

Planning Committee: 08 March 2005

Part 2 Item Number: 01

Application No: W 04 / 2109

Registration Date: 29/11/2004

Town/Parish Council: Leamington Spa

Expiry Date: 24/01/2005

Case Officer: Joanne Fitzsimons

01926 456534 planning_east@warwickdc.gov.uk

Emmanuel Evangelical Church, Heath Terrace, Leamington Spa, CV32 5LY

Extension of existing church to include No 3 Gulistan Road together with extensions to link the two buildings together; car parking and access onto Gulistan Road. FOR Trustees for Emmanuel Church

This application was deferred at Planning Committee on the 14 February 2005, to enable a site visit to take place on 5 March 2005. The report which follows is that which was presented previously, updated to include additional neighbour letters.

SUMMARY OF REPRESENTATIONS

Town Council: Object on grounds of poor design adversely affecting the integrity and character of the Conservation Area; roof design is harmful to the church hall; loss of residential accommodation and No. 3 Gulistan Road will be over-dominated by the extension.

C.A.A.F: Felt to be a reasonable scheme which did not affect the church building and maintained the interesting house in Gulistan Road. Concern over the loss of garden however it was hoped that the detailing could be in character with the building.

W.C.C Highways: No objection, subject to one access being 5 metres in width and closure of any other access not included in scheme.

English Heritage: Do not wish to make representations.

Neighbours: 17 letters of objection on grounds of increased parking pressure both on Heath Terrace and Gulistan Road, increased in noise and activity; effectively creating a 'business' premises in heart of this locality; destruction of a mature garden into car parking which will change the street scene within the Conservation Area and loss of residential at No. 3 Gulistan Road.

RELEVANT POLICIES

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

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

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

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

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

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

HEAD OF PLANNING & ENGINEERING

The application site comprises of garden area serving number 3 Gulistan Road which runs parallel with Heath Terrace. Whilst the site is within the designated Leamington Spa Conservation Area, neither the Church Hall or indeed No. 3 Gulistan Road are Listed Buildings. The proposal has been the subject of pre-application discussions with the

Council's Conservation Architect and the application is required to provide additional accommodation for the Church and related activities.

The proposal involves the erection of a 'link' extension between the existing church hall and No. 3 Gulistan Road in the form of a long sloping slate roof which marries into a partially glazed atrium in the middle before continuing into a pitched roof. This will provide a second hall. The use of the ground floor of No. 3 will be utilised as an office and library, whilst the first floor will remain in residential use and will be occupied by a staff member. A single storey brick and slate extension to no. 3 will provide additional classrooms, a creche and new rear entrance from the car park.

The scheme has been amended to 're-organise' the layout of the car park to the rear to comply with the requirements of the Highway Authority. The amendments also involve improvements to the boundary treatment to the rear onto Gulistan Road which will now continue the 2 metre high brick wall, which will lessen views into the parking area. In addition, it is proposed to landscape some of the car park. Furthermore there is to be a pedestrian gate to allow access into the site without the need for opening the vehicular gate.

Whilst I am mindful of the concerns and objections received from local residents, the design of the extension is such that its roof slopes away from No. 7 Heath Terrace (to the East) and windows in Vodena Court (to the West). The extension is to be set off the boundary by 1.5 metres to No. 7 Heath Terrace and will be 3 metres in height at its nearest point (eaves level). Whilst No. 7 has a window in its rear wing closest to the boundary, given the orientation of the site and the considerable trees/vegetation along the boundary within the curtilage of No. 7, in my opinion only minimal sunlight in the late afternoon and evening will be lost. As such I consider this to be acceptable.

The additional parking area off Gulistan Road will provide 16 parking spaces and should help to reduce current pressure on street parking.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers PA.2/02 and PA/2/01 and specification contained therein, submitted on 29 November 2004, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate

standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
 - 5 The development hereby permitted shall not be brought into use until all parts of existing accesses to Gulistan Road, not included in the proposed means of access, have been permanently closed and reinstated in accordance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
 - 6 The vehicular access to the site from Gulistan Road shall not be less than 5 metres wide. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
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Planning Committee: 08 March 2005

Part 2 Item Number: 02

Application No: W 04 / 2302

Registration Date: 30/12/2004

Town/Parish Council: Leamington Spa

Expiry Date: 24/02/2005

Case Officer: John Beaumont

01926 456533 planning_east@warwickdc.gov.uk

13 Heath Terrace, Leamington Spa, CV32 5NA

Demolition of existing dwelling and erection of two new dwellings. FOR Mr & Mrs Noonan

This application was considered by the Planning Committee at the meeting on 14th February 2005 but was deferred for a Members site visit. The report which follows is the one considered by that earlier meeting.

