

Planning Committee: 31 March 2004
Application No: W990668

Part 2 Item Number: 01

Date of receipt: 02/02/2004

Town/Parish Council: Leamington Spa

Case Officer: John Beaumont
01926 456533 planning_east@warwickdc.gov.uk

86 Leicester Lane, Leamington Spa

Erection of an enlarged garage, bay window, front porch and rear conservatory;
raising of roof height and alterations to provide 4 bedrooms, bathroom and shower
room with loft area above (Minor Amendment)

FOR Mr. & Mrs. Coackley

SUMMARY OF REPRESENTATIONS

Neighbours: 1 letter of objection has been received. Loss of privacy. Although glazed with obscure glass this window opens at the top enabling the occupants to look directly into the adjoining garden.

The neighbour has also raised issues of rainwater discharge, design of roof, an increase in height of a rear garden room (this is now considered by them to dominate their property and make maintenance of their property impossible), omission of a front extension to the garage with a pitched roof above. They also expressed concern that maintenance of both properties has been made difficult due to the proximity of the extension to the boundary with building debris having fallen between the two properties causing damp problems; an existing side facing garage window has been obscured; difficulty of access by the fire service.

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 for extensions to convert a bungalow to a 4 bedrooomed house at 86 Leicester Lane, Leamington Spa was granted by the Planning Committee in July 1999. The approved plans showed a shower room to be constructed in the roofspace above the garage but this was to be lit solely by a front facing rooflight; a rear facing dormer window, however, has also been installed to this shower room. Whilst noting the neighbour objection, I am conscious that this has been fitted with a double glazed, obscure glazed window which has a top hung opening light. I do not consider this additional window on the rear elevation of this building results in such harm to the amenity of the neighbour as to warrant the raising of objection and the taking of enforcement action.

Similarly whilst conscious of the other issues also raised by the objectors and set out above, I do not consider that these further amendments to the design and appearance of the extensions are such as would warrant the taking of action under planning legislation; rather I consider that the neighbours concerns are matters more properly considered under the Building Regulations, the Party Wall Act or as a land ownership issue.

RECOMMENDATION

APPROVE the installation of an obscure glazed rear facing dormer window to the shower room; the amended design/appearance to the roof, rear garden room and garage.

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)

Planning Committee: 31 March 2004
Application No: W20010605

Part 2 Item Number: 02

Town/Parish Council: Kenilworth

Date of receipt: 23/02/2004

Case Officer: Martin Haslett
01926 456526 planning_west@warwickdc.gov.uk

20 Rouncil Lane, Kenilworth.
Erection of extensions (Minor Amendment)
FOR MR D. ALLCOTT

SUMMARY OF REPRESENTATIONS

Neighbours: the adjoining neighbour objects on grounds of:

- disputed boundary
- poorly designed drainage for garage roof to rear.

The drainage to the garage roof to the side of the application property is unsatisfactory and the design of the development prevents maintenance of his property.

RELEVANT POLICIES

(DW) ENV3 – Development Principles (Warwick District Local Plan 1995)
DP1 Layout and Design (Warwick District Local Plan, First Deposit Draft, 2003)
DP2 Amenity (Warwick District Local Plan, First Deposit Draft, 2003)

HEAD OF PLANNING & ENGINEERING

Consideration of this application was deferred at the meeting of the Committee on 9 March so that a visual presentation could be made. The report which follows is the same as that made previously.

Planning permission was granted in August 2001 for extensions to the rear of the application property, which also included a canopy roof across the front of this detached house. The work is now virtually complete, but the applicant has decided not to construct the canopy roof on the front elevation, but to leave the bay windows with separate roofs and only to construct the proposed roof over the porch. This part of the work is complete and results in less change than was originally proposed. The impact of the minor amendment is therefore minimal.

The neighbour's concern relates to the position of the boundary and to the method used by the applicant to drain the new flat roof on the side extension. This matter continues to be the subject of planning and building regulation investigations, but cannot correctly be used to refuse permission for a minor amendment to the front elevation.

RECOMMENDATION

APPROVE

REASON OF 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, First Deposit Draft, 2003)

DP2 Amenity (Warwick District Local Plan, First Deposit Draft, 2003)

Planning Committee: 31 March 2004
Application No: W20021098

Part 2 Item Number: 03

Town/Parish Council: Bubbenhall

Registration Date: 22/07/2002
Expiry Date: 16/09/2002

Case Officer: Joanne Fitzsimons
01926 456534 planning_east@warwickdc.gov.uk

THE THREE HORSESHOES, SPRING HILL, BUBBENHALL.
Erection of illuminated projecting entrance sign
together with various illuminated amenity boards.
FOR PUNCH TAVERNS

SUMMARY OF REPRESENTATIONS

Parish Council: Object on ground that the lighting will be an annoyance to neighbours at night and consider low level lights at the bedrooms to be sufficient to light the car park.
Environmental Health: The lights should be angled downwards so as to prevent glare and light spillage.
3 Neighbours letters have been received which request the floodlights to be switched off at 11.30pm and angled so as not to cause light spillage.

RELEVANT POLICIES

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV20 - Advertising Control (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)

HEAD OF PLANNING & ENGINEERING

The application proposal relates to the display of several lighting fixtures to advertise the entrances, amenity boards and hanging sign. The Public House is located on Spring Hill which is within a designated Conservation Area and has recently gained planning permission (reference W20011688) for the conversion and extension of the function room to provide 7 letting bedrooms.

The proposal has been the subject of lengthy negotiations with the Council's Conservation Architect in order to secure a reduction in the number of illuminations and to amend the use of 'bullet' lights to a discrete form of trough lighting. Amended plans were received in March 2004. Whilst noting the comments raised at the time of the original submission, some of the lights have already been installed and I am not aware of any complaints and therefore I consider a time restriction on their use to be unreasonable.

As amended, I am satisfied that the proposal meets Conservation Area policies within the local plan and will not cause unreasonable harm to the wider street scene or neighbouring amenities.

RECOMMENDATION

GRANT, as amended.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

(DW) ENV20 - Advertising Control (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)

Planning Committee: 31 March 2004
Application No: W20030821 & W20030965LB

Part 2 Item Number: 04

Date of receipt: 14/01/2004

Town/Parish Council: Baginton

Case Officer: Joanne Fitzsimons
01926 456534 planning_east@warwickdc.gov.uk

LINK COTTAGE, CHURCH ROAD, BAGINTON
Increase in roof height by 175mm (Minor Amendment)
FOR MR & MRS BELGROVE

SUMMARY OF REPRESENTATIONS

The residents of the neighbouring property, Lucy Price House, raise objection to this proposed minor amendment on grounds that this contravenes the approved scheme, causes a further reduction in light to all windows on the ground floor, eliminating views of the sky and towers over the kitchen which is served by a window at lower level.

RELEVANT POLICIES

(DW) ENV3 – Development Principles (Warwick District Local Plan 1995)
(DW) ENV11 – Retention of Listed Buildings (Warwick District Local Plan 1995).
(DW) ENV12 – Protection of the setting of Listed Buildings (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).
DAP6 – Protection of Listed Buildings (Warwick District Local Plan 1996-2011 First Deposit Version).

HEAD OF PLANNING & ENGINEERING

The application site relates to a middle building in a row of three Grade II Listed Buildings within Baginton, outside a Conservation Area. Planning Permission and Listed Building Consent was granted by Members of the Planning Committee at their meeting on 28 July 2003 and this involved the erection of a single storey extension to link an existing outbuilding to the kitchen.

It has been brought to the attention of the planning department that the extension, as now built, is 175mm taller than the approved plans and therefore the applicant has now requested that this be treated as a minor variation to the original permission. The extension has been viewed from Lucy Price House and whilst noting the objection raised by the occupants of that property the effect of the increase in height of the roof by 175mm is not considered so serious as to justify raising either objection to this proposed amendment or to the serving of an Enforcement Notice to require the extension to be re-roofed to comply with the approved plans. I am also of the opinion that the extension as built does not cause demonstrable harm to the character or appearance of this group of three Listed Buildings.

RECOMMENDATION

APPROVE.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

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

(DW) ENV12 – Protection of the setting of Listed Buildings (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).

DAP6 – Protection of Listed Buildings (Warwick District Local Plan 1996-2011 First Deposit Version).

Planning Committee: 31 March 2004
Application No: W20031952

Part 2 Item Number: 05

Town/Parish Council: Whitnash

Registration Date: 09/02/2004
Expiry Date: 05/04/2004

Case Officer: Alan Coleman
01926 456535 planning_east@warwickdc.gov.uk

83 Heathcote Road, Whitnash, Leamington Spa, CV312LX
Erection of a single and two-storey rear extension.
FOR Mr Glenn Wright

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

Neighbours: The owner of 83 Heathcote Road objects on grounds that the extension breaches the 45° Code when measured from the 'original face of the adjoining property' as specified in the SPG and would have an overdominant, overbearing and overshadowing impact.

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)
The 45 Degree Guideline (Supplementary Planning Guidance)

HEAD OF PLANNING & ENGINEERING

The premises comprise one of a pair of semi-detached houses that is located on the southern side of Heathcote Road within an established residential area. The property is broadly similar in original design and appearance to the neighbouring properties on this side of Heathcote Road. There is a detached single garage to the rear of this and the neighbouring property that stand adjacent to the common side boundary. Both garages are served by driveways that run parallel to each other along this boundary and the side elevations of the dwellings.

The adjoining dwelling at 81 Heathcote Road has been extended by the addition of a single storey rear extension that was granted planning permission on 16 October 2001 under application W20011064. The extension was amended to comply with adopted Supplementary Planning Guidance: *The 45° Guideline* when measured from the nearest existing ground floor window in the rear elevation of 83 Heathcote Road.

The proposal comprises the erection of a single and two-storey rear extension. The single storey element of the extension would project 4 metres from the rear elevation of the property adjacent to the side boundary with the adjoining dwelling at 81 Heathcote Road for a width of approximately 2.5 metres before rising to two-storey in height across the remaining width of the dwelling to form a rear gable wing.

When measured from the nearest ground floor window in the rear elevation of the extension at 81 Heathcote Road I am satisfied that the proposed extension would satisfy the *The 45° Guideline* SPG. However, it would be in breach if measured from the position of the original window in the rear elevation, as directed by the 'Guideline'. However, I do not consider it would be appropriate to apply the 'Guidance in this manner in this case. The extension built at the rear of No. 81 extends the existing lounge rather than providing an additional room. The extension is also of

solid brick construction along the boundary with No. 83 thereby obscuring the outlook from the original window opening.

