

Planning Committee: 20 February 2007

Item Number: 12

Application No: W 06 / 1951

Registration Date: 11/12/06

Town/Parish Council: Leamington Spa

Expiry Date: 05/02/07

Case Officer: Fiona Blundell

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Kelseys, 15-17 High Street, Leamington Spa, CV31 3AW

Replacement of rear first floor window with french doors and erection of railings to enclose rear patio at first floor. FOR Mr Satsavia

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

SUMMARY OF REPRESENTATIONS

Town Council: An objection has been received on the following grounds' *The proposed application would have a detrimental impact on the neighbouring properties.'*

Neighbours: No representations received.

W.C. C (Ecology Unit): Bats notes recommendation.

WDC (Environmental Health): No comments.

CAAF: Presented as a Part II item on 4th January 2007- no comments.

RELEVANT POLICIES

- (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 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

There is no relevant planning history for this application.

KEY ISSUES

The Site and its Location

The premises comprises a large detached rendered property which is located on the corner of High Street with Bath Place and forms part of the Conservation Area. The lower floors of the property (ground and first floors) are currently used as a social club (sui generis) with the upper floors as residential/ storage by the proprietor. There is a large existing flat roof extension at the rear, to which railings are proposed to be added

The application site abuts to the north onto the Leamington railway line, which has mechanic /garage workshops located in the arches beneath. To the west, the site lies adjacent to a garage/ car showroom which has been identified as an opportunity site allocated for employment use in the Warwick District Local Plan 1996- 2011(Revised Deposit Version).

Details of the Development

The proposal seeks permission for the replacement of a rear first floor window with french doors and erection of black painted metal railings to enclose a rear patio at first floor.

Assessment

The main issues relevant to this planning application are as follows:

- Impact on the Conservation Area and the adjacent opportunity site
- Impact on the neighbouring amenities.

The impact on the Conservation Area and the allocated employment opportunity site

Following consultation with the Principal Conservation Architect, I am satisfied that subject to conditions, the proposed development would not have an adverse impact on the character and appearance of the surrounding Conservation Area, nor would it prejudice future development in the adjacent allocated employment site.

The impact on the neighbouring amenities

Whilst I note the Town Council's objection regarding the potential impact on neighbouring amenities, I am of the view that there would be no adverse impact on the neighbouring amenities, given the location of the premises adjacent to the railway line and a car sales site.

The living accommodation on the site is owned by the applicant and used by the manager of the premises. The rear windows of the upper floor serve a bedroom, sitting room and two bathrooms. The applicant has indicated that he is prepared to install double glazing in the affected upper floor windows. Furthermore, I am of the view that in light of the lack of concern expressed by Environmental Health, the proposed development would not justify a refusal on these grounds.

RECOMMENDATION

GRANT , subject to the conditions listed below.

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 in accordance with the details shown on the approved drawing No. 2632, and specification contained therein, submitted on 23rd November 2006 except as required by condition 3 below and 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.
- 3 Notwithstanding the details in respect of the submitted plans, no development shall be carried out on the site which is the subject of this permission, until large scale details of a privacy screen, no less than 1.5 metres in height, to be constructed in reclaimed brickwork with coping stones and to be erected along the west elevation of the proposed patio, together with large scale details of the proposed railings to be erected along north boundary of the proposed patio have been submitted to and approved by the District Planning Authority. The privacy screen shall be erected before the construction of the patio and retained as such for all times thereafter. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation

Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

- 4 No development shall be carried out on the site which is the subject of this permission until large scale details of the proposed french door have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

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 is of an acceptable standard of design which is in keeping with the architectural and historic character of the Conservation Area within which the site is located and does not give rise to any harmful effects on neighbouring amenity such as to justify refusal. The proposal is therefore considered to comply with the policies listed.