SUMMARY OF REPRESENTATIONS

Town Council : Object. Erection of 2 dwellings will result in an undesirable density of development to the detriment of the character/amenity of the area.

Neighbours : The Directors and two residents of Vodena Court (adjoining the site) have objected; loss of light, privacy, overdevelopment, difficulties of access, parking and construction. The occupiers of a flat to the north of Heath Terrace, with both basement and first floor windows overlooking the site, have raised objection on grounds of loss of light/outlook, cramped overdevelopment detrimental to street scene, parking congestion, undesirable precedent. A further letter from residents opposite the site raises objection on grounds of harm to character of street scene, intensification, parking difficulties, loss of green space within the conservation area.

One neighbour has written to state no objection in principle; while 2 smaller houses will not be in keeping with the row of existing houses, they should not be too detrimental providing brickwork/details traditional.

CAAF : Principle of demolition and replacement with smaller houses unacceptable. This forms part of a group of substantial well designed inter-war family homes and it was felt a difficult precedent would be set if one were demolished and replaced; could lead to a breakdown in character in this part of the road.

CLARA : Object. Will ruin this pleasant group of houses; increase in site density will not enhance Conservation Area. Precedent for undesirable intensive redevelopment.

WCC (Highways) : No objection.

WCC (Ecology) : Bat survey should be undertaken prior to determination.

RELEVANT POLICIES

(DW) ENV27 - Ecological Development (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) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (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)

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

This existing dwelling is not 'listed' but the site lies within the Conservation Area. Heath Terrace has a mixed architectural quality and this site is adjoined to the east by a modern 3 storey block of flats and to the west by 3 further plots of a similar plot width with single dwellings of a similar age to the property on this site.

The proposal entails the demolition of the present property and its replacement with two detached houses with integral single garages. The dwellings have been designed to reflect the inter-war character of the existing dwelling.

Whilst conscious of the objections raised to this proposal, I do not consider that the architectural quality of the present dwelling and its contribution to the street scene in this part of the Conservation Area is such that its demolition and replacement could reasonably be resisted. Whilst the present scheme proposes two dwellings, I consider that their design would complement the existing street scene and that their siting would not cause such harm to the amenities of nearby dwellings such as to justify refusal. I note that the Highway Authority has raised no objection and I consider a bat survey could be conditioned so that any necessary mitigation works could properly be undertaken before the demolition of the existing building.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing no. 400-02A, and specification contained therein, submitted on 2nd February 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of rooflights, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 5 All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 6 A landscaping scheme for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 7 The garaging shown on the plans hereby approved shall be retained and kept available for such purposes and shall not be altered either internally or externally without the prior consent of the District Planning Authority. **REASON** : To ensure that there are adequate parking facilities to serve the development, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 8 The development hereby permitted shall not be brought into use until the proposed means of access has been constructed in strict compliance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 9 The existing building shall not be demolished unless and until a bat survey has been submitted to and approved in writing by the District Planning Authority and any necessary mitigation measures contained within the approved bat survey have been wholly implemented. **REASON** : To ensure the ecology of the area is properly protected in accordance with the provisions of Policy ENV27 of the Warwick District Local Plan.
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Planning Committee: 08 March 2005

Part 2 Item Number: 03

Application No: W 04 / 2304 CA

Registration Date: 30/12/2004

Town/Parish Council: Leamington Spa

Expiry Date: 24/02/2005

Case Officer: John Beaumont

01926 456533 planning_east@warwickdc.gov.uk

13 Heath Terrace, Leamington Spa, CV32 5NA
Demolition of existing dwelling. FOR Mr & Mrs Noonan

This application was considered by the Planning Committee at the meeting on 14th February 2005 but was deferred for a Members site visit. The report which follows is the one considered by that earlier meeting.

SUMMARY OF REPRESENTATIONS

Town Council : Object. Erection of 2 dwellings will result in an undesirable density of development to the detriment of the character/amenity of the area.

Neighbours : The Directors and two residents of Vodena Court (adjoining the site) have objected; loss of light, privacy, overdevelopment, difficulties of access, parking and construction. The occupiers of a flat to the north of Heath Terrace, with both basement and first floor windows overlooking the site, have raised objection on grounds of loss of light/outlook, cramped overdevelopment detrimental to street scene, parking congestion, undesirable precedent.

One neighbour has written to state no objection in principle; while 2 smaller houses will not be in keeping with the row of existing houses, they should not be too detrimental providing brickwork/details traditional.

CAAF : Principle of demolition and replacement with smaller houses unacceptable. This forms part of a group of substantial well designed inter-war family homes and it was felt a difficult precedent would be set if one were demolished and replaced; could lead to a breakdown in character in this part of the road.

CLARA : Object. Will ruin this pleasant group of houses; increase in site density will not enhance Conservation Area. Precedent for undesirable intensive redevelopment.

