

Planning Committee: 06 January 2004
Application No: W20031556

Part 2 Item Number: 1

Town/Parish Council: Leamington Spa

Registration Date: 01/10/2003
Expiry Date: 26/11/2003

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

6 Almond Avenue, Leamington Spa, CV326QD
Loft Conversion and erection of extensions to side and rear.
FOR Mr & Mrs J Farrington

SUMMARY OF REPRESENTATIONS

The decision has been deferred for a site visit on 20th December 2003 by Committee, for further consideration at the next Planning Committee on 6th January 2004.

Further objections and comments received since the report was compiled, were contained in the addendum, and are summarised as follows: the Town Council expressed concern in relation to the size and scale of the extension. The ward member Cllr Eithne Goode has also written to raise the concerns of the neighbours.

Four neighbours have objected to the proposal on grounds of out of character by reason of size and scale, creation of overlooking, loss of light, loss of privacy from balcony and new windows at rear of property. The neighbours at 4 and 8 Almond Avenue have written to confirm that they would prefer a small window high up in the gable only to light the loft, at the rear of bedroom three a high level window would be preferred, whilst the oriel window to bedroom one will result in a loss of privacy to the neighbours. Concern is also expressed about the use of grey roof tiles, the scale of the porch and introduction of rendering on the property.

N.B The plans have now been amended to reduce the size of the loft window and the window to the rear of the bedroom three. The neighbours at No. 8 Almond Avenue has written to confirm that the changes do not overcome their objections. The neighbours at 8 Cloister Way has requested the installation of obscure glass to the proposed new front bathroom and shower room.

Two further letters were received from 4 Almond Avenue expressing concern about the accuracy and brevity of the December committee report generally and in particular the short summary of the neighbours's objections and failure to give appropriate weight. The objection to the loss of light to no. 4's side facing bathroom window is reiterated. A site visit has been requested by local residents to allow neighbours's views to be presented.

RELEVANT POLICIES

ENV3 - Development Principles

Supplementary Planning Guidance - The 45 Degree Guideline

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 large detached 2 storey dwelling house, which is located on the south side of Almond Avenue. The rhythm of the street scene is composed of residential detached properties of mixed style and design, which are set back from the public highway and

have large gardens to the front and rear of the properties. The character of the street scene is defined by the distinctive spacing between properties.

The application seeks permission to erect a two storey side extension to replace an existing garage, a single storey rear extension and loft conversion/extension incorporating a new rear gable. The proposals accord with general design principles and although the extension is substantial, the proposals are not out of scale with the original dwelling and substantial amenity space remains. The two storey side extension would be approx. one metre from the side boundary with No. 4 and would incorporate windows in the rear and front elevations.

The proposals accord with general design principles and although the extensions are substantial, the proposals are not out of scale with the original dwelling and substantial amenity space remains. There would be no breach of the 45 degree guideline by the proposed extensions.

Following negotiations, the proposed garage roof would be hipped away from the boundary, in order to reduce its impact on No 8. Furthermore, the proposed first floor bay window on the rear elevation would incorporate obscure glazed side panels in order that there would be no overlooking into the side living room window of No.8 and thereby protect their privacy.

Whilst noting the neighbours' objections, there is a degree of overlooking from the existing first windows in the rear elevation, and although the incorporation of two further windows; one within the proposed loft conversion and one installed in the side first floor extension, may exacerbate this; I do not consider that the proposal would have so serious an impact on the neighbouring amenities or on the character of the area, as to warrant a refusal.

RECOMMENDATION

GRANT

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

ENV3 - Development Principles

Supplementary Planning Guidance - The 45 Degree Guideline

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: 06 January 2004
Application No: W20031590

Part 2 Item Number: 2

Town/Parish Council: Leamington Spa

Registration Date: 14/10/2003
Expiry Date: 09/12/2003

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

29 Leam Terrace, Leamington Spa, CV311BQ

Erection of a replacement extended garage building with ancillary domestic roof space accommodation.