For these reasons I consider the proposal is acceptable in terms of design and appearance and would comply with *The 45° Guideline* SPG when measured from both 81 and 85 Heathcote Road. Whilst I understand the concerns of the neighbouring resident, nevertheless I am satisfied that the proposal would not result in an unacceptable degree of harm to amenity.

RECOMMENDATION

GRANT, subject to the use of matching facing and roofing 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)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
The 45 Degree Guideline (Supplementary Planning Guidance)

Planning Committee: 31 March 2004
Application No: W20040018

Part 2 Item Number: 06

Town/Parish Council: Leamington Spa

Registration Date: 06/01/2004

Expiry Date: 02/03/2004

Case Officer: Alan Coleman
01926 456535 planning_east@warwickdc.gov.uk

Dalkeith House, 7 Clarendon Place, Leamington Spa, CV325QL

Change of use of coach house and first floor of two storey linked-detached building
approved under planning application W20030458 from
Class B1(a) Offices to Class D1 diagnostic scanning centre.
FOR Mr P. Smith

SUMMARY OF REPRESENTATIONS

Town Council: No objection.
CAAF: No comments (Part II Item)
Highway Authority: No objection.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SC7 - Supporting Community Facilities (Warwick District Local Plan 1996 - 2011 First Deposit Version)
TCP9 - Protecting Employment Land and Buildings (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The proposals relate to an existing coach house currently being extended at the rear of Dalkeith House, which is a 2-storey detached unlisted building that stands on the eastern side of Clarendon Place within the Town Centre and Leamington Conservation Area.

Planning permission for the change of use of Dalkeith House from a funeral directors to Class A2 and B1 serviced offices was granted on 23 October 2002 under application W20021445. This permission has been implemented. Planning permission was subsequently granted on 21 May 2003 under application W20030458 for the refurbishment and extension of the existing coach house at the rear to form additional Class B1/A2 serviced offices. This permission is currently being implemented.

Planning permission is now sought for the change of use of the coach house and first floor of the extension to a diagnostic scanning centre within the meaning of Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The first floor of the extension will be used for office purposes whilst approximately 60% of the coach house will be a reception, waiting area and office. The remainder of the accommodation will be allocated to the scanner room, control office and changing cubicles. The whole of the ground floor of the extension under construction would remain in separate and independent Class B1 use.

The site is located within an area identified in the adopted Local Plan as being primarily for office use wherein Policy (DW) EMP5 presumes against changes to non-employment uses. The First

Deposit Draft of the Local Plan allocates the site within a town centre employment area wherein Policy TCP9 also presumes against such proposals. However, Policy SC7 gives support to community facilities, including medical surgeries within Class D1.

In support of the proposals evidence has now been submitted that I consider demonstrates that the premises have been actively marketed for Class B1 use for a sustained period of time but to no avail. In my opinion, the proposal represents an acceptable alternative use for the premises in accordance with Policy SC7 of the First Deposit Draft and would not unacceptably undermine the interests which Policies (DW) EMP5 and TCP9 seek to protect. However, I consider it would be appropriate for the use of the premises to be restricted to the purposes applied for in order to retain control over the potential alternative uses of the premises within this Use Class, which may not provide the same community facilities or services in accordance with Policy SC7.

RECOMMENDATION

GRANT, subject to use of the premises as a diagnostic scanning centre only within the meaning of Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

(DW) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)

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

SC7 - Supporting Community Facilities (Warwick District Local Plan 1996 - 2011 First Deposit Version)

TCP9 - Protecting Employment Land and Buildings (Warwick District 1996 - 2011 First Deposit Version)

Planning Committee: 31 March 2004
Application No: W20040041

Part 2 Item Number: 07

Town/Parish Council: Warwick

Registration Date: 08/01/2004

Expiry Date: 04/03/2004

Case Officer: Steven Wallsgrove
01926 456527 planning_west@warwickdc.gov.uk

59 Bridge End, Warwick, CV346PD

Extensions to existing outbuildings and detached occasional guest bedroom.
FOR Mr R. & Mrs M Knight

This application was deferred at Planning Committee on the 10th March 2004, for negotiation on reducing potential light pollution from the roof of the conservatory section of the proposal. The applicant has now confirmed that he would be prepared to install roof blinds in this section. Their letter further states that the building is ancillary to their main residence and they do not anticipate significant use of the building in the evenings, particularly the area proposed as being glazed. The letter also states that if this is insufficient, they would be prepared to tile the roof in lieu of the glazed roof. The following report is that previously considered.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection.

Neighbour: One neighbour is concerned by the size of the proposed accommodation and considers it will considerably affect their amenities.

CAAF: completely unacceptable as the retention/proliferation of unsightly garden sheds probably originally did not have consent. Suggest removal and new appropriate garden building constructed.

RELEVANT POLICIES

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

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

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

(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

This dwelling, which is a listed building within the Conservation Area, has a two-part garden with the proposed building works being in the largest part, which is a "hidden" garden accessed by a narrow path beside an old, brick and tile, outbuilding at the bottom end of the "normal" back garden.

The proposed extension would comprise an extension and re-roofing (with a 30 degree pitched roof) of an existing (currently flat roofed) garden/workshop store, and the erection of a conservatory to link that building to another, existing, garden "chalet" which is used as an occasional bedroom/garden room. This building would be slightly extended and its timber cladding replaced with light ochre render.

The existing and proposed buildings would wrap around the end of the garden of the adjoining dwelling but would have very little impact due to the existing outbuildings, greenhouse, and boundary wall forming the end of that garden.

The resulting building would also have only a minor effect on the setting of the listed buildings in Bridge End, and would protect the character of the Conservation Area since the "hidden garden" is not visible to the general public and there are already a significant number of garden buildings in the area. Whilst the comments of CAAF are noted, this assortment of garden buildings currently exists and there are no powers to require their removal. Although the buildings would be enlarged and consolidated, I am satisfied that the works overall result in an improvement to their appearance.

RECOMMENDATION

GRANT, subject to ancillary use condition.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

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

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

(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)

Planning Committee: 31 March 2004
Application No: W20040062

Part 2 Item Number: 08

Town/Parish Council: Leamington Spa

Registration Date: 12/01/2004

Expiry Date: 08/03/2004

Case Officer: John Beaumont
01926 456533 planning_east@warwickdc.gov.uk

243 Rugby Road, Leamington Spa, CV326DY
Demolition of existing house and erection of 4 flats.
FOR Zebra Homes

This application was deferred at Planning Committee on the 10th March 2004, to enable a site visit to take place on 27th March 2004. The report which follows is that which was previously presented, updated to include an additional objection included in the addendum to the Planning Committee on 10th March 2004.

SUMMARY OF REPRESENTATIONS

Town Council: Object; unneighbourly (overlooking of dwellings at West Grove Terrace and The Spinney; overdevelopment); design unsympathetic to streetscene dominating its surroundings; demolition of an acceptable dwelling; additional traffic on busy road to detriment of highway safety.

Neighbours: 7 neighbours have raised objection on the grounds set out above and height likely to result in loss of daylight/sunlight/privacy, increased noise/disturbance, disruption during building process, inadequate car parking likely to result in parking on Rugby Road to detriment of pedestrians/highway safety, design out of keeping.

WCC (Highways): No objection subject to conditions on access/parking.

Head of Environmental Health: No objection subject to sound proofing condition and contamination survey.

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 for a detached house (after the demolition of the existing workshop/garage) between the existing dwelling 243 Rugby Road and the plot boundary was granted in January 2003, W20021747. Subsequently a proposal for the demolition of the existing house and its replacement by 4 town houses was refused in January 2004, W20031769.

The present application, the design of which has been amended, entails the demolition of the existing house, the reduction of existing ground levels and the erection of a replacement building containing 4 split-level two bedroomed flats with forecourt parking for 4 cars. The building would be two storeys with accommodation lit by rooflights within the roofspace; the cill of the rooflights would be not less than 1.7 m above internal floor levels to prevent overlooking.

Whilst noting the objections, I consider the amended design would be acceptable on this site. The rear wall of the building would be built on the line of the rear wall of the existing house and the rear facing first floor bedroom windows, would be some 1 m lower than the first floor windows

in the existing house (due to the proposed reduction in ground levels). I do not consider this particular scheme would cause unacceptable harm to the amenity of nearby residents; there is presently a substantial conifer screen on the rear boundary which it is proposed to retain. No objection has been raised by the Highway Authority to the proposed access and car parking arrangements.

RECOMMENDATION

GRANT, as amended, subject to conditions on large scale details, materials, access, car parking, landscaping, site levels, contaminated land survey and soundproofing.

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)

Planning Committee: 31 March 2004
Application No: W20040075

Part 2 Item Number: 09

Town/Parish Council: Leamington Spa

Registration Date: 15/01/2004

Expiry Date: 11/03/2004

Case Officer: John Beaumont
01926 456533 planning_east@warwickdc.gov.uk

Clarendon House 1-2, Clarendon Square, Leamington Spa, CV325QJ
Conversion of existing offices to 14 apartments, 2 garages and parking.
FOR UKPH No. 1 LTD

SUMMARY OF REPRESENTATIONS

Town Council: In view of proximity of premises providing late night entertainment, the applicant should be required to implement appropriate noise insulation.

CAAF: Welcomed by members as an extremely positive move. The question of glazing bars on the ground floor, north elevation were queried.

Head of Environmental Health: No objection subject to noise insulation scheme.

WCC (Planning): No objection subject to a financial contribution of £14,048 to primary schools and £1,298 to libraries.

WCC (Highways): No objection.

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) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)

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

(DW) ENV10 - Detailed Planning Applications within Conservation Areas (Warwick District Local Plan 1995)

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

TCP9 - Protecting Employment Land and 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 existing building is an office building erected in the mid 1970's. It is on the corner of Clarendon Square with Russell Street and is accessed via Powers Court to the rear. To the south of Powers Court is a garage. There are presently a number of air conditioning units on the rear west face of the building which are clearly visible from the back of existing residential properties fronting Clarendon Square.

The site is in the Conservation Area. It lies within the area allocated in the adopted Local Plan as an "area to be primarily in office" and in draft local plan (1996-2011) as "town centre employment area" (policy TCP9). In accordance with the terms of this policy there is a general presumption against the loss of residential use.

The present proposal entails the conversion of the building to residential use with the creation of a ground floor parking area for 11 cars with 2 further garage spaces. This car parking would be provided in the rear half of the building adjacent to Russell Street and Powers Court. It is

proposed to remove the existing air conditioning units, to replace existing windows with new timber sash windows, to provide additional render detailing and to provide new 'traditional' railing to the site forecourt.