WCC (Highways) : No objection.

WCC (Ecology) : Bat survey should be undertaken prior to determination.

RELEVANT POLICIES

(DW) ENV27 - Ecological Development (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) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (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)

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

This existing dwelling is not 'listed' but the site lies within the Conservation Area. Heath Terrace has a mixed architectural quality and this site is adjoined to the east by a modern 3 storey block of flats and to the west by 3 further plots of a similar plot width with single dwellings of a similar age to the property on this site.

Whilst conscious of the objection raised to this proposal, I do not consider that the architectural quality of the present dwelling and its contribution to the street scene in this part of the Conservation Area is such that its demolition could reasonably be resisted. I consider an acceptable replacement scheme has been proposed on planning application W04/2302 and subject to the approval of that scheme and a contract for its implementation being in place (to prevent the creation of an unacceptable 'gap' site), I consider this consent should be granted.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under W04/2302 has been made. **REASON** : To enable the Commission to decide whether to make a record of the architectural and structural history of the building.

Planning Committee: 08 March 2005

Part 2 Item Number: 04

Application No: W 04 / 1880

Registration Date: 20/10/2004

Town/Parish Council: Leamington Spa

Expiry Date: 15/12/2004

Case Officer: Joanne Fitzsimons

01926 456534 planning_east@warwickdc.gov.uk

rear of, 67 Clarendon Street, Leamington Spa, CV32 4SR
Erection of one new dwelling FOR N Charlton & K Mulgrey

This application was deferred at Planning Committee on the 14 February 2005, to enable a site visit to take place on 5 March 2005. The report which follows is that which was presented previously.

SUMMARY OF REPRESENTATIONS

Town Council: Object on grounds that the proposal is contrary to Policy DP1 by virtue of its inappropriate size and failure to harmonise with the existing settlement; loss of amenity for future users and is considered unacceptable and contrary to Policy DP2 of the emerging Local Plan.

2 neighbours object on grounds of lack of parking; reduced sunlight; proximity of foundations; contrast in roof pitches along Lansdowne Road; over-development and problems concerning maintenance of wall/guttering.

WCC Highways: No objection as site is within a sustainable location where services are accessible by walking, cycling and public transport, in line with Government Guidance, PPG13 Transport.

WCC Ecology: Records do not indicate features of nature conservation.

CAAF: Have no comment.

RELEVANT POLICIES

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

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

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

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

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

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

HEAD OF PLANNING & ENGINEERING

The application site relates to the rear garden area of number 67 Clarendon Street, within the Leamington Spa Conservation Area. It is accessed via Lansdowne Road which runs parallel with Lansdowne Street. In the recent past, development has taken place along this road in the form of residential units and this proposal seeks to 'infill' the remaining gap at this end.

The design has been amended to introduce a gable fronting on to Lansdowne Road in order to relate to the design of the adjoining units. There are no windows at first floor as the roof space is to be lit by one "Conservation" rooflight at the rear. As such, I am satisfied there is no over-looking and that the 3 metre high screen wall will protect the

future occupiers from potential disturbance associated with vehicle/pedestrian movements along Lansdowne Road.

Whilst I note the concerns from neighbours with regard to limited parking, as a Town Centre location which is easily accessible by other means of transport such as walking or cycling, I do not consider a refusal on these grounds to be sustainable. With regards to foundations, these are building control matters, and the issue of maintenance of walls and guttering is a private matter between the two land owners.

As amended, I consider the scheme to be acceptable within the Conservation Area and I am of the view that it makes a positive contribution to the character and appearance of this particular area thereby complying with Local Plan objectives.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1132/03, 1132/02A and 1032/04 and specification contained therein, submitted on 20 October 2004 and 26 January 2005, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 5 All rainwater goods for the development hereby permitted shall be constructed of metal. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

Planning Committee: 08 March 2005

Part 2 Item Number: 05

Application No: W 04 / 2231

Town/Parish Council: Kenilworth
Case Officer: Penny Butler
01926 456544 planning_west@warwickdc.gov.uk

Registration Date: 16/12/2004
Expiry Date: 10/02/2005

34 Malthouse Lane, Kenilworth, CV8 1AD

Erection of a two storey front extension and detached double garage, following demolition of existing garage. FOR Mr S Lambert

This application was deferred at Planning Committee on the 17 February 2005, to enable all neighbours to be notified of the Committee date. The report which follows is that which was presented previously.

SUMMARY OF REPRESENTATIONS

Town Council: Recommend refusal. The garage is in front of the general building line, and its bulk and size with blank brick walls offends the street scene in a sensitive area. Neighbours: 3 letters object to the garage, 1 objects to the extension and 1 objects to both proposals. The garage will project forwards of the building line, appearing out of character and setting a precedent for future proposals. It will also destroy the openness of the front garden and views of the house, and require removal of the established planting (boundary hedge and conifer). Malthouse Lane was referred to in a recent appeal decision as a road characterised by properties with long frontages, which would be permanently destroyed if building occurred in the front gardens.