FOR Mr and Mrs Langstone

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

CAAF: *"This was considered inappropriate in this location as there is a nice run of walls and single storey garages fronting onto most of Mill Road and there is little precedent for any form of two storey building or roof projecting beyond the back of the wall. It was, therefore, felt that this would be an inappropriate form of development in this part of the Conservation Area."*

Neighbours: 3 letters of objection on grounds that the height, size, design and scale of the development would be over-dominant/over-bearing in relation to neighbouring properties, result in loss of privacy from overlooking and harm the character and appearance of the Conservation Area; set a precedent for similar development on neighbouring properties to the detriment of the character and appearance of the Conservation Area and neighbouring residents' amenities; use of inappropriate fibre cement roof tiles/rooflights/timber cladding; potential use for business purposes/potential conversion to a dwelling to detriment of highway safety and convenience from traffic generated, neighbours amenities and the Conservation Area.

RELEVANT POLICIES

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)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP10 - Flooding (Warwick District Local Plan 1996 - 2011 First Deposit Version)
(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)
Distance Separation (Supplementary Planning Guidance)

HEAD OF PLANNING & ENGINEERING

The proposals relate to the re-building and extension of the existing flat-roofed double garage located at the rear of the site on the southern side of Mill Road within a predominantly residential part of the Conservation Area. The southern side of Mill Road has a mainly homogenous frontage comprising brick boundary walls of broadly similar height and finish, some of which incorporate garage and gate openings, interspersed with single storey garages.

The proposals, as originally submitted, entailed the addition of an asymmetric pitched roof and a first floor rear gable wing extension. The proposed roof would have a ridge height of 6.3m and the eaves would be raised by approximately 450mm to 3.1m. The proposed first floor rear extension would provide staircase access to the roof space, which is proposed as a study and storage area. Five rooflights are proposed to be installed in the front roof slope and one in the rear roof slope, together with three combination rooflight/windows.

The scheme has now been amended by reducing the pitch of the roof to 30° which would reduce the height to 5.5m at the ridge and 2.6m at the eaves. A natural slate roof is also now proposed instead of fibre cement slates and the rear gable extension has been omitted, together with the rooflights from the front roof slope. The roof space would now be served by five traditional rooflights in the rear roof slope. The layout of door and window openings proposed in the rear elevation has also been amended. The agent has also confirmed that the existing garage walls would now be re-built on a slightly enlarged footprint rather than under-pinned as originally proposed.

I consider these amendments are sufficient to render the scheme acceptable in terms of its height, size, scale and design in relation to neighbouring properties, its impact on the street scene and the character and appearance of this part of the Conservation Area.

I note the concerns expressed regarding the potential conversion of the building to a self-contained dwelling or business premises. The building could be utilised for purposes incidental to the enjoyment of the main dwellinghouse. However, it could not be let, sold or used independently from it for residential or commercial purposes without planning permission. Such uses are not sought under the terms of this application. I do not therefore consider these concerns represent sufficient grounds upon which to refuse planning permission.

RECOMMENDATION

GRANT, as amended, subject to conditions on materials and large-scale architectural details.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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)

DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP10 - Flooding (Warwick District Local Plan 1996 - 2011 First Deposit Version)

(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)

Distance Separation (Supplementary Planning Guidance)

Planning Committee: 06 January 2004
Application No: W20031602

Part 2 Item Number: 3

Town/Parish Council: Warwick

Registration Date: 15/10/2003
Expiry Date: 10/12/2003

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

Land rear of, 258 Myton Road, Warwick, CV346PT
Erection of detached bungalow.
FOR Mr and Mrs P Thorpe

SUMMARY OF REPRESENTATIONS

Town Council: recommend site visit.

Neighbours: one neighbour objects: proposal out of character with area, precedent, loss of open space, access dangerous and loss of on-street parking.

Warwick Society: if permission is granted, strict conditions to safeguard the trees should be imposed and monitored.

WCC (Ecology): no objection, subject to bat and bird notes.

Leisure and Amenities: no objection to amended plans, subject to details of driveway construction, as the proposed Bredon gravel and grasscrete are not acceptable.

RELEVANT POLICIES

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

Distance Separation (Supplementary Planning Guidance)

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

No. 258 Myton Road has a large back garden with access onto Myton Lane. At the end of the garden there are two mature trees, a Norway Maple and a sycamore, both of which are protected by Tree Preservation Orders. Access to the site for the bungalow would be taken to one side of these trees, adjoining the existing boundary hedge. The plans as originally submitted showed the dwelling closer to the trees, but the amended plans show it moved towards the existing house, so as to protect the trees. The Leisure and Amenities arboricultural officer is satisfied that these amended plans would protect the trees, although further details of the treatment of the driveway would need to be submitted. The driveway would need to be constructed on top of the existing soil level and contained so as to withstand light traffic.

