

Planning Committee: 30 July 2008

Item Number:

Application No: W 08 / 0605

Registration Date: 22/04/08

Town/Parish Council: Bishops Tachbrook

Expiry Date: 17/06/08

Case Officer: Fiona Blundell

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1 Millway Drive, Bishops Tachbrook, Leamington Spa, CV33 9SE

Erection of a low brick boundary wall to form retaining wall, together with the erection of a rear conservatory FOR Mr & Mrs Bowen

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

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council: Objection - overdevelopment of plot, mass and scaling will be inappropriate in the context of the adjoining dwelling. Extension of fence will urbanise streetscape and will set a precedent.

Public Response: No representations received.

W.C.C (Ecology Unit): Bat notes if applicable.

RELEVANT POLICIES

- The 45 Degree Guideline (Supplementary Planning Guidance)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

PLANNING HISTORY

Planning permission for a two storey side extension adjacent to Argyle Way was granted on 27th April 1999 under application W99/0178. This scheme was subsequently amended with the repositioning of rear garden side boundary incorporating land to the side of the property under application W01/0125 granted by Committee on 20th March 2001. The erection of a carport and garage to the side of the property, repositioning of the boundary fence and dropped kerb was granted under application W06/1245 on 27th September 2006. This latter permission has not been implemented but is still valid up to September 2009.

KEY ISSUES

The Site and its Location

No 1 Millway Drive is the right hand side of a pair of semi-detached of semi-detached properties, constructed in the 1970s. The property is sited at the entrance of Millway Drive and there is a strip of open land, planted with two trees between the gable and boundary wall of the property and Argyle Way. The

application property is surrounded by similar residential properties set within an open plan landscape.

Details of the Development

The proposed works include the erection of a rear conservatory and a shed within the rear garden, together with the erection of a low brick boundary retaining wall.

Assessment

The main issues relevant to the application are as follows:

- Impact on the street scene.
- Impact on the neighbouring amenities.

The impact on the street scene.

I note the Parish Council's objection relating to overdevelopment of the site and its impact on the surrounding street scene. Following negotiations, the scheme has been amended to omit the front boundary wall separating the application site from the adjoining semi-detached property and abutting the public footpath. As such, I am of the view the amended scheme, only keeping the low brick retaining wall abutting the driveway would respect the open plan landscape character of the street scene and surrounding residential area.

With regard to the overdevelopment objection, I consider that as the proposed rear conservatory would not be visible from public viewpoints and the site is sufficiently large to accommodate the development, it would not result in such harm to the street scene that it would sustain a refusal on these grounds.

The impact on the neighbouring amenities.

The proposed rear conservatory would comply with the 45 degree guideline. I am of the view that the proposed shed would be acceptable given that it would be situated hard up along south boundary of the site and only just visible above the approved boundary fence. I am therefore of the opinion that the proposal would not result in such significant harm to the neighbouring amenities that it would justify a refusal.

RECOMMENDATION

GRANT subject to the following conditions:-

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in

accordance with the details shown on the approved drawing 1B as amended, and specification contained therein, submitted on 18th July 2008 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building.

REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.