The front extension would be intrusive and affect the character and amenity of the area, It would appear out of character with the neighbours of the same design. The extension would also be unneighbourly, and the two storey blank side wall will be an eyesore to neighbours on this side. Very little of the front elevation of the house would be visible from the road, light to the application dwelling would be reduced, and the plot overdeveloped. Parking space on the driveway would be reduced, possibly resulting in on road parking and traffic congestion. The proposals would be contrary to Policy DP5 of the Local Plan. A site visit is recommended.

WCC Ecology: No objection subject to bat notes being added to the approval.

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 applicants detached dwelling is set at an angle to Malthouse Lane, and forms part of a group of three staggered dwellings with the same design. The rear of 36 Malthouse Lane to the north is in front of the applicants dwelling due to the staggered position, with a glazed side door on this side, one metre off the boundary. The application dwelling is set back behind a long front garden, with boundary hedge planting along the side boundary next to 36 Malthouse Lane. A detached double garage with pitched roof is to be positioned level with the front of the garage at number 36 which, due to the angle of the dwellings to the road, will be in front of the building line drawn diagonally across the face of the three properties. The applicants existing garage will be replaced on the

same footprint with a living room, and two bedrooms above, creating a projecting front gable.

The front extension will change the character of the dwelling as it will appear much larger and no longer similar to the other two dwellings in the same style. A large two storey blank wall would also be visible looking northwards down Malthouse Lane, but this view is partially screened by several trees along the road frontage, and the elevation would be viewed against the side elevation of number 34 which projects much further towards the road. The neighbour on this side, number 30/32, has a large garage on this side of the property, with facing secondary side windows some distance away. The character of the dwelling would change but in my opinion this would not be so harmful to the character or amenity of the street scene or neighbours as to justify refusal.

The garage would project in front of the building line created by dwellings along this side of the road, but this alone is not a reason for refusal. Each application must be considered on its merits, and in this case while the building would be closer to the road than any other, resulting in a change to the character of this frontage, it is not considered that this would be unduly intrusive within the street scene. Planning permission is not required to remove the hedges so could not be used as a reason for refusal, and adequate parking would be retained for the dwelling.

Any future applications would be considered on their merits so it is unreasonable to refuse this application on the grounds that a precedent may be set. Overall, the proposals are considered to be well designed and would not unacceptably compromise the amenity of the area. It is considered that the proposals do not conflict with the key objectives of the relevant Local Plan Policies, and do not cause such harm as would warrant refusal.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (Ref: 484-02), and specification contained therein, submitted on 15 December 2004 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the extension. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.
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Planning Committee: 08 March 2005

Part 2 Item Number: 06

Application No: W 04 / 2287

Registration Date: 22/12/2004

Town/Parish Council: Shrewley

Expiry Date: 16/02/2005

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

Oakdean, Croft Lane, Shrewley, CV35 7HL

Erection of a single storey front and rear extension and replacement roof to provide two bedrooms and two bathrooms. FOR Miss S. Pitt

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: object as proposal exceeds permitted limit and is virtually unchanged from the previous application, an unacceptable intrusion within the Green Belt.

W.C.C. (Ecology): request a bat note.

Neighbours: Letters of objection have been received from 5 residents on grounds of changing character, height and size in Green Belt, and affects on neighbours.

2 neighbours reiterate objections in relation to the amended plan.

RELEVANT POLICIES

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

(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

This property is a bungalow within a small group of dwellings along Croft Lane. It has a side dormer and a flat roofed garage. It stands slightly below the adjoining property (Myton Cottage) and above the corner house (Wishing Well Cottage). A previous application to substantially alter and extend the property was refused under delegated powers.

The present application represented a substantial reduction in the height of the extensions but, through negotiation, this has now been further reduced so that the new ridge is now approx. 1.0 m above the ridge of the existing dwelling. This enables a pitched roof to be provided over the flat roofed garage and the adjoining open space which leads to the front door. This roof space would then be used as two bedrooms and bathrooms with front and rear dormers. The existing side dormer towards Wishing Well Cottage would be substantially reduced in size.

The resulting floor area would be a substantial increase over the existing dwelling but the aspect that has to be considered is the visual impact of the proposal on the openness of the Green Belt. In this context, I am of the view that the change in overall mass and bulk of the bungalow is not substantial and, it is considered, would not materially affect the openness of the area. This is because it will still be a dormer bungalow and will still be below the level of the adjoining Myton House, which has a steeper roof pitch and stands on higher ground.

In terms of its affect on its neighbours, it is considered that the reduction in the size of the side dormer will be an improvement on Wishing Well Cottage and will have limited impact on Myton Cottage since it has its garage on this side.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.