Whilst recognising the location of this site in an allocated employment area, I am conscious that the District Council has long had an objective of returning Clarendon Square to residential use and having regard also to the visual improvements now offered by this application, I consider it would secure a significant enhancement to the character and appearance of this part of the Conservation Area. I have noted the contents of the applicants submitted statement in support of the application, including evidence that the building has been marketed as offices for some 3 years, and I conclude that, notwithstanding the employment policy in the Local Plan, the granting of this particular application would not undermine the Local Plan.

RECOMMENDATION

GRANT subject to conditions on large scale details, refuse disposal, external lighting, landscaping, car parking, removal of air condition units and sound proofing and to the satisfactory conclusion of a Section 106 Agreement to secure a financial contribution of £14,048 for primary schools and £1,298 for library facilities.

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) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)

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

(DW) ENV10 - Detailed Planning Applications within Conservation Areas (Warwick District Local Plan 1995)

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

TCP9 - Protecting Employment Land and Buildings (Warwick District 1996 - 2011 First Deposit Version)

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

Planning Committee: 31 March 2004
Application No: W20040079

Part 2 Item Number: 10

Town/Parish Council: Leamington Spa

Registration Date: 09/02/2004

Expiry Date: 05/04/2004

Case Officer: Alan Coleman
01926 456535 planning_east@warwickdc.gov.uk

Apollo Cinema, Portland Place East, Leamington Spa, CV325ET

Display of 3no. temporary banner signs and
a set of non-illuminated individual letters to northern elevation.
FOR Apollo Cinemas

SUMMARY OF REPRESENTATIONS

CAAF: "This was considered acceptable on a temporary basis."

Town Council: No objection.

Neighbours: Two objections to the banner signs on the grounds of harm to the character and appearance of the conservation area by reason of their size, position and materials.

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)

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)

HEAD OF PLANNING & ENGINEERING

The cinema is located in the Town Centre as defined by the Local Plan and occupies a prominent position within the Leamington Conservation Area. The site has an area of approximately 0.25 hectares that is situated between Portland Place East to the north and Dormer place to the south. The southern spur of Augusta Place forms the eastern boundary of the site. In terms of its topography, the site slopes from Portland Place East to Dormer Place, where the difference in land levels is approximately 3 metres. The lower southern half of the site lies within the River Leam flood plain.

Planning permission was granted by this 'Committee to application W20021706 for the erection of an extension to the eastern elevation to provide 2no. 238-seat auditoria and an extension to the foyer, together with the re-siting of the vehicular access from Dormer Place. Planning permission was granted subject to a Section 106 Agreement for the payment of a commuted sum of £20,000 towards the cost of enhanced security measures for St. Peter's multi-storey car park and various conditions of development. To date, the Section 106 Agreement has not been signed and the planning permission has not been issued. Nevertheless, development has commenced on site and thereby constitutes a breach of planning control, which is currently the subject of an enforcement investigation.

The proposed signs are also being displayed without the benefit of Advertisement Consent. These comprise 3 banners on the northern elevation of the premises, together with a set of individual non-illuminated letters reading: 'MAIN ENTRANCE'. Consent is sought for a temporary period of five months until building works have been completed (May 2004 is specified on the

application form). A non-illuminated projecting hanging sign is also being displayed above the temporary entrance and a developers site board has been erected above the site fencing on the corner of Augusta Place and Portland Place West. With reference to the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) these particular signs may be displayed with the benefit of 'Deemed Consent'.

In my opinion, the banner signs are unacceptable in terms of their size, siting, design and materials and have a harmful impact on the character and appearance of the conservation area. As such, I consider they prejudice the interests which Policies (DW) ENV6 and ENV8 of the Warwick District Local Plan 1995 and Policies DAP10 and DAP11 of the Warwick District Local 1996-2011 First Deposit Draft seek to protect. However, I am mindful that the signs are required for a temporary period until construction works have been completed. On this basis, I concur with the views of the CAAF and consider that a temporary consent for five months would not be entirely unreasonable in this case.

RECOMMENDATION

GRANT for a temporary period of five months.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following 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)

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)

Planning Committee: 31 March 2004
Application No: W20040129

Part 2 Item Number: 11

Town/Parish Council: Baginton

Registration Date: 03/02/2004
Expiry Date: 30/03/2004

Case Officer: Joanne Fitzsimons
01926 456534 planning_east@warwickdc.gov.uk

12 Mill Hill, Finham, Coventry, CV8 3AG

Erection of a single storey front, side and rear extension
and insertion of side facing dormer window.
FOR Mr B Coushenour

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

1 Neighbour raises concern with regards to overlooking from the proposed kitchen window (loss of privacy), drainage from the garage roof, restricted access to rear and possible construction damage to driveway.

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 application site relates to one half of a pair of semi-detached properties which is similar in character and appearance as those which immediately surround it. The property is accessed via a long driveway which continues along the side of the dwelling to the west. The application seeks to extend the property through a single storey side and rear extension to form a garage and kitchen/dining room extension, together with a side dormer window to utilise the roof space.

I note the neighbour's concerns regarding the side facing kitchen door and window, however this will no longer be the primary window serving this area which currently relies on a 2.8 metre wide window along this side. I am satisfied that there will be no unreasonable harm to amenity as the door and window will be set off the boundary by 1.6 metres and I am satisfied that Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (first deposit version) are met. Whilst the proposed access to the rear of the property is through the garage, I do not consider this to be unreasonable. With regards to the construction, in terms of potential damage to property, this is a civil matter.

RECOMMENDATION

GRANT in accordance with submitted plans, 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)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

Planning Committee: 31 March 2004
Application No: W20040130

Part 2 Item Number: 12

Town/Parish Council: Leamington Spa

Registration Date: 22/01/2004

Expiry Date: 18/03/2004

Case Officer: Fiona Blundell
01926 456545 planning_east@warwickdc.gov.uk

62 Brunswick Street, Leamington Spa, CV31 2EG

Alterations and extensions to convert shop and flat into two self contained flats.
FOR Mr G Allen

SUMMARY OF REPRESENTATIONS

Town Council :raise objection on the grounds that the proposal will contribute to the loss of a much needed communal facility, to the detriment of the Old Town neighbourhood.

Neighbours: No objections

Highways: No objections

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 application relates to a detached property, which is sited on a corner plot at the junction of Shrubland Street and Brunswick Street. The property currently operates on the ground floor as a class A1 use and as residential on the first floor. The street scene is characterised by properties of differing design and style and external appearance. The area is predominantly residential with a small group of A1 retail units centred around the Shrubland Street/Brunswick Street junction. The site is not located within any area allocated by the Local Plan.

The application seeks permission for a change of use from class A1 use (post office) to residential and the conversion of the detached property into two self-contained residential flats with the provision of dormer windows, the erection of a double garage to rear and forecourt car parking.

Whilst noting the concerns of the Town Council, there are no policies within the Warwick District Local Plan (1995) or the emerging Local Plan (1996-2011) which seeks to prevent the loss of this retail unit within an urban area. I therefore consider that there is no sound reason with which to sustain a refusal.

The proposed alterations would include the insertion of a dormer window into the northern elevation. I do not consider that this would create any additional overlooking as the window would be obscure glazed. A further two dormer windows would be inserted in the adjacent side elevation. I consider that this would not result in unreasonable degree of overlooking. In terms of design, using materials appropriate to the building and the locality, the proposal would comply with the general development principles of Warwick District Local Plan (1995) and the emerging Local Plan (1996-2011). I am of the opinion that the proposal would not have an adverse impact on the neighbouring amenities, street scene or the character of the residential area.

RECOMMENDATION

GRANT subject to condition on 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)

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

Planning Committee: 31 March 2004
Application No: W20040159 & W20040161LB

Part 2 Item Number: 13

Town/Parish Council: Leamington Spa

Registration Date: 30/01/2004

Expiry Date: 26/03/2004

Case Officer: Fiona Blundell
01926 456545 planning_east@warwickdc.gov.uk

21 Waterloo Place, Warwick Street, Leamington Spa, CV32 5LA
Change of use to an orthodontic practise incorporating internal alterations
and construction of ramped paving at rear entrance.
FOR Mr R. Cure & Ms J. Oliver

SUMMARY OF REPRESENTATIONS

Town Council: No objections
Neighbours: No objections

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)
SC7 - Supporting Community Facilities (Warwick District Local Plan 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)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The premises relate to a mid terraced four storey building, which forms a small row of Grade II listed buildings. The property is located on Waterloo Place, which is accessed from Warwick Street. The rhythm of the street scene is characterised by properties of similar style and design and external appearance. The premises currently operate as class B1 (offices).

The applications seek planning permission and listed building consent for change of use to part of this property from B1 to an orthodontic practice and to carry out internal alterations. The site is located within an area protected under both the existing and emerging local plans for employment use, which falls within classes B1, B2 or B8. In accordance with the policies of the Local Plan, an orthodontic practice is classified as class D1. Generally, an application for a change of use outside class B would not be supported. However, in this particular instance, I consider that there are material considerations which outweigh any policy objections.

The property is a listed building and it is accepted that the layout of the rooms is not ideally suited to modern office practices. However, in terms of room sizes the building lends itself favourably to orthodontic consultation rooms. Half of the floor space would be retained as class B1 as ancillary office uses, due to the requirements of modern orthodontic practices. The use would also create 8 jobs although not strictly falling within the definition of an employment use.

I am satisfied that the property has been appropriately marketed for a substantial period of time without finding a Class B use occupier. The proposal would comply the First Deposit Draft (DW) SC7 which seeks to direct community facilities into the town centres; and I consider that the

proposed alterations to the listed building would accord with (DW) ENV11 of Warwick District Local Plan (1995) and the First Deposit Draft Plan (DW) Policy DAP6 and DAP9 (1996-2011). In the overall circumstances of the case, I am prepared to support this application.

RECOMMENDATION

GRANT planning permission and listed building consent, subject to conditions to restrict the use solely to orthodontic practice.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

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

SC7 - Supporting Community Facilities (Warwick District Local Plan 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)

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

DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

Planning Committee: 31 March 2004
Application No: W20040170

Part 2 Item Number: 14

Town/Parish Council: Warwick

Registration Date: 30/01/2004

Expiry Date: 26/03/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

Myton School, Myton Road, Warwick, CV346PJ.

Insertion of x10 rooflights (including amendment to height of x 7 rooflights approved under W20021476) - Retrospective Application.
FOR The School Governors

This application was deferred at Planning Committee on the 9 March 2004, so that an investigation into the opportunity for landscape screening could be undertaken and so that the Governors of the school could be written to. A response on these matters is awaited and will be reported at the meeting

SUMMARY OF REPRESENTATIONS

Warwick Town Council : No objection.