The amended plans show the proposed bungalow 20.5m from the existing house at no. 258 and 17m diagonally across the neighbour's garden to no. 260 Myton Road. The approved Distance Separation standards have no figures for separation between bungalows and houses, but the bungalow to bungalow figure is 17m and the house to house is 22m. The proposal is therefore considered to be broadly in accordance with these standards.

There is also the issue of street scene. The site is well-screened by the existing hedge (which is substantial) and by the two trees. A bungalow in this location would have little impact on the street scene if the vegetation is retained. Adjoining houses in Myton Road do not have direct access to the public highway to the rear, because their land is separated from the public highway by public open space or they back onto the Social Services premises which are

reached from Myton Lane. There are therefore unlikely to be similar applications from adjoining land owners, which would otherwise cumulatively alter the established character of the area.

RECOMMENDATION

That outline permission be GRANTED, subject to standard outline conditions, and additional conditions on protection of trees and hedge, details of driveway construction, bat and bird notes.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
Distance Separation (Supplementary Planning Guidance)
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: 06 January 2004
Application No: W20031657

Part 2 Item Number: 4

Town/Parish Council: Warwick

Registration Date: 20/10/2003
Expiry Date: 15/12/2003

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

8 Leylands Way, Warwick, CV346DQ

Erection of rear conservatory and two-storey side extension. FOR Mr and Mrs Sharman

SUMMARY OF REPRESENTATIONS

Warwick Town Council: has no objection.

Neighbours: One neighbour has objected to reduced daylight and sunlight, conflict with 45° code, and height.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
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 plans are in two parts, namely a first floor bedroom extension on the side (leaving a carport below), and a rear conservatory. No objections have been received to the first part.

The rear conservatory was shown on the original plans as conflicting with the adopted 45° code by about one metre but was otherwise of a standard height of some 2.4 m to the eaves with a glazed roof. The side boundary is a standard 1.8 m high close boarded fence which would immediately adjoin the proposed conservatory.

The plan has now been amended so that the conservatory now does not conflict with the 45° code.

The application site lies to the south of the objectors property but, in view of the relatively low height of the conservatory, the affect on daylight and sunlight will be limited, with any additional shadowing only being created in winter.

RECOMMENDATION

GRANT, as amended.

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)
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: 06 January 2004
Application No: W20031678

Part 2 Item Number: 5

Town/Parish Council: Leamington Spa

Registration Date: 27/11/2003
Expiry Date: 22/01/2004

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

22 Clarendon Street, Leamington Spa
Kitchen extension
FOR Mr M G Green

SUMMARY OF REPRESENTATIONS

Town Council: no objection

Neighbours: One neighbour has objected on the grounds that the guttering will overhang his property.

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 a terraced 2-storey dwelling house, which is located on the west side of Clarendon Street, a busy main road in Leamington Spa town centre and also comprises part of the Leamington Spa Conservation area.

The extension would infill the area between the side elevation of the rear wing and boundary with 24 Clarendon Street, where it would adjoin an existing extension thereto. The roof of the existing and proposed extension slopes towards the boundary. The gutter of the proposed extension would overhang the neighbouring property above the existing extension's guttering. The extension would extend to the same depth as the rear elevation of the host property.

In my opinion, the proposal would be acceptable in terms of its design and appearance and would not have so serious an impact on the neighbouring amenities or on the character of the area as to warrant a refusal. The issue of the guttering is strictly a legal matter between the applicant and the neighbour which would be resolved through the Party Wall Act.

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: 06 January 2004
Application No: W20031702

Part 2 Item Number: 6

Town/Parish Council: Leek Wootton

Registration Date: 27/10/2003
Expiry Date: 22/12/2003

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

The Puffins, Warwick Road, Leek Wootton, Warwick, CV357QR
Erection of a single storey rear extension.
FOR Mr Mrs Farren

SUMMARY OF REPRESENTATIONS

Parish Council: No objection

Neighbours: As the extension has been substantially completed, the neighbour at 12 The Elms is objecting on the grounds that matching materials have not been used and, as a result, the extension has a visual impact to the detriment of the neighbours. They are also objecting on the grounds that the side elevation of the extension is too high due to the lean-to style of the extension.