 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers P2004/12/1 Rev. 1 & 1/12/2 Rev. 1, and specification contained therein, received on 14th February 2005 unless first agreed otherwise in writing by the District Planning Authority.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
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Planning Committee: 08 March 2005

Part 2 Item Number: 07

Application No: W 04 / 2105

Town/Parish Council: Warwick
Case Officer: Penny Butler
01926 456544 planning_west@warwickdc.gov.uk

Registration Date: 15/12/2004
Expiry Date: 09/02/2005

42 Stratford Road, Warwick, CV34 6AT

Erection of a two bedroom dwelling (retrospective application). FOR Mr C Macias

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object as Council policies require proposals to harmonise with their surroundings in terms of design and land use. This proposal would not meet this requirement and constitutes an unneighbourly form of development and impacts adversely on neighbouring dwellings.

Neighbours: Two letters of support have been received. The alley to the side of the property is now a much safer and more attractive area, The adjacent neighbour on the opposite side of the alley comments that they now have more sunlight following removal of trees on the site, the building fits in with its surroundings in terms of size, design and use, a drive and dropped kerb are already in place, the building is attractive and has improved the appearance of the site, and no disturbance has been created by building works.

Two letters of objection have also been received, on the grounds that the vehicular access is dangerous, the foot path has already been damaged by construction works, the building is excessive in size, and the site is overdeveloped. Planning permission for dwellings have been refused previously on this site, and this application should not be granted because it has already been built.

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)

(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

Planning permission was granted in 2003 (W20031777) for the demolition of the existing garage in the rear garden of the site and replacement with a new garage with study over in the roof space. In 2003 permission was also granted for a two storey side extension to the dwelling, and permission was later granted retrospectively for use of this as a separate dwelling (W20030077; W20040151). There is ample parking on the frontage for both dwellings, while the rear garden was divided in line with the dwellings.

The building in the rear garden that now exists is similar to that granted as a garage with study over in 2003. The changes from the building which was granted permission consist of a reduction in the width of the building by 1.2 metres, the replacement of one large dormer window with two smaller dormers, removal of two garage doors and replacement with windows, insertion of two ground floor side windows, and the repositioning of two roof lights. This application is to retain the building and use it as a separate dwelling house, with its own domestic curtilage and vehicular access.

The building in question consists of a dining/kitchen room, shower room and living room at ground floor, with two small bedrooms and a further shower room in the roof space. There are two rear facing roof lights which face towards the applicants house. The ground floor of the building is partly screened by the boundary wall of the site. The rear garden of 42 Stratford Road, fronts onto the corner of Goldsmith and Wordsworth Avenue, where the character consists of two storey dwellings set back behind traditional open front gardens.

As the principle of a building very similar to that built has already been granted on this site, the main issue is that of its use as a separate dwelling. The access to the rear of the site already exists so there can be no objection on the grounds that this is unsuitable as it is in established use. The frequency of the use of this access may increase, but this could happen currently. There would be no increased loss of amenity for neighbouring properties, as no new windows are proposed which would increase overlooking. Amenity space for the dwelling would be very limited, but this is not considered unreasonable given that the floor area of the building is similar to a flat which would have none.

Overdevelopment of the site is the remaining issue. The original single building plot has now been divided into three separate plots, each of which have adequate parking and reasonable outdoor amenity space. The level of development on the site has increased, and its use has intensified, but it is not considered that the use of this building as a separate dwelling will give rise to any specific additional detriment to the character of the area, or to the amenity of surrounding dwellings, including those already on site, which would justify a refusal.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Part 1, Classes A, B, D, E, and G of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : To retain control over future development of the premises in the interests of residential amenity.

Planning Committee: 08 March 2005

Part 2 Item Number: 08

Application No: W 04 / 2106

Registration Date: 18/01/2005

Town/Parish Council: Warwick
Case Officer: Steven Wallsgrove

Expiry Date: 15/03/2005

01926 456527 planning_west@warwickdc.gov.uk

133 Cape Road, The Cape, Warwick, CV34 5DJ

Two storey and first floor side and rear extensions to form 3 flats and front shop. FOR Mr G S Sandhu

SUMMARY OF REPRESENTATIONS

Warwick Town Council : Considers proposal over-intensive and does not have regard to the character of the area or proper access.

Neighbours : Two objections on grounds of loss of light, excessive extensions, possible noisy neighbours, lack of parking, and loss of privacy.

RELEVANT POLICIES

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

HEAD OF PLANNING & ENGINEERING

The site was the subject of a similar extension which was approved by Members in November 2003. The basic difference is that the present scheme includes an additional flat, in the same extension, but with a side lobby extension entrance. Three parking spaces are shown, with a garage, at the bottom of the garden.