Neighbours: Two neighbours (No's 4 & 6 Myton Crescent) have objected to the retrospective application as the rooflights are considered to be exceptionally large and out of proportion with the building. They are not sympathetic and do not compliment the line of the surrounding buildings. There are too many, especially as the rooms have large amounts of glazing and are placed randomly, which makes their appearance very unsightly.

RELEVANT POLICIES

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

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

HEAD OF PLANNING & ENGINEERING

Planning permission was granted in November 2002 for the erection of extensions to the school buildings. As part of the permission seven angled rooflights were proposed protruding to a maximum of 1 metre from the flat roof. These were all proposed within the altered building. However, the works undertaken involved the creation of 10 rooflights, with the additional 3 being nearer to the properties in Myton Crescent. The angle of the rooflights also altered from 30 degrees to 60 degrees, raising their height to 1.5 metres.

The completed scheme has meant that the additional and altered rooflights are now prominent on the skyline of the flat roof modern school building and are visible from the surrounding area, including Myton Road and neighbouring houses (Myton Crescent), which are situated approximately 80 metres away, split approximately 50/50 between the properties gardens and school land.

The roof lights do appear to be out of proportion with the building and are very noticeable. However, the consideration is whether they are so obtrusive and detrimental to the neighbours and surrounding amenities as to warrant refusal. Whilst understanding and sympathising with the concerns of the local residents that the rooflights, subject to this retrospective application, do appear as alien features, they are considered to be not so harmful to the amenities of the surrounding area and enjoyed by neighbouring residents as to warrant refusal.

The possibility of landscaping has been investigated, however the amount of available space on the Myton School site, particularly to the rear of No 4 Myton Crescent where there is a building is very restricted. This together with the fact that the provision of any landscaping would undoubtedly take a number of years to mature, even if leylandii were proposed, means that screening of the rooflights is not considered to be a viable option.

RECOMMENDATION

GRANT.

REASON FOR RECOMMENDATION

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

Planning Committee: 31 March 2004
Application No: W20040211

Part 2 Item Number: 15

Town/Parish Council: Leek Wootton

Registration Date: 11/02/2004

Expiry Date: 07/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

Meadow Cottage, Hill Wootton Road, Hill Wootton, Warwick, CV326QN
Proposed two storey extensions together with external brick cladding.
FOR Catherine Brown

SUMMARY OF REPRESENTATIONS

Parish Council : Object as it is considered "over development in the Green Belt. The original house, 50 years ago was a tiny single storey three room dwelling". "It is felt that there are disproportionate additions to the original dwelling which substantially alter the scale, design and character. It is not an extension, more of a replacement of the existing dwelling which should not be permitted under RAP4."

CPRE : Objects as the site is situated within the Green Belt and Special Landscape Area where developments should only be permitted in very special circumstances. It is acknowledged that permission has previously been granted ,however treating this application on its own merits, it is far too large, especially over the original size of the dwelling and exceeds the percentages for extensions in the draft local plan.

Environment Agency : Have been consulted although no comments have yet been received. Regarding the previous application, they stated that they had no objections in principle subject to conditions relating to the disposing of material outside the floodplain and floor levels.

RELEVANT POLICIES

(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)
DP2 - Amenity (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 application property comprises a small remote cottage set within very large grounds, including two ponds. Permission was granted (W891379) for a very large extension in 1989, for the "erection of extensions at ground and first floor, including the raising of the roof height and erection of a detached double garage". It has been accepted that a material commencement of this permission was undertaken, as foundations were constructed, within 5 years of consent being granted. This therefore means that this permission, which had a footprint of 222 sq m, a floor area of approximately 275 sq m (357 sq m - including all usable floorspace) and a volume of in excess of 1000 cubic metres is still "live" and can therefore be completed.

An alternative application (W20030796) was submitted and approved last year following no objections. This proposal was considered to be an improvement over the existing permission as it reduced the footprint by approximately 30 m and the volume by over 100 cubic metres. The design and scale of the application was considered to be an improvement over the existing

permission, with the proposed dwelling being substantially more compact and less visually intrusive in the surrounding countryside.

The current application proposes a dwelling with a similar volume (approximately 880 cubic metres) and smaller footprint (approximately 180 sq m), although as it utilises more of the roofspace, by altering the design of the roof, the overall floor space does increase by approximately 30 sq m.

Whilst accepting both what the Parish Council and the CPRE state that the proposal would create disproportionate additions over the original dwelling far in excess of the Council's adopted and draft guidance on extensions in the Green Belt, the planning history of the site is a material consideration and the "fall back" positions are a very important consideration.

The design of the proposal is considered to be a substantial improvement over the original 1989 scheme and the existing property, which is painted white brick work and out of character with the area. It is also a more coherent and better proportioned property than the more recently approved application. It is therefore considered that whilst the proposal is not a limited extension and would alter the scale and character of the property, the proposed scheme is a substantial visual improvement over the existing property and the permitted schemes in terms of design and character with the overall mass and scale reduced over the potential "fall back" situation of the 1989 approval.

In conclusion, it is considered that the "fall-back" position does amount to very special circumstances which justify this development in the green belt, since the current scheme would be an improvement over the permissions already granted .

RECOMMENDATION

GRANT subject to conditions relating to materials and disposing of material outside the floodplain and a note regarding flood levels.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

(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)

DP2 - Amenity (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)

Planning Committee: 31 March 2004
Application No: W20040213

Part 2 Item Number: 16

Town/Parish Council: Bubbenhall

Registration Date: 06/02/2004
Expiry Date: 02/04/2004

Case Officer: Alan Coleman
01926 456535 planning_east@warwickdc.gov.uk

Bubbenhall House, Pagets Lane, Bubbenhall, Coventry, CV8 3BJ

Change of use to bed and breakfast accommodation comprising 3 No. letting bedrooms and use of ground floor drawing room, library and dining room. FOR Mrs W Harrison

SUMMARY OF REPRESENTATIONS

Parish Council: No objection.

WCC (Ecology): No objection - if building works are carried out a bat survey will be required.

WCC (Archaeology): No comment.

Highway Authority: No objection.

Neighbours: The residents of four neighbouring properties object on grounds relating to increase in traffic to detriment of highway/pedestrian safety and convenience, harm to residential amenities and the residential character of the area. Concern is also expressed regarding potential future expansion of the premises for this use/conversion to an hotel, use of the premises for other events (wedding receptions, 'murder mystery' weekends, gourmet evenings), impact on sanitation (via cesspit) arising from an increase in occupants, property values and deterioration in the condition of the road.

RELEVANT POLICIES

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

(DW) TO4 - Change of Use to Hotels or Guest Houses (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)

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

RAP16 - Directing New Visitor Accommodation (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The premises comprise a 10-bed detached dwelling set in extensive grounds of approximately 2.2 ha that is located within the Green Belt. Access to the site is via Pagets Lane which is a private, single track road with intermittent passing bays that also serves 6 neighbouring properties. I am advised by neighbouring residents that Pagets Lane is owned by Smiths Concrete and is maintained at the expense of the properties it serves. Major sand and gravel extraction works are being undertaken by Smiths Concrete over a vast tract of land at Wood Farm to the east.

The resident of the neighbouring property at Middle Barn has also informed me that in addition to the main residence at Bubbenhall House there are a further three dwellings there that are listed by Royal Mail as 'The Courtyard Flat', 'The Loft Apartment' and 'The Mews Cottage'. These are also registered for Council Tax purposes. However, there is no recorded planning history for the creation of three separate dwellings. However, planning permission was granted in 1958 for the conversion of Bubbenhall House to 11 self-contained flats under planning application 2574 and 2574A, which may have been partially implemented to create these flats. This matter is now being investigated.

The proposal is for the use of three bedrooms within the main residence to provide bed and breakfast accommodation, together with the use of the family drawing room, library and dining room. Policy (DW)TO4 of the adopted Local Plan sets out the criteria against which such proposals are considered, i.e. proposals should:

1. provide satisfactory access to the primary road network and not lead to adverse impacts upon traffic in the immediate area;
2. provide appropriate car parking without detriment to the character and setting of the existing buildings and surrounding area;
3. not detract from the local environment, and;
4. not involve extensions or alterations that would significantly alter the scale and character of the building or have a detrimental impact upon the environment and amenity of the area.

Policy RAP16 (Directing New Visitor Accommodation) of the First Deposit Draft supports the conversion of appropriate rural properties for such uses, subject to compliance with similar criteria contained in Policy RAP8 (Converting Rural Buildings).

I note the concerns of neighbouring residents regarding the impact of the proposals, particularly in respect of highway and pedestrian safety/convenience from increased levels of traffic along Pagets Lane. However, the Highway Authority has not raised an objection to this aspect of the proposals, including traffic from the three flats also stated to exist at this address. As such, I do not consider a recommendation for refusal could be sustained on these grounds.

The proposals relate to three out of the ten bedrooms, including use of the family dining room, library and drawing room, for bed and breakfast accommodation. In my opinion, this would not detract from the character of the property, which I consider would remain predominantly residential. I am also of the opinion that this level of usage would not unacceptably detract from neighbouring residents amenities in terms of noise and disturbance from guests' activities or vehicle movements. I am also satisfied that the site has adequate capacity to accommodate guests' car parking without detriment to the character and setting of the site or surrounding area. The proposals do not involve any extensions or alterations to the property either.

I understand neighbours' concerns regarding potential future expansion of the accommodation or conversion to an hotel. However, under the terms of the current application such proposals would constitute development that would require the submission of a further planning application. Similarly, the use of the premises for other additional activities, such as 'murder mystery' weekends, may also require planning permission if they were found to constitute a material change of use. The concerns regarding the impact of additional traffic on the condition of Pagets Lane and sanitation are private matters between the parties concerned. Property values are not a material planning consideration either.

RECOMMENDATION

GRANT

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

(DW) TO4 - Change of Use to Hotels or Guest Houses (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)

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

RAP16 - Directing New Visitor Accommodation (Warwick District 1996 - 2011 First Deposit Version)

Planning Committee: 31 March 2004
Application No: W20040214

Part 2 Item Number: 17

Town/Parish Council: Warwick

Registration Date: 06/02/2004

Expiry Date: 02/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

45 Smith Street, Warwick, CV34 4JA
Display of illuminated sign to shop front.
FOR Mr M Anwar

SUMMARY OF REPRESENTATIONS

Town Council : Object as they "consider that the premises should be retained as a shopfront but have submitted an objection to the change of use, but in the event that planning permission is granted then the Town Council has no objections to the signage."

