

Planning Committee: 11 July 2006

Item Number:

Application No: W 06 / 0740

Registration Date: 10/05/06

Town/Parish Council: Warwick

Expiry Date: 05/07/06

Case Officer: Penny Butler

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2 Church Street, Warwick, CV34 4AB

Installation of air conditioning unit to rear FOR Mrs S Horne

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

SUMMARY OF REPRESENTATIONS

Town Council: Object. "The Town Council does not object to the fascia and hanging signs but consider that the introduction of air conditioning with extraction at a comparatively low level will be detrimental to the residential amenity of adjoining residential units and that the development is also detrimental to the character and appearance of the building."

Warwick Society: Ask that permission is not granted for the installation of air conditioning units in this confined space unless the Council are completely satisfied that there is no noise or heat dissipation nuisance to neighbours. The Council should be even handed in dealing with this application, and the other current application for an air conditioning unit at number 1 Jury Street.

WDC Environmental Health: As the unit is to be relocated at ground level it should not be a nuisance.

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)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

A number of planning applications have been made on the site. The most recent applications for the current shop front and signage and a new projecting canopy, were refused in 2005.

KEY ISSUES

The Site and its Location

This property is an important Grade II* Listed Building close to the corner of Church Street and Jury Street. The premises consist of a retail shop at ground floor with offices above. There is a small walled courtyard at the rear which is shared with number 1 Jury Street. There are three air conditioning units in this yard, two of which are above head height. The unit which is the subject of this application is at high level, above the rear window to the shop.

Details of the Development

The proposal is to relocate one of the high level air conditioning units to ground level.

Assessment

The issues to consider are the impact of the unit on the Listed Building and Conservation Area, and impact on the amenity of residential properties.

Moving the existing unit to ground level will have much less visual impact on the Listed Building than it does currently at high level. The rear yard area is enclosed and visible only from a small number of surrounding properties, and as such there will be little impact on the character of the Conservation Area.

There are a number of residential properties overlooking the yard which may potentially be affected by noise, heat or odour from nuisance air conditioning units, however, a District Environmental Health Officer has visited the site and is satisfied that the unit will not create such problems. These comments were also made at the same time as those for the retention of the unit at number 1 Jury Street. In the light of this information there are no grounds for refusal on amenity issues.

RECOMMENDATION

GRANT, subject to the conditions listed below.

- 1 The air conditioning unit shall be moved in accordance with the approved plans not later than the expiration of three months 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 10 May 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 achieves
acceptable standards of positioning and design and does not give rise to any harmful
effects in terms of noise, heat or odour which would justify a refusal of permission.
The proposal is therefore considered to comply with the policies listed.
