the existing extension and would extend across the remaining width of the rear elevation towards the boundary with no 13. As proposed, the extension would have a central gable elevation projecting approximately 3 metres into the garden, whilst the remaining pitched roof element of the extension would project approximately 1.8 metres, to the same depth of the existing extension.

Whilst the concerns of the neighbouring resident are noted, the extension would be shielded from view from No.17 by the existing extension and I do not consider the proposal would have so serious an impact on light as to warrant refusal. In design terms, the proposal does not create a degree of over-dominance with respect to the neighbouring amenity. I consider that the application is acceptable in terms of its design and appearance, thereby complying with Policy (DW) ENV3 of Warwick District Local Plan and the adopted SPG 45 degree guideline.

**RECOMMENDATION**

GRANT subject to matching materials.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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**Planning Committee:** 26 January 2004  
**Application No:** W20031931

**Part 2 Item Number:** 21

**Town/Parish Council:** Leamington Spa

**Registration Date:** 10/12/2003

**Expiry Date:** 04/02/2004

**Case Officer:** Fiona Blundell  
01926 456545 planning\_east@warwickdc.gov.uk

**Unit 3, Berrington Road, Sydenham Industrial Estate, Leamington Spa, CV311PS**  
Extension to warehouse  
FOR Stairways Holdings Ltd

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### **SUMMARY OF REPRESENTATIONS**

Town Council : No objections  
Railtrack Midlands: No objections  
Environmental Health: No objections subject to conditions on hours of use restrictions and a standard noise condition. The proposal is considered as positive step to resolve any outstanding noise pollution concerns that complainants may have.

Neighbours: A total of seven neighbour objections have been received expressing concerns relating to the noise pollution and nuisance produced from the extractor fan unit. Four neighbours from Waverley Road object to the noise pollution and nuisance which has resulted in sleep disturbance and loss of the enjoyment of their gardens. Neighbours were forced to shut their windows in an attempt to shut out the noise emissions. Dust and ash deposits were also blown in their gardens. Three residents from Clapham Terrace object on the grounds of noise pollution and dust and ash deposits.

James Plaskitt MP has also written to confirm that a number of local residents have contacted him about their concerns on noise and pollution relating to these premises, and requests careful consideration of this matter before a decision is made.

### **RELEVANT POLICIES**

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

### **HEAD OF PLANNING & ENGINEERING**

The application site is situated with the Sydenham Industrial Estate, where there is the operation of a variety of Class B uses on a small to large scale. The premises adjoin the railway line, with houses on Waverley Road on the opposite side.

The premises currently comprises 2 conjoined units, for which change of use from B8 to mixed use for B8 and B2 was granted on 14 November 2002. Subsequent to this permission, a large external extractor fan was installed under commercial permitted development rights. Noise emitting from the extractor fan produced numerous

complaints of noise pollution and nuisance from neighbouring residents, and was subsequently investigated by environmental health. The current application seeks permission to erect an extension to provide storage facilities and to house the extractor unit in order to further reduce noise emissions.

The extension would comprise of a split level unit, the height to eaves of the tallest unit measuring 9.7 metres , with an overall floorspace of approx. 413 sq.metres. Although the proposal is high compared to the existing premises, which has an eaves height of 5.7 metres, there would be no overlooking windows and in terms of design, it is considered that it would harmonise with the surrounding industrial units.

The Environmental Health Department considers that subject to conditions such as a standard noise condition and hours of use restriction, the proposal would be a positive step to resolving any remaining noise pollution concerns that the neighbours have, as the housing of the extractor fan would help to reduce noise emissions.

I am of the opinion therefore that the proposal would not an adverse impact on the surrounding area and would comply with the provisions of Policies (DW) ENV3 of the Warwick District Local Plan 1995 and DP1 of the emerging Local Plan 1996-2011.

### **RECOMMENDATION.**

GRANT subject to conditions on hours of use and noise levels.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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