Warwick Society : Object as although other shops in Smith Street have wide fascia boards, covering the top of the display windows and the window over the door would ruin the balance of the shop front and whole facade. The proposed lighting should conform to the District Council's guidance for shops in Conservation Areas.

CAAF - deep fascia and light box inappropriate and out of scale.

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) ENV20 - Advertising Control (Warwick District Local Plan 1995)

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

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

HEAD OF PLANNING & ENGINEERING

Planning permission was granted in December 2003 for the change of use of the ground floor from a retail unit (Use Class A1) to a restaurant (A3), together with extensions to the rear. Works to altering the unit have recently started.

The original application showed a fascia sign approximately 0.75 metres deep running across the full width of the frontage. This did not take into account the fact that the front entrance door was set back from the window frontage forming an external lobby area. As such this proposal was considered to be unacceptable as the original signage proposed would have crossed the over the open lobby area harming the traditional shop frontage which exists.

The applicants have therefore revised the scheme so that the fascia sign follows the form of the original fascia, including the set back lobby area. The creation of a wider fascia would enable advertisement of the restaurant, including its name, address etc, something which would not be able to be done effectively on the original shopfront due to the severe lack of fascia available. The existing canopy box, which is unused, would be altered to allow a narrow light box to be installed. The new fascia would be traditional painted timber.

Whilst altering the frontage, it is not considered that the proposals damage the character of the property or the street scene. The revised signage has been designed as to retain the integrity and character of the frontage, while modernising it to meet modern requirements.

RECOMMENDATION

GRANT, as amended, subject to large scale details and the standard advertisement conditions.

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) ENV20 - Advertising Control (Warwick District Local Plan 1995)

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

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

Planning Committee: 31 March 2004
Application No: W20040218 & W20040219LB

Part 2 Item Number: 18

Town/Parish Council: Warwick

Registration Date: 11/02/2004

Expiry Date: 07/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

3 Mill Street, Warwick, CV34 4HB

Single storey rear extension following demolition of existing rear extension.
FOR Mr & Mrs Fulford

SUMMARY OF REPRESENTATIONS

Town Council : Object as the "development will be out of keeping with the area, particularly the proposed conservatory, being visually intrusive and not in keeping with this Listed Building."
Neighbours : The owner of No 5 Mill Street has no objections to the kitchen extension, which is aesthetically more in keeping, however would request that the proposed roof lights be repositioned away from No 5. The main concern is the addition of the conservatory which is over development of a small tight site. The owner of No 1 Mill Street objects stating that the extensions would represent a significant cumulative building mass, with a large volume in relation to the original dwelling with the modest rear garden being consumed and dominated. The conservatory would also be very prominent when lit at night. A condition should be imposed so that no roof light be installed in the roof pitch towards No 1.
Warwick Society : No objection to the single storey extension but would ask that the roof tiles are natural clay and that the 45 degree rule is observed.
WCC Archaeology : No objections subject to a condition requiring a two weeks notification of works.

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)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
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 original proposal included the erection of a rear conservatory, spanning the whole width of the rear garden and protruding approximately 4 metres into the garden. It was considered that this would have a detrimental affect upon the amenities of the neighbouring properties and was out of keeping with the Listed Building and the small site in which it is situated. This element of the application has therefore been omitted.

The mass and impact of the rear alterations has therefore been significantly reduced, with the rear kitchen extension being approximately 5 metres in length, an increase of approximately 2.4 metres over the existing lean-to rear extension. The proposal would protrude into the rear garden, past the neighbouring extensions, which adjoin the boundary to a depth of 2.7 metres (1 Mill Street) and 2.3 m (5 Mill Street). This therefore means that the revised application, proposing

only the kitchen extension meets the Council's adopted 45 degree code and would have a limited impact upon both neighbours amenities.

The rear extension proposed is more sympathetic to the character of the existing property, replacing a lean-to style extension with a more traditional gable end. It is therefore considered that the development proposed will be more in keeping with the Listed property and Conservation Area in which it is situated. The mass and scale of the building would be respected by the amended proposal, while retaining the majority of the modest rear garden.

The proposed rear extension would have two rooflights facing towards No 5 Mill Street. As both of the rooflights are above head height, it is not considered that their insertion would adversely affect the amenities of the neighbours in their garden or ground floor. However, as the rearmost rooflight would be positioned close to and below the neighbours first floor windows, it is considered that a slight loss of amenity may occur to both the neighbours and the applicants. It is therefore proposed to condition any permission to ensure that this rooflight is obscure glazed and non-opening and remains as such.

RECOMMENDATION

GRANT, as amended, subject to conditions requiring sample materials, large scale details, obscure glazing & non-opening of the rearmost rooflight and notification to WCC Archeology.

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)

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

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

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

Planning Committee: 31 March 2004
Application No: W20040230

Part 2 Item Number: 19

Town/Parish Council: Kenilworth

Registration Date: 11/02/2004
Expiry Date: 07/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

27 Clarendon Road, Kenilworth, CV8 1HZ
Erection of a first floor front extension. FOR Mr R. J & Mrs L. Lavender

SUMMARY OF REPRESENTATIONS

Town Council : No Objection

Neighbours : No 29 Clarendon Road objects as the proposed extension would ignore the building line, which is breached by the existing single-storey extension therefore harming the local environment and being un-neighbourly.

RELEVANT POLICIES

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

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

HEAD OF PLANNING & ENGINEERING

The proposed front extension would be constructed above an existing single storey extension, which was approved in 1982, with a similar pitch, although lower, to that of the original two-storey property. It is proposed to follow the wall line and roof pitch of the existing property through into the proposed first floor extension, thereby matching the parameters of the original house.

Clarendon Road has a very varied character, being made up of a mixture of traditional terraced properties, large three-storey terraced town houses and semi and detached properties. The application property was constructed in the 1960's, together with its neighbour (No 29) and stands very forward in the street scene in comparison to the other neighbouring properties, especially No 25. The existing and proposed extensions are approximately 2.6 metres in depth, thereby protruding forward of the nearest neighbour, No 29, by approximately 1.2 metres, thereby complying with the 45 degree code. Although this would result in the property being the nearest to the highway, it is not considered to be out of keeping with the character of the road and as such I cannot agree with the neighbours comments. There is no obvious building line in Clarendon Road due to the type and positioning of the properties and I consider the application would not have such an adverse affect on the character of the street as to warrant refusal.

RECOMMENDATION

GRANT subject to a condition on matching materials.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

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

Planning Committee: 31 March 2004
Application No: W20040240

Part 2 Item Number: 20

Town/Parish Council: Kenilworth

Registration Date: 11/02/2004

Expiry Date: 07/04/2004

Case Officer: Penny Butler
01926 456544 planning_west@warwickdc.gov.uk

65 Common Lane, Kenilworth, CV8 2EQ

Erection of a single storey extension.
FOR Mr B Tyler

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Express concern, and consider the development unneighbourly, overly dominating and detracting from neighbouring amenity through loss of light. A committee site visit is recommended.

Neighbour: Adjacent bungalow (no. 67) objects to the single storey garage extension, and to the outbuilding to be constructed under 'Permitted Development'. The pitched roofs to both would cause massive loss of light. The topography of the land would increase the height and impact of any structure in the position of the extension, especially with the introduction of a brick wall on the boundary. The extension would be over dominant, block light to their kitchen, and break the 45 degree rule. The outbuilding is larger than the existing garage, there are no drainage details, and this would have a severe detrimental impact on their amenity.

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)
The 45 Degree Guideline (Supplementary Planning Guidance)

HEAD OF PLANNING & ENGINEERING

The application property is a detached two storey dwelling, that has already been substantially extended at ground and first floor to the rear. The proposed single storey side garage extension would be built up to the existing 1.8m close boarded side boundary fence, and project no further to the rear than the main house. The height of development along the boundary would be 2.8m, with a shallow pitched roof sloping down to the boundary. The applicants property is set further back from Common Lane than the adjacent bungalow, so that the rear elevation of the neighbour is level with the front wall of the proposed garage, which extends for 5.7m. This neighbour is set approximately 1m lower down the hill, and 2m off the side boundary. There are four side windows and a fully glazed door on the neighbours side elevation, and a rear kitchen window closest to the proposal. The nearest side window is small and obscure glazed, with a second window to the kitchen next to this, and then the door. A detached outbuilding is also planned, to be erected more than 5m from the house. This outbuilding appears to meet the requirements for it to constitute 'Permitted Development', and as such would not require planning permission, and does not form part of this application.

Due to the staggered position of the properties, the existing house is already close to a 45 degree guideline from the neighbours rear kitchen window. The new extension would not further breach this line, but would be closer to the boundary. The topography of the site in relation to the neighbouring bungalow does somewhat increase the impact of development along this boundary,

but I do not consider this impact so substantial as to warrant refusal. The neighbours nearest side windows are an obscure glazed pantry style window, a secondary kitchen window, and a kitchen door, which are already overshadowed by the main dwelling. There would be little further loss of sun light for this reason, and some loss of day light. The extension would be in close proximity to the boundary and the neighbours windows, which would create a partially overbearing impression. However, I do not consider that an increase in height of 1m over the existing fence would have such an increased material impact on amenity as to warrant refusal.

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)
The 45 Degree Guideline (Supplementary Planning Guidance)

Planning Committee: 31 March 2004
Application No: W20040243

Part 2 Item Number: 21

Town/Parish Council: Kenilworth

Registration Date: 11/02/2004
Expiry Date: 07/04/2004

Case Officer: Penny Butler
01926 456544 planning_west@warwickdc.gov.uk

9 Windy Arbour, Kenilworth, CV8 2AT
Erection of a side garage. FOR Ms S.L. Altham

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: No objection.

Neighbours: The adjacent neighbour is concerned about the position of the garage which will block light to their side kitchen window. The height of the roof will be significantly higher than theirs, and unnecessarily so. The position of the boundary shown on the plans appears incorrect.

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 application property is a bungalow with consent for accommodation in the roof space, the adjacent neighbour is a two storey dwelling with a detached side garage set back behind the line of the rear elevation. This neighbour's drive will run next to the new drive to the proposed garage. This neighbour has a side ground floor kitchen window close to the proposed garage, and a 2m high boundary fence is to be erected on this side boundary under Permitted Development rights.

The proposed garage would be built 1.5m forwards of the neighbours, which has a very low pitched roof. The garage will measure 2.8m to eaves height on the boundary, with a steeply pitched roof extending up to 4.7m at ridge height, at the same pitch as the main dwelling. In my opinion, the pitch of the roof is in keeping, and visually more appropriate, than a lower pitch that would jar with the roof of the main house. There would be some impact on light to the neighbour's side window, but as this is a secondary source of light, and the width of the neighbour's drive away from the single storey garage, I do not consider that the amount of light lost would be so substantial as to warrant refusal. Boundary disputes are not a planning matter, and cannot be used to determine an application.

