

Planning Committee: 23 November 2005
01

Item Number:

Application No: W20040698

Registration Date: 07/04/2004

Town/Parish Council: Leamington Spa

Expiry Date: 02/06/2004

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

Rear of 52, Warwick New Road, Leamington Spa, CV32 6AA

Erection of a pair of linked-detached houses with vehicular access onto Rugby Road
FOR Mr J Foster

An application for a 'minor' amendment to the above application has been received in response to a registered enforcement complaint and is referred to this 'Committee to conclude the investigation.

The amendment relates to the siting of the dwelling on plot 1 (285 Rugby Road) adjacent to the neighbouring house at 283 Rugby Road. The approved scheme is for the rear elevation of the main body of this dwelling to align with the rear elevation of the two-storey rear wing of No. 283 to allow a daylight gap of 1 metre at first floor level between the front elevation of plot 2 (287 Rugby Road) and the rear elevation of plot 1. However, in construction the rear elevation of plot 1 projects beyond the rear wing elevation of No. 283 by 0.225 metres.

SUMMARY OF REPRESENTATIONS

Neighbours: The original complaint was made by the residents of 281 Rugby Road who object to the proposal on the grounds that the construction of the development in this manner would unacceptably reduce the daylight gap between the two new properties and render the development more visible, over dominant and overbearing when viewed from the property to the detriment of their visual amenities. Objections have also been received from the residents of 289 Rugby Road. The residents of 295 Rugby Road have also expressed concerns regarding the reinstatement of the western boundary wall pier adjacent to the Rugby Road frontage.

RELEVANT POLICIES

Warwick District Local Plan 1995

Policy (DW) ENV3 (Development Principles)
Policy (DW) ENV6 (Protection of Conservation Areas)
Policy (DW) ENV8 (New Development within Conservation Areas)
Policy (DW) H5 (Infill development)

Warwick District Local Plan 1996-2011 (Revised Deposit Version)

Policy DP1 (Layout and Design)
Policy DP2 (Amenity)
Policy DP5 (Density)
Policy DAP10 (Protection of Conservation Areas)
Policy UAP1 (Directing New Housing Development).

Supplementary Planning Guidance

Distance Separation
The 45 Degree Guideline

HEAD OF PLANNING & ENGINEERING

In my opinion, the revised siting of plot 1 is acceptable as an amendment to the original permission in terms of its relationship with neighbouring dwellings and impact on neighbouring residents' amenities. Whilst the rear elevation of plot 1 does now project beyond the rear wing elevation of 283 Rugby Road, nevertheless I do not consider this breach to materially prejudice the objectives of the above policies. Indeed, the daylight gap that is achieved between the two new dwellings themselves is now actually greater on site than shown on the submitted plans at 1.135 metres compared to 1 metre shown on the approved plans. As such, I do not consider the overall impact of the development is such as to warrant enforcement action being taken to re-site plot 1 in accordance with the approved plans.

With regard to the western boundary wall, the pier has not been reinstated following the re-building of the wall as a consequence of a reduction in its height adjacent to the Rugby Road frontage. However, these works are outside the scope of this application and planning control.

RECOMMENDATION

APPROVE