The plans have also been altered, through negotiation, to reposition a side facing kitchen window so that it now faces down the garden. This, and the nearby bathroom window, are shown as to be obscure glazed.

In view of this previous approval, and the amendments made, it is considered that this proposal is acceptable and will not have an unreasonable affect on the amenities of the neighbours.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 100B, and specification contained therein, submitted on 21 February 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to

secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

 - 4 The proposed car parking area for the development hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
-

Planning Committee: 08 March 2005

Part 2 Item Number: 09

Application No: W 05 / 0016

Registration Date: 07/01/2005

Town/Parish Council: Kenilworth

Expiry Date: 04/03/2005

Case Officer: Penny Butler

01926 456544 planning_west@warwickdc.gov.uk

60-66 Warwick Road, Kenilworth, CV8 1HH

Display of four freestanding advertisement 'spokes' and four ATM panels. FOR
Sainsbury's Supermarkets Ltd

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Object to the freestanding advertisement spoke and leaflet dispensers, which increases the risk of littering in the area. They particularly object to sign E5, which is very close to the Bear and Ragged Staff Public House Listed Building.

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)

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

HEAD OF PLANNING & ENGINEERING

This application consists of two parts, the display of four ATM/cash point panels, and five freestanding signs around the car park.

The existing cash point on the site is positioned under a canopied walkway facing the car park. There is currently an illuminated box sign above the cash point and a metal surround. The box sign will remain, and two out of use cash points are to be removed. The cash point and sign will be surrounded by four new coloured graphics panels with poster and information panels, measuring 2.4 metres high by 4.5 metres wide in total. As this is under the canopy and facing the centre of the car park, I do not consider that there would be any loss of visual amenity to the area.

The advertisement spokes are 2.5m high and 0.7m wide. They will display poster adverts and also dispense leaflets. Sign E5 which the Town Council objected to specifically has now been removed from this application through negotiation. The four remaining advertisement spokes are to be positioned at various points along the pedestrian walkway in front of the store, adjoining the car park. It is not considered that these would have a serious detrimental impact on the visual amenity of the area, as they face directly into the car park and are not close to residential properties, or the Listed Building. The littering concerns of the Town Council are noted, however, this is not a valid planning reason for refusal.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (7984-30; 7984-40; E18042), and specification contained therein, submitted on 7 January 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
-

Planning Committee: 08 March 2005

Part 2 Item Number: 10

Application No: W 05 / 0039

Registration Date: 12/01/2005

Town/Parish Council: Cubbington

Expiry Date: 09/03/2005

Case Officer: Sarah Laythorpe

01926 456554 planning_east@warwickdc.gov.uk

31 The Grange, Cubbington, Leamington Spa, CV32 7LE
Erection of 2 storey pitched rear roof extension. FOR F Lake

SUMMARY OF REPRESENTATIONS

Parish Council objects on the grounds that the proposed extension is considered to be an overdevelopment of the site.

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 Grange is a cul-de-sac which inclines quite steeply and has a mix of semi-detached and terraced properties. The application site is of moderate size and the property itself does not appear to have been previously extended.

It is proposed to construct a 2-storey rear extension measuring 3.5m by 2.2m and therefore extends across just over half of the rear of the property. The roof pitch of the proposed extension would be set down quite substantially from the pitch of the existing roof.

The proposal is fully in compliance with established guidance for a domestic extension as it is set in 1 metre from the side boundary of No. 30 The Grange and the 45 degree code from the neighbour's window is easily met. The size, scale and mass of the extension is acceptable and does not dominate the site or have any overbearing effect on any neighbouring property, therefore I am unable to agree with the objection of the Parish Council. The scheme proposes a window in the rear elevation of the extension which would re-utilise the existing window which is obscure-glazed. It would therefore not result in increased overlooking into the neighbouring property's garden.

The scheme also involves the insertion of a new window in the side elevation of the existing property. This window is to a bathroom and is proposed to be obscure glazed and would therefore cause no overlooking to the neighbouring property.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990.
 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (S.784.1), and specification contained therein, submitted on 4th January, 2005 unless first agreed otherwise in writing by the District Planning Authority.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
 - 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building.
REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
-

Planning Committee: 08 March 2005

Part 2 Item Number: 11

Application No: W 05 / 0105

Registration Date: 20/01/2005

Town/Parish Council: Leamington Spa

Expiry Date: 17/03/2005

Case Officer: Fiona Blundell

01926 456545 planning_east@warwickdc.gov.uk

26 North Villiers Street, Leamington Spa, CV32 5XY

Demolition of existing garage and erection of single storey side and rear extension. FOR
Mr & Mrs Griffin

SUMMARY OF REPRESENTATIONS

Town Council: No objection, subject to being in conformity with the 45 degree code.