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)

Planning Committee: 31 March 2004
Application No: W20040252

Part 2 Item Number: 22

Town/Parish Council: Bubbenhall

Registration Date: 13/02/2004

Expiry Date: 09/04/2004

Case Officer: John Beaumont
01926 456533 planning_east@warwickdc.gov.uk

York Barn, Pagets Lane, Bubbenhall, Coventry, CV8 3BJ

Change of use of land to additional domestic garden incorporate of semi-derelict outbuilding adjacent to gated entrance to York Barn.

FOR Mr K Keefe

SUMMARY OF REPRESENTATIONS

Parish Council: Serious concerns regarding this application. This application takes in part of Bubbenhall Wood, designated 'Ancient Woodland' and as such should not in any circumstances be subject to a change of use.

WCC (Ecology): Site adjoins Bubbenhall Wood, listed on English Nature's inventory of ancient woodland. As the proposal site itself, however, is not of substantive nature conservation value, we do not recommend refusal. Future encroachment of the adjacent woodland should be prevented by the erection of boundary fencing.

RELEVANT POLICIES

(DW) ENV27 - Ecological Development (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)

(DW) ENV29 - Protection of SSSI's and Local Nature Reserves (Warwick District Local Plan 1995)

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

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

RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 First Deposit Version)

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

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

DAP4 - Protecting Nature Conservation and Geology (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

This site is located in the Green Belt adjacent to Bubbenhall Wood, an ancient woodland. It is directly adjacent to the entrance gates to York Barn, a residential property formed by a barn conversion.

The site is triangular in shape and is largely occupied by a former cart barn; this is an open sided structure on 8 brick pillars. Works have recently been undertaken to repair this building including the provision of a new roof.

Planning permission for the conversion of this building to a residential property was refused in 1994, W940297, and an appeal against that refusal was dismissed. In dismissing the appeal the Inspector commented 'This open sided structure would be replaced by a solid building, and, to my mind, that is inappropriate in the Green Belt where the paramount consideration is the retention of the openness of such areas. Clearly the proposal would drastically change the

present nature and appearance of this structure; one might expect to see a simple open sided barn in the countryside, but not what could be in reality a virtually new building used as a dwelling, which would doubtless be accompanied by a residential curtilage, with garden furniture, washing lines etc. Thus, not only would the integrity of this area as Green Belt be impaired, but the proposal would also be harmful to the area of pleasant countryside.'

I am mindful of the Inspectors comments and consider that whilst the proposed change of use is of very limited extent, such that its impact on the openness of Green Belt and Bubbenhall Wood would not be harmful, it is necessary to ensure that both this site and the existing building subsequently retains its traditional open character by withdrawing permitted development rights; the domestic use of the building would thereby be effectively limited to open storage.

RECOMMENDATION

GRANT subject to conditions on removal of permitted development rights (including for the future alteration of the building) and boundary treatment.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

(DW) ENV27 - Ecological Development (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)

(DW) ENV29 - Protection of SSSI's and Local Nature Reserves (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)

RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 First Deposit Version)

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

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

DAP4 - Protecting Nature Conservation and Geology (Warwick District 1996 - 2011 First Deposit Version)

Planning Committee: 31 March 2004
Application No: W20040255

Part 2 Item Number: 23

Town/Parish Council: Hatton

Registration Date: 11/02/2004

Expiry Date: 07/04/2004

Case Officer: Steven Wallsgrove
01926 456527 planning_west@warwickdc.gov.uk

The Piggery, Brownley Green Lane, Hatton, Warwick, CV357TW

Change of use of redundant farm buildings to offices and
provision of car parking and service road.

FOR Olton Bridge Properties Ltd

SUMMARY OF REPRESENTATIONS

Hatton Parish Council : No objection, but comment that it may act as precedent for future development, similar units in area vacant, and lack of screening.

Neighbours : Five letters of concern have been received from occupiers of Lower Farm on grounds of lack of need, traffic, dangerous access.

WCC Ecology - have concerns about the application in relation to impact on mature oaks adjoining the access track and on the ferns currently growing on the redundant building. they recommend measures to protect the canopy spread/roots of the oak trees and to move the ferns to an agreed location. A woodland management plan is also required for the woodland strip adjoining Brownley Green Lane.

WDC Environmental Health: No objection subject to a condition for a contaminated land survey.

WCC Highways - no objections subject to conditions on visibility splays, width and surfacing of access and provision of kerbed radii. In terms of sustainability, it is noted that the site is close to Hatton Park and regular bus services.

RELEVANT POLICIES

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

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

(DW) C2 - Diversification of the Rural Economy (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

These disused, brick built, farm buildings lie to the north of Hatton Park and have a separate access off Brownley Green Lane. The site is well screened from the road by a belt of trees and there is a traditional hedge facing across a field towards Hatton Park, with a line of mature oak trees.

The proposal is to restore and convert the two existing buildings, with the interesting lantern feature along the main building, into 5 small office units. A total of 672 sq metres of office floorspace would be provided. A total of 31 parking spaces would be provided in three areas, which would be surfaced with brick paviors. The existing farm track between the buildings and the hedge would be resurfaced with green coloured tarmac. The proposal also includes the planting of a boundary hedge on the field side of the buildings and the open areas within the site with meadow grass, wild flowers and bulbs.

It is considered that the buildings are permanent and substantial and, therefore, their re-use for employment purposes would be in accordance with policy, whereas new buildings would not. The landscaping of the site will also enhance the rural character of the area while visibility splays

onto the road can be provided with very little work and the amount of traffic that would be generated does not give rise to any concerns on the part of the highway authority.

RECOMMENDATION

GRANT as amended, subject to large scale details, removal of Permitted Development rights, contaminated land survey, tree protection, translocation of ferns, woodland management plan, parking, landscaping and access conditions.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

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

(DW) C2 - Diversification of the Rural Economy (Warwick District Local Plan 1995)

Planning Committee: 31 March 2004
Application No: W20040257LB & W20040259

Part 2 Item Number: 24

Town/Parish Council: Kenilworth

Registration Date: 12/02/2004

Expiry Date: 08/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

16 New Street, Kenilworth, CV8 2EZ

Internal and external alterations including creation of new entrance doors.
FOR The Cross at Kenilworth Limited

SUMMARY OF REPRESENTATIONS

Town Council : No objections to either proposal.

Neighbours : Both of the adjoining properties have commented on the application stating that the public house has caused nuisance in the past and as such the extraction system from the kitchen should be effective to avoid the smells currently endured and the noise from the beer cooling system and from the public house generally should be suppressed and controlled.

Environmental Health: have concerns about smell and noise nuisance from relocated kitchen but note that since internal alterations require listed building consent only, this aspect cannot be controlled.

CAAF- concern about steps/hazard for disabled people. Solid doors should remain rather than have glass inserted.

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)

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

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

Two applications have been submitted for the premises, one for Planning Permission to alter/create three doors on the rear elevation of the building and one for Listed Building consent to include these alterations and internal alterations.

The main internal alterations relate to the either the assembly room or the rear wing of the building, with the only alterations to the original Listed Building section being the insertion of an internal stud wall to divide the previous kitchen into a corridor and toilet. The proposed alterations and additional doors, together with the other alterations are, subject to large scale details, considered acceptable as they respect the character of the building and in particular the character of the Listed section. The doors are also considered to have a limited impact upon outside appearance of the building and amenities of the neighbouring residential properties.

Whilst recognising the concerns of the neighbouring properties regarding noise and smell, these issues cannot be controlled as part of any consent for either application. The Listed Building application only relates to the fabric of the building itself, and the planning application only relates to the insertion and alteration to the doors.

The applicants have not submitted any details of the extraction system to the relocated kitchen as part of the planning or Listed Building applications, and as such its details and specification cannot be conditioned as part of this application. However, if an extraction system is proposed, (as it would undoubtedly be required to meet environmental health concerns), then separate applications for planning permission and listed building consent will be required .

RECOMMENDATION

GRANT subject to a condition requiring large scale architectural details and NB advising applicant to consider measures for controlling nuisance at an early stage.

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)

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

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

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

Planning Committee: 31 March 2004
Application No: W20040270

Part 2 Item Number: 25

Town/Parish Council: Baginton

Registration Date: 13/02/2004

Expiry Date: 09/04/2004

Case Officer: Sarah Laythorpe
01926 456554 planning_east@warwickdc.gov.uk

Sheriffs, Holly Walk, Baginton, Coventry, CV8 3AE
Erection of a first floor extension.
FOR Mr Mrs Parfitt

SUMMARY OF REPRESENTATIONS

Parish Council: Object on grounds relating to the visually dominant and intrusive impact of the extension on the visual amenities of neighbouring residents.

Neighbours: The residents at 11 Coventry Road object on the grounds that the extension would be too large and over-dominating on the grounds of loss of sunlight to the garden. The neighbour at 12 Coventry Road also has concerns regarding loss of light to their garden.

Coventry Airport: No objection.

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 proposals relate to a two-storey detached dwelling that stands on the western side of Holly Walk within an established residential area. The property is set back from the public highway carriageway by approximately 20 metres. In this position the dwelling stands adjacent to the rear garden boundaries of 3 Holly Walk to the south and existing bungalows at 11 and 12 Coventry Road to the north. Single-storey side extensions have been added to the northern side elevation of the property adjacent to the boundary with 11 and 12 Coventry Road (WDC Ref: W78/1467 and W901541). Planning permission was also granted for a two-storey side extension under application W78/371. However, this development was not implemented.

The proposed extension would extend the full depth of the property across the full width of the rear garden boundary of 12 Coventry Road. I therefore consider the main issue is the impact of the development on the amenities of the neighbouring bungalows in Coventry Road, particularly when viewed from the rear facing windows and garden areas, which have a south-western aspect.

When measured on site, the distance between the nearest conservatory window at the rear of 11 Coventry Road and the side boundary fence of the site would be 13 metres. The separation distance between the rear elevation of 12 Coventry Road and the side boundary fence of the site is 16.85 metres. I am therefore satisfied that the proposal would satisfy adopted Supplementary Planning Guidance: *Distance Separation*, which advises a minimum distance of 12 metres. However, I appreciate that the application of these standards is not the only material consideration in determining the potential for loss of privacy, dominance, overshadowing or loss of light/sunlight.

