

Planning Committee: 20 February 2007

Item Number: 7

Application No: W 06 / 1783

Registration Date: 14/11/06

Town/Parish Council: Leamington Spa

Expiry Date: 09/01/07

Case Officer: Rob Young

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Grosvenor Court, 6 Kenilworth Road, Leamington Spa, CV32 5TF

Erection of 1.5m high iron railings to Morrell Street entrance with 4m wide automatic sliding gate FOR Grosvenor Court Leamington Management Company Ltd

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 proposed design of the railings is considered inappropriate.

Neighbours: Six letters of support have been received from occupiers of the block of flats. The following comments have been made in support of the application:

- unauthorised parking will no longer be possible;
- the 'rat-run' between Kenilworth Road and Morrell Street will be blocked;
- improved security; and
- the tarmac on the car park will last longer.

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 Revised Deposit Version)
- DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP13 - Crime Prevention (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

There is no relevant planning history.

KEY ISSUES

The Site and its Location

The application relates to a modern block of flats situated within the Leamington Spa Conservation Area. The flats have a rear car park and garage court that is accessed from Kenilworth Road to the front and Morrell Street to the rear. The site has a long frontage to Morrell Street, half of which is abutted by the rear elevation of one of the garage blocks, and the other half of which is currently open apart from some concrete bollards.

Details of the Development

The application proposes 1.5m high iron railings across the existing access to the car park and garage court from Morrell Street. The design of the railings has been amended from the original ornate design to a plain design.

Assessment

In my opinion, the main issue relevant to the consideration of this application is the impact on the character and appearance of the Conservation Area.

I note the concerns of the Town Council regarding the design of the railings that were originally proposed, but the application has subsequently been amended to show railings of a plain design. Whilst I consider that a brick wall and timber gates would be the most appropriate form of boundary treatment for this location, nevertheless I do not consider that the railings now proposed would cause harm to the character and appearance of the Conservation Area when compared to the existing open frontage and concrete bollards. Therefore, as amended, I consider that the proposals would preserve the character and appearance of the Conservation Area.

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 strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, 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 No development shall be carried out on the site which is the subject of this permission, until large scale details of the gates, railings and plinth at a scale of 1:5 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.
- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 5 The gates and railings hereby permitted shall be painted black. **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.
- 6 The gates hereby permitted shall not open outwards towards the public highway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 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. The proposal is therefore considered to comply with the policies listed.