Neighbours: Two letters of objection have been received, one of which is signed by nine residents, as follows:

Concerns were expressed regarding the provision of a sixth bedroom which would change the character of the house into a non residential use, which would be out of character within this residential area. There were concerns that this would generate unacceptable amounts of noise and disturbance, together with additional car parking demand. There was also concern that the proposal would result in loss of sunlight to the adjoining property of No. 27 North Villiers Street.

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 located on the north side of North Villiers Street. The property is set back from the public highway and has a detached garage to the rear. North Villiers Street comprises residential properties which are broadly similar in style, design and external appearance.

The proposal seeks permission to erect a single storey side and rear extension which would wrap around the building, after the demolition of the existing garage. Following negotiations, the additional rear ground floor bedroom has been replaced by a living room.

Whilst I note the neighbours concerns expressed regarding the additional living accommodation, the amended proposal retains the residential character of the property, and as such would not warrant a refusal. In planning terms, the use of the property for up to six residents living together as a household would be classed as a Dwellinghouse within Class C3 of the Use Classes Order.

The proposal complies with the Council's adopted 45° code and I consider that it would not result in any unreasonable loss of daylight or sunlight. I further note the objection to increased car parking demand, and consider that as the proposal is for a residential extension, the provision for car parking is sufficient. I am of the opinion therefore that the amended proposal would comply with the general development principles of the Local Plan 1995 and therefore not have an adverse impact on the neighbouring amenities, street scene or the character of this residential area.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.

 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) and as amended (Ref Drawing No 04/110-02A, and specification contained therein, submitted on 23rd February 2005) unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

 - 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
-

Planning Committee: 08 March 2005

Part 2 Item Number: 12

Application No: W 05 / 0181

Registration Date: 01/02/2005

Town/Parish Council: Warwick

Expiry Date: 29/03/2005

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

**Warwickshire County Council Depot & Neighbouring Land, Montague Road,
Warwick, CV34 5LW**

Residential development, playing field, demolition of part of existing Depot Building and relocation of existing car park. FOR Warwickshire County Council

SUMMARY OF REPRESENTATIONS

Warwick Town Council: comments awaited.
W.C.C. (Highways) have no objection subject to access conditions.
Inland Waterways Association are in favour of developments which enhance and improve the canal environment.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
Structure Plan Policy H.3 Greenfield land for housing and H.4 Release of housing land
(LW) H3: Housing allocations within urban area

HEAD OF PLANNING & ENGINEERING

This site, with adjoining land, was the subject of a previous application for residential and employment purposes which is currently the subject of an appeal. The reason for refusal related to the fact that the proposed development area extended across open land which was not previously developed. The present site consists of the car park and an open storage area forming part of the County Council depot, and an open, undeveloped, area fronting the Coventry Road.

This undeveloped land would be used for playing fields for the adjoining Ridgeway Special School while the 'brownfield' land would be used for housing. Replacement parking would be provided by demolishing part of the existing depot complex buildings, which are currently occupied by the Countryside Recreation team. Access to this outline application site would be from Montague Road, following a land exchange with the Ambulance Depot.

The whole of this site (excluding the County Council depot buildings) is allocated for housing in the 1995 Local Plan but the Structure Plan, and central government guidance, does not generally support the development of undeveloped land. In that context, it is considered that this application is acceptable in that it uses 0.5 ha of the housing allocation, namely that part which is previously developed land, and now resolves the previous reason for refusal.

The residential site area is below the 'trigger' size for affordable housing but it is possible that a subsequent reserved matters application could be for a high density, which could

result in more than 25 units being provided. It is considered, therefore, that a note should be added to the decision to draw attention to that possibility.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-

 - (a) the siting, design and external appearance of the proposed development,
 - (b) details of the access arrangements,
 - (c) details of landscaping.

REASON : To comply with Section 92 of the Town and Country Planning Act 1990.
 - 2 In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of three years beginning with the date of this permission. **REASON**: To comply with Section 92 of the Town and Country Planning Act 1990.
 - 3 The development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later. **REASON** : To comply with Section 92 of the Town and Country Planning Act 1990.
 - 4 The roads and footways serving the development hereby permitted shall not be designed or constructed other than in accordance with the requirements and standard specifications of the Highway Authority as set out in "Transport and Roads for Developments - The Warwickshire Guide 2001", together with any published amendments to it. **REASON** : To ensure compliance with the Council's standards.
 - 5 The dwellings hereby permitted shall not be occupied until the proposed means of access, and replacement parking, have been constructed in strict compliance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
-

Planning Committee: 08 March 2005

Part 2 Item Number: 13

Application No: W 04 / 2294 CA

Registration Date: 23/12/2004

Town/Parish Council: Warwick

Expiry Date: 17/02/2005

Case Officer: Steven Wallsgrave

01926 456527 planning_west@warwickdc.gov.uk

Warwick Printing Co Ltd, Theatre Street, Warwick, CV34 4DR
Demolition of building FOR Cala Homes Midlands Limited

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No comments received.