The side elevation of the proposed extension would stand to the south-west of the neighbouring bungalows at a height of 4.6 metres at the eaves. Given the relative height and orientation of the properties, I consider the development would result in some overshadowing of the adjacent gardens and restriction of light/sunlight in the mornings/summertime. However, given the separation distance between them, I do not consider the impact would cause an unacceptable degree of harm to neighbouring residents' amenities.

In terms of its design and appearance I consider the proposals would be acceptable too.

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)

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

Planning Committee: 31 March 2004
Application No: W20040284LB

Part 2 Item Number: 26

Town/Parish Council: Warwick

Registration Date: 01/03/2004

Expiry Date: 26/04/2004

Case Officer: Penny Butler
01926 456544 planning_west@warwickdc.gov.uk

77 Coten End, Warwick, CV34 4NU

Installation of 3 No. external flue pipes on front elevation.
FOR Orbit Housing Association

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection.

Warwick Society: Recommend refusal. The introduction of flue pipes to the facade of this handsome Listed Building will have a deleterious effect on its appearance. They suggest the central heating boilers are re-sited so the flues can be repositioned on the rear walls.

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)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

Three external silver metal flue pipes (i.e. flue terminals), measuring 100mm in diameter, and projecting approximately 100mm are to be installed on the front facade of this Grade two Listed Building. They will be located close to windows, at ground, first and second floor levels. The existing ivy cover will have to be removed for installation.

I do not consider that the addition of three small flue pipes will have a serious adverse impact on the character or fabric of the Listed Building. These are to be located on the main street facade of the building, but in my opinion are so minor an addition that they would not appear seriously obtrusive, or cause material harm to the appearance of the Listed Building, or to the overall street scene.

RECOMMENDATION

GRANT, 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)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

Planning Committee: 31 March 2004
Application No: W20040285

Part 2 Item Number: 27

Town/Parish Council: Kenilworth

Registration Date: 17/02/2004

Expiry Date: 13/04/2004

Case Officer: Steven Wallsgrove
01926 456527 planning_west@warwickdc.gov.uk

51-53, Warwick Road, Kenilworth, CV8 1HN

Erection of detached house fronting Harger Court, replacement staircase enclosure for existing flats and replacement rear shop extension. FOR Manor House Kenilworth Ltd

SUMMARY OF REPRESENTATIONS

Town Council: no objection

Neighbours: one objection on grounds of loss of car parking, detrimental to residential amenity.

WCC(Highways): no objection, subject to highways note.

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 proposal involves the construction of a small detached house fronting Harger Court, on the rear portion of the curtilage of the properties in Warwick Road. The house would be of conventional design, with a small walled courtyard garden to the rear. A replacement staircase would be provided for the existing flat over 51-53 Warwick Road.

A 3.5m wide accessway to provide rear servicing to the Warwick Road properties would remain and car parking for 2 vehicles would be provided at the front of the plot. The dimensions of the site are such that there would be 21.5m distance separation between the rear windows of the new house and the existing first floor windows above the shops in Warwick Road. In the circumstances of this site, I consider this distance to be satisfactory.

The proposal is similar to a number of other houses built on this side of Harger Court in recent years, all of which have utilised the rear parts of the Warwick Road plots.

RECOMMENDATION

GRANT, subject to conditions on materials, and retention of rear access to shops, highways note.

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)

Planning Committee: 31 March 2004
Application No: W20040293

Part 2 Item Number: 28

Town/Parish Council: Warwick

Registration Date: 17/02/2004

Expiry Date: 13/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

The Porridge Pot, Stratford Road, Warwick, CV34 6UH
Erection of replacement signage.
FOR Spirit Group

SUMMARY OF REPRESENTATIONS

Town Council : No objection.

Warwick Society : The applicant proposes too many inappropriate signs, they are too big, too mixed, too ugly and clash with each other. The site is at the gateway to Warwick and in close proximity to the listed Longbridge Manor. The signs would not reflect the ambience of the town and would adversely affect the setting of the manor.

RELEVANT POLICIES

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

(DW) ENV20 - Advertising Control (Warwick District Local Plan 1995)

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

(LW) ENV1 - Protection of the visual and environmental amenity to the town approaches.

HEAD OF PLANNING & ENGINEERING

The Porridge Pot is a large remote 'out of town' public house, with large childrens facilities. The building is located adjacent to the M40 slip road (south) and Holiday Inn hotel, which is also a large modern purpose built building. The buildings are well screened from the A429 (Stratford Road) by a large, tall brick wall and is over 250m from Longbridge Manor.

The majority of the signage replaces existing signs on the building, with the only remote sign being a replacement name panel on a purpose built notice sign, at the entrance off the A429. This sign is a joint sign with the Holiday Inn.

As the majority of the signs replace existing signs and are not immediately apparent from outside the site, I cannot agree with the Warwick Society that the proposal harms the entrance to Warwick. The entrance name plate is the same size as the one it replaces and would be inserted into a purpose built joint sign.

The signage proposed is considered to be in keeping with the style, type and use of building as a family public house and 'Wacky Warehouse' play area. The building and attached signage is located at some distance from Longbridge Manor and with a large car park between. The setting of the Listed Longbridge Manor is not therefore considered to be adversely affected.

RECOMMENDATION

GRANT subject to the standard advertisement conditions.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

(DW) ENV20 - Advertising Control (Warwick District Local Plan 1995)

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

(LW) ENV1 - Protection of the visual and environmental amenity of the town approaches.

Planning Committee: 31 March 2004
Application No: W20040296

Part 2 Item Number: 29

Town/Parish Council: Kenilworth

Registration Date: 18/02/2004

Expiry Date: 14/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

11a, Manor Road, Kenilworth, CV8 2GJ

Alterations and extension.

FOR Mr & Mrs M. Lewis

SUMMARY OF REPRESENTATIONS

Town Council : "Members objected as the first floor extension was too close to the neighbouring property (which was not shown on the plans) and overbearing. If Warwick District Council is minded to approve the application then a Site Visit is strongly recommended."

Neighbours : The neighbour directly adjoining the proposed extension (No 15) has objected as the proposal would only be four feet (1.2 metres) to the west of the properties front door.

Because of the increase in height and length of the proposed new roof, the hall, downstairs toilet, upstairs bathroom and toilet would all suffer loss of light and their open view.

RELEVANT POLICIES

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

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

HEAD OF PLANNING & ENGINEERING

The main part of the proposal is to remove a large single and two-storey flat roof, tile hung side extension from the property and replace it with a two-storey extension with a pitched roof and a large cat slide roof facing the side of the neighbouring dwelling. The proposal would also protrude forward into the front garden by approximately a further 1.1 metres. The extension would be up to the boundary (as is the current side extension) with an eaves height of 3 metres at the boundary.

The neighbouring property (No 15) is located adjacent to the proposed two-storey extension, with their front door on the side of the property, approximately 1.2 metres from the boundary. Due to the increase in site levels, the neighbouring house is almost a full storey in height above the application dwelling. This therefore means that the front door currently looks out onto the single-storey flat roof and the side elevation of the two-storey element.

The size, bulk and height of the side extension to the south of the front door and side windows of the neighbouring property (No 15) would be increased because of the proposal and the visual outlook would change from two flat roofs and a blank gable, to an expanse of tiles on a sloping roof pitching away. Whilst sympathising with the neighbouring property that the proposal may result in a loss of light, it is considered that as all the windows on this side of the property are to secondary rooms, in which no great length of time is spent, the restriction on light would not be to such an extent sufficient to warrant refusal.

Whilst the extension would protrude nearer to the neighbouring property, creating a large expanse of tiling sloping away, it is not considered that this would result in an over dominant or overbearing extension, particularly as the neighbouring house is situated in a substantially elevated position compared to the application property.

In support of their application, the applicants have made reference to an extension onto No 19, adjacent to the other half of their neighbour (No 17). This extension presents a large flat gable wall directly onto the boundary of No 17, directly opposite the properties front door and kitchen window. Whilst comparisons can be made between the two sites, and in particular to the greater bulk and dominance of the constructed extension, it is important to note that this scheme was erected to the north of the neighbours windows.

As part of the application, it is also proposed to erect a large glazed garden room from the centre of the property, measuring 5 metres in depth, by 3.5 metres in width. There have been no objections to this part of the proposal and it is considered that this element would not have an adverse impact upon either of the neighbouring properties and would respect the character of the dwelling.

RECOMMENDATION

GRANT subject to matching materials and removal of permitted development rights to insert rooflights and windows.

REASON FOR RECOMMENDATION

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

Planning Committee: 31 March 2004
Application No: W20040298

Part 2 Item Number: 30

Town/Parish Council: Warwick

Registration Date: 16/02/2004

Expiry Date: 12/04/2004

Case Officer: Penny Butler
01926 456544 planning_west@warwickdc.gov.uk

Proposed Medical Block, Warwick Hospital, Lakin Road, Warwick, CV345BW

Erection of a 3 storey Medical block after demolition of 3 Ward Wings.

FOR South Works. General Hospitals

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection.

Neighbours: One neighbour has objected on several grounds. A three storey block is totally unacceptable, and not in keeping with the surrounding one and two storey buildings. The building would result in a loss of privacy, day light and sun light, and increased noise, disturbance and parking need. The need for the building, timing of building works, and extent of the landscaping buffer are also queried. No building work should start before 9.00am or continue after 6.00pm during the week.

WCC Highways: The scale of development will result in a material increase in floor space, with resulting increase in demand to travel as a result. A full Transport Assessment must be submitted and approved before permission is granted in order to properly evaluate this application and mitigate potential impact. A Travel Plan must also be submitted as part of this development, following the approval of which a Section 106 Agreement covering the implementation of the travel plan, targets, monitoring and review, together with contributions should targets be met, all in accordance with the County Council's adopted Practice Note.

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)

Distance Separation (Supplementary Planning Guidance)

HEAD OF PLANNING & ENGINEERING

The application site currently consists of three single storey ward wings, in the south west corner of the property, close to the boundaries with Wathen Road and Green Lane. The proposal is to replace these wings as part of the ongoing general modernisation of the hospital. The application is in "outline" but including details of siting, design and access but reserving external appearance and landscaping for further approval. The illustrative plans show a part three /part two storey block intended for ward/medical/other hospital facilities, close to other more modern two storey extensions, and adjoining the staff car park and single storey flat roof hospital creche.

