

Planning Committee: 06 April 2011

Item Number:

Application No: W 11 / 0067 LB

Town/Parish Council: Leamington Spa
Case Officer: Jo Hogarth

Registration Date: 17/01/11

Expiry Date: 14/03/11

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9 Clarendon Crescent, Leamington Spa, CV32 5NR

Proposed timber garden gate access between rear garden and public park, set within extended stone boundary wall with proposed boundary metal railings FOR
Mr I Dove

This application is being referred to the Planning Committee as the applicant is a former Councillor.

SUMMARY OF REPRESENTATIONS

Leamington Spa Town Council: No objection.

CAAF: No comment, part II Item.

RELEVANT POLICIES

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

The most recent planning and listed building application was in 2009 (Ref: W09/1283 & W/09/1284/LB) and was granted for the demolition of single storey side extension and conservatory and construction of a new side extension at ground and basement level with alterations at second level.

KEY ISSUES

The Site and its Location

The site relates to the boundary between a Grade II Listed Building located at the northern end of Clarendon Crescent and the adjoining District Council public open space/playground. The site is within the Conservation Area, the boundary of which runs along the side of the public open space/playground. The property faces onto a private dell which is accessed from the rear elevation and forms one of nine 19th Century villas which all benefit from using this private dell.

Details of the Development

The proposal seeks to extend the boundary wall, insert a timber garden gate and metal railings along the side (northern) boundary with the public open space/playground area.

Assessment

I consider the key issue relating to this proposal to be the impact of the proposed development on the setting of both the Grade II Listed Building and the Conservation Area.

The Council's Conservation Architect raises no objection to this proposal and is of the view that the railings should be of a simple design as they are not addressing the front of the building and would allow trees and bushes to grow traditionally through the railings. In my opinion the railings are simple in their design and do not have ornate tops/finials. As such I do not consider that this proposal would cause unacceptable harm to the visual setting or historic integrity of either the Grade II Listed Building or the Conservation Area such that would warrant refusal of permission; rather I consider this new boundary detail will be a significant enhancement to this northern boundary of 9 Clarendon Crescent.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 21 Rev A and 101223 Rev A (22) and (23), and specification contained therein, submitted on 17 January 2011 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP4 and DP8 of the Warwick District Local Plan 1996-2011.
- 3 Before the construction of any external wall hereby permitted is first commenced, a sample panel 1 metre square of the proposed random stone wall shall be constructed and approved in writing by the District Planning Authority. The approved panels shall be retained on-site until the completion of the building which shall be constructed strictly in accordance with the details of the approved panels. **REASON:** To protect the character and appearance of both the Conservation Area and the Listed Building in accordance with Policies DAP4 and DAP8 in the Warwick District Local Plan 1996-2011.
- 4 All railings for the development hereby permitted shall be metal and painted black. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.
- 5 The new pedestrian gate shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

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

In the opinion of the District Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of either the listed building or the Conservation Area and is of an acceptable standard of design and detailing. The proposal is therefore considered to comply with the policies listed.