W.C.C. (Archaeology): No comment.

C.A.A.F. only commented on design of replacement building.

RELEVANT POLICIES

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

HEAD OF PLANNING & ENGINEERING

This building is bland and of no architectural merit in itself. Its demolition without an appropriate replacement, however, would detract from the character of the Conservation Area. It is considered, however, that the proposed replacement will enhance the Conservation Area (see report under W20042292) and, on that basis, consent could be given for its demolition.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 - 2 The demolition of the building shall be carried out as a single building operation with the replacement building approved under W20042292. **REASON** : To protect and enhance the character of the Conservation Area.
-

Planning Committee: 08 March 2005

Part 2 Item Number: 14

Application No: W 05 / 0050 CA

Registration Date: 07/01/2005

Town/Parish Council: Leamington Spa

Expiry Date: 04/03/2005

Case Officer: Joanne Fitzsimons

01926 456534 planning_east@warwickdc.gov.uk

94-96 Parade, Leamington Spa, CV32 4AR

Partial demolition of building. FOR Atlantic Property Developments PLC

SUMMARY OF REPRESENTATIONS

Town Council: Object as the development is over-development, contrary to Policy DP8 with inadequate car parking; concerned at the absence of waste disposal, sound attenuation is inadequate.

The Leamington Society: As there does not appear to be a demand for a store, smaller shops seem the only viable answer and we accept the need to re-build the interior.

English Heritage: Same comments as for W04/2073.

RELEVANT POLICIES

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

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

HEAD OF PLANNING & ENGINEERING

This application is for the substantial demolition of the building (retaining the frontage onto Parade and Regent Street) within the Leamington Conservation Area. The principle of demolition has been explored in W04/2073 - principle item of this agenda. The comments from English Heritage are the same as those previously submitted and these can be found in full in Appendix 1 of W04/2073. As such I consider the proposal to be acceptable.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

(NB: Should Members wish to defer/refuse planning permission W04/2073, a consistent approach should be given to this application).

GRANT subject to the following conditions :

- 1 The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under W04/2073 has been made. **REASON** : To ensure that a suitable re-development scheme to replace the

existing rear wall is implemented immediately after demolition to avoid the creation of a larger vacant and derelict area within and to the detriment of the Leamington Spa Conservation Area.

Application No: W20021891 & W20031892

Registration Date: 16/12/2002

Town/Parish Council:

Expiry Date: 10/03/2003

Case Officer:

Alan Coleman

01926 456535 planning_east@warwickdc.gov.uk

54-56, WARWICK NEW ROAD, LEAMINGTON SPA.

Alteration and conversion of 54 Warwick New Road to 6 No. self-contained flats and 56 Warwick New Road to 5 No. self-contained flats, erection of a 3-storey terrace of 4 No. 2 bedroom duplex apartments and 1 No. split level town house fronting onto Rugby Road and creation of new vehicular access to Warwick New Road FOR MR R. DUPILLE

Applications for amendments to the above applications have been received and are referred to this 'Committee at the request of Councillor Gifford.

The amendments comprise:

1. addition of 2 rooflights to the western facing roof slope of the rear wing extension to No. 54 Warwick New Road;
2. provision of stepped access to the town house garden adjacent to the boundary wall with 58 Warwick New Road;
3. omission of front entrance staircase and ground floor doorway to end-of-terrace town house, installation of replacement timber sliding sash window in ground floor opening, and;
4. reconfiguration of front entrance staircase to duplex apartments 17 and 18.

A request has also been made for the installation of an obscure glazed 1st floor window and an obscure glazed/fixed light 2nd floor window in the western gable elevation of the terraced town house adjacent to the boundary with 58 Warwick New Road. However, 'permitted development' rights for such alterations were removed by a condition of application W20021891 and, as such, a separate planning application will be required for the proposed installation of these windows.

SUMMARY OF REPRESENTATIONS

Neighbours: The neighbouring residents of 58 Warwick New Road object to the proposed 1st and 2nd floor windows in the western gable elevation of the town house and to the additional roof lights on grounds of loss of privacy through overlooking. No objection is raised to the proposed stepped garden access.

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 (First 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 proposed amendments are acceptable in terms of design and the wider impact on the external appearance of the development and the character and appearance of the conservation area.

In terms of the amenity impact of the proposals I fully appreciate the concerns of the neighbouring residents regarding loss of privacy through overlooking from the roof lights. However, given the height and distance of the rooflights away from the boundary of the site with 58 Warwick New Road I do not consider an unacceptable degree of overlooking would arise.

RECOMMENDATION

APPROVE
