

Planning Committee: 06 April 2011

Item Number:

Application No: W 11 / 0066

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: Part II Item, no comment.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (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 gates and metal railings along the side (northern) boundary with the open space/playground area.

Assessment

I consider the key issues relating to this proposal to be the impact on the adjacent public open space, the character and appearance of the Conservation Area and impact on the setting of the Grade II Listed Building.

Impact on the public open space

In principle I do not consider that there would be harm to the open public space to the north of the site. It would not result in the use of the park being hindered and as such would not alter the way in which it is currently used by members of the public. Visually I do not consider that the extension to the 'random' stone wall which would merge into the railings would appear a fortress-like feature as views through into the garden would be retained until such time that plants and vegetation become established.

Impact on the setting of the Listed Building/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 development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON :** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 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 DP1, DP2, DAP4 and DAP8 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 an appropriate standard of design and appearance within the Conservation Area, 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 an appropriate standard of design and appearance within the Conservation Area, 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 development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located or the adjacent Grade II Listed Building or the amenity of this locality. The proposal is therefore considered to comply with the policies listed.