The boundary of the application site adjoins the rear gardens of properties on Wathen Road, and is 27m from the rear of the block of twelve terraced houses. The distance between the rear of these houses and the two storey west side of the proposed block is 36.3m. The semi-detached dwellings on Green Lane facing the site are a minimum of 45m away from the site boundary. The closest property on Green Lane is Temple Cottage, which is the only dwelling on the north side of the road. This dwelling has a 16m long rear garden, the rear boundary of which is 8m from the application site. The distance between the rear elevation of Temple Cottage and the

two storey south side of the proposed building is 28.6m. The new block will be 10m higher than the adjacent two storey block to the east. To the north side of the site there are further single storey wings. The three storey block drops to two storeys in height for a width of 5m, on the western side, and southern side of the building, as amended. This reduces the visual impact on the nearest residential properties on Green Lane and Wathen Road. A landscaping strip is proposed against the site boundary, between the block and Wathen Road.

The proposal meets the Council's adopted Supplementary Planning Guidance (Distance Separation) for separation between two storey and three storey dwellings (27m). The greatest impact will be on Temple Cottage, but as the separation standard to this property is met, I consider that the impact in terms of loss of light and overbearing impact would not be so great as to warrant refusal. There may be some increase in noise levels, but I do not consider the nearness of the building would increase noise levels to such a degree as to warrant refusal. This is already a busy hospital operating twenty four hours a day with buildings in the same position, and at the design stage, the number of doors and openings on the south side of the building can be minimised to reduce the associated disturbance. Loss of privacy is an area of concern, but this can also be addressed at the submission of reserved matters stage by ensuring that there are a minimum number of openings on this elevation at first and second floor. I do not consider that a three storey block would be totally out of keeping on this densely developed site.

The parking and traffic concerns can be addressed by imposing a condition for a satisfactory Green Travel Plan to be produced. The timing of the construction works could be covered by a condition on the reserved matters application, along with the design, landscaping, and external appearance.

RECOMMENDATION

GRANT outline permission, subject to standard outline conditions and, subject to further approval of reserved matters in respect of external appearance and landscaping), and subject to a Section 106 agreement requiring the submission of a Transport Assessment and Green Travel Plan.

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)
Distance Separation (Supplementary Planning Guidance)

Planning Committee: 31 March 2004
Application No: W20040344 & W20040404LB

Part 2 Item Number: 31

Town/Parish Council: Kenilworth

Registration Date: 25/02/2004

Expiry Date: 21/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

Queen And Castle Beefeater, Castle Green, Kenilworth, CV8 1ND

Installation of free standing and wall mounted pay and display machines and associated signage (part retrospective application). FOR Whitbread Group Plc

SUMMARY OF REPRESENTATIONS

Town Council : Object as "The machine locations and entire signage were considered to be out of keeping and overly intrusive on a Listed Building sited within a Conservation Area. This was all the more evident with the location being opposite a nationally important monument."

CAAF - consider signs/machines are inappropriate to a listed building and Conservation Area. Much simpler black machines should be provided.

RELEVANT POLICIES

(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 proposal is to retain two pay and display ticket machines and their associated signage in the car park of the Queen and Castle public house. As visitors to other establishments and the Castle have commonly used the car park for parking, the machines have been erected to discourage public parking in the private car park. Thereby ensuring the spaces are available for patrons of the public house.

The original application proposed the retention of machine "A", which is wall mounted to a more modern extension to the building. However, it has been agreed to move this, so as to be to the rear of this wing of the building. Machine "B", is currently positioned adjacent to the car park with the children's play and a seating area between it and the building.

The proposed relocation of machine "A" would mean that it would be located in a much less prominent position in relation to the Listed property and would not be visible from the approach along Castle Road towards the front elevation of the public house. The relocated site for "A" and the existing position of machine "B" would mean that both machines and signage would be located into the site to a sufficient degree so as not to be obtrusive in the street scene.

It is also considered that machine "B" is sufficiently remote from the Listed Building, having a children's play area and screening between it and the building, while machine "A" would be located on a modern extension adjacent to an obscure glazed toilet window and a prominent flat roof extension. It is therefore considered that whilst they are prominent enough to act as a deterrent within the site, they do not adversely affect the character of the Listed Building, street scene and Conservation Area to an extent which would warrant refusal.

RECOMMENDATION

GRANT, as amended, subject to the wall mounted machine and signage ("A") being relocated and the wall made good within 2 months of the date of permission.

As the last date for comments relating to the Listed Building application expires on the 1st April 2004 this approval is subject to no further objections being received.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

(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)

Planning Committee: 31 March 2004
Application No: W20040345

Part 2 Item Number: 32

Town/Parish Council: Lapworth

Registration Date: 25/02/2004

Expiry Date: 21/04/2004

Case Officer: Will Charlton
01926 456528 planning_west@warwickdc.gov.uk

197 Station Lane, Lapworth, Solihull, B94 6JG

Front extension to create porch, rear extension and increase in ridge height to create 1st. floor within roofspace.

FOR Graham Morrall

SUMMARY OF REPRESENTATIONS

Parish Council : Object as "over development – detrimental affect on the street scene."

Neighbours : The adjoining bungalow (No 195) has stated that whilst they do not object in general they are concerned over the rear rooflight which would overlook their side bedroom window and rear patio/garden. In addition the two rooflights to the bathrooms on the side of the roof should be placed nearer the apex and therefore out of line of normal vision. The other neighbour (No 199) also doesn't object to the raising of the ridge, however does object to the rooflights which would overlook their property and would potentially limit any future extensions on their own property. Objection is also raised regarding the new ground floor side window, unless trellis could be erected and shrubs planted to stop overlooking of their rear courtyard.

RELEVANT POLICIES

(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)

DP2 - Amenity (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 application property is a bungalow with a shallow pitched roof. It is adjoined by bungalows to the south (nos. 193 and 195) with a two storey property to the north (No. 199).

The proposal would raise the ridge height of the bungalow from 4.2 metres by approximately 2.5 metres, thereby creating a ridge height of approximately 6.7 metres. This would then enable the roof space to be utilised, creating two additional bedrooms and bathrooms. As part of the alterations to the property, there would also be a rear extension and front porch added. These alterations have previously been approved under a separate application (Ref: W20040155), although this proposal would also involve an increase in the extensions ridge height.

Although the increase in height is relatively large, the proposed would not detrimentally affect the character of the property or the street scene. The majority of Station Lane contains two-storey properties, with one of the neighbouring properties having the proportions of almost a three-storey house. The proposed alterations, whilst changing the character of the property, would respect the varied street scene and would not over develop the site and would retain the open character of the area and Green Belt, in my opinion.

The application has been amended to remove the two rear rooflights to the third bedroom, which were commented upon by both of the neighbours. This bedroom has two rear windows and as such the rooflights are not required. It is proposed to condition any permission so that additional windows and rooflights cannot be added in the future, and so that the bathroom, ensuite and five bedroom rooflights are obscured glazed, thus protecting the amenities of the occupiers of the neighbouring properties.

Whilst recognising the concerns of the neighbour at No 199 regarding the side ground floor window, this window does not require planning permission as it is to be inserted into the existing property. It is also considered that the potential impact of the future development of the neighbouring property is not considered a sufficient reason to refuse this application.

RECOMMENDATION

GRANT, as amended, subject to matching materials, obscure glazing of the bathroom and ensuite rooflights and removal of permitted development rights to insert rooflights and windows.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

(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)

DP2 - Amenity (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)

Planning Committee: 31 March 2004
Application No: W20040350

Part 2 Item Number: 33

Town/Parish Council: Kenilworth

Registration Date: 27/02/2004
Expiry Date: 23/04/2004

Case Officer: Steven Wallsgrove
01926 456527 planning_west@warwickdc.gov.uk

35 Inchbrook Road, Kenilworth, CV8 2EW

Erection of single storey side and rear extensions, and loft conversion.
FOR Mr & Mrs N Quinn

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Object as the application is unneighbourly, represents over-development of the site and is out of keeping with the street scene.

Neighbours: 1 letter of objection, due to overdevelopment, overbearing, out of keeping with street scene, loss of light and loss of privacy. These neighbours have written to re-iterate their objections to the amended proposals.

RELEVANT POLICIES

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

HEAD OF PLANNING & ENGINEERING

The proposed extensions are in two parts, one part replacing an existing side garage and utility room with a larger structure consisting of a carport, shower room, and utility room which does not conflict with the adopted 45° code. This is on the opposite end of the dwelling to the objector.

The other part is a rear extension which has the same eaves level as the existing bungalow and would project back some 4.6 metres. The ridge line would be slightly below that of the existing bungalow. The extension would not conflict with the 45° code due to the greater depth of the objectors property, which results in the extension only being 2 metres behind that neighbour and 2 metres from their side wall. They do, however, have a side window but this is in line with the existing dwelling, not the extension.

The proposals also include the use of the roof space of the bungalow for two bedrooms, but this does not require planning permission (except for a rear dormer, which would be hidden by the rear extension) while the proposed study in the loft over the rear extension is only lit by two rooflights, which face into the applicants site. I consider, therefore, that there should be no unreasonable loss of privacy as a result of the proposed extensions.

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)

Planning Committee: 31 March 2004
Application No: W20040357

Part 2 Item Number: 34

Town/Parish Council: Leamington Spa

Registration Date: 23/02/2004

Expiry Date: 19/04/2004

Case Officer: Alan Coleman
01926 456535 planning_east@warwickdc.gov.uk

17 Northumberland Road, Leamington Spa, CV32 6HE

Erection of dormer window extension (amendment to planning application W20030101).
FOR Mr & Mrs J Heynes

SUMMARY OF REPRESENTATIONS

At the time of preparing this report no comments have been received from either the Town Council or neighbours. Any comments that are received in the meantime will be reported to Members in the addendum to the agenda.

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 proposals relate to a 2-storey detached dwelling that stands on the western side of Northumberland Road, which is predominantly residential in character. The dwelling differs in design, scale and appearance to the neighbouring properties, which is a defining characteristic of the road as a whole.

Planning permission was granted by this' Committee on 28 April 2003 to an amended application for the erection of a ground and first floor rear extension (WDC Ref: W20030101). The amendments comprised reducing the height of the side elevation from 5.6m to 4m at the eaves, so that it would broadly align with the cills of the neighbouring windows, together with a consequent reduction in the height of the pitched roof which would align with the eaves of the main roof of the dwelling. However, objections to the original and amended proposals were maintained by the neighbouring resident of 19 Northumberland Road on the grounds that the height, scale and proximity of the side elevation of the first floor extension would severely compromise sunlight and daylight to side facing bedroom windows.

Planning permission is now sought for the introduction of a gable dormer window within the confines of the hipped roof of the approved first floor rear extension. In my opinion, the proposal would be acceptable in terms of its siting, design and appearance. I am also satisfied that the proposal would maintain an acceptable relationship with the adjacent side facing bedroom windows of 19 Northumberland Road in terms of outlook, sunlight and daylight.

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)