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 a detached property on the eastern side of Warwick Road, a busy main road which bisects the village of Leek Wootton. The site is within a predominantly residential area containing mainly detached dwellings with mature gardens. There is a similar detached house to the north, whilst along the southern boundary, there are the rear gardens of two houses from the Elms development.

Work has already commenced on this extension, and the external work has been substantially completed. The application seeks permission to erect a single storey rear extension which projects 3.6 metres from the property into the rear garden and is 3.6 metres high at the top of the roof slope. The highest point of the extension sits 200mm below the window cill at first floor level which can be seen above the 7 foot wall which is positioned along the side boundary of the host property and 12 The Elms.

Whilst I appreciate the concerns of the neighbours over the visual impact of this extension, especially from the lounge window, this side facing window is not the principal window to the lounge, and I do not consider the proposal is so intrusive as to warrant refusal.

Despite the use of materials which do not match the original property exactly, I do not believe the impact on the character of the area would be so serious as to warrant action being taken on this aspect.

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: 06 January 2004
Application No: W20031724

Part 2 Item Number: 7

Town/Parish Council: Kenilworth

Registration Date: 18/11/2003
Expiry Date: 13/01/2004

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

16 Nason Grove, Kenilworth
Erection of a rear conservatory.
FOR Mr & Mrs Shoesmith

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: No objection.

Neighbours: One objection received -excessive size and length of the proposal, the 45 degree guideline is breached, there will be an adverse visual impact, light, amenity and privacy will be harmed, a tunnel effect along the rear garden would be created by the extension.

RELEVANT POLICIES

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

The 45 Degree Guideline (Supplementary Planning Guidance)

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 consists of an end of terrace modern dwelling, with 15m rear garden, ONto which it is proposed to erect a rear conservatory. The conservatory is an irregular shape, with the chamfered part extending further from the house, furthest from the neighbour. The adjoining property extends a further 1.2m to the rear, and has a ground floor window into a living/dining room adjacent, which also has fully glazed rear doors. The centre point of the window is 1.5m from the side wall, and the conservatory is 0.2m off the side boundary and extends for 1.8m to the rear. Therefore, there is a breach of 0.1m of the District Council's adopted 45 degree guideline for extensions.

The proposal breaches a 45 degree guideline from the neighbours window, which is a secondary source of light, by 0.1m . I consider, therefore, that the impact on the neighbours light and amenity is not so serious as to warrant refusal, as the conservatory extends only 1.8m from the neighbours rear wall close to the boundary, and extends a further 1.8m out, 2.7m from the boundary.

The rear garden of the neighbouring property is narrow, but a 2m fence could be erected along the boundary without planning permission, and since the conservatory is 2.1m to the top of the wall level, with a pitched lightweight glass roof then sloping away, I do not consider it would be reasonable to sustain a reason for refusal on grounds of excessive height or overbearing impact.

In my opinion, there would not be a serious increased loss of privacy, above the level of overlooking currently available from the neighbours house and garden. Impact on property values cannot be taken into account when making planning decisions, and although the neighbours concerns are noted, I do not consider that in this case the impact of the conservatory would cause unacceptable harm.

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)

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: 06 January 2004
Application No: W20031725

Part 2 Item Number: 8

Town/Parish Council: Warwick

Registration Date: 04/11/2003

Expiry Date: 30/12/2003

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

Land adjacent to 23, Shakespeare Avenue, Warwick, CV346JR
Erection of a detached house.
FOR Mr J. Bajwa

SUMMARY OF REPRESENTATIONS

Warwick Town Council: consider plot too small for compatible standard with existing and too small on amenity space. Recommend site visit.

Highway Authority: have no objection subject to turning within site and access conditions.

Neighbours: One neighbour objects to loss of privacy, plot too small, traffic, out of character.

RELEVANT POLICIES

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

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

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 proposed plot measures some 21.6 m deep and 9.0 m wide and originally formed part of the large garden of 23 Shakespeare Avenue, which is set at an angle due to it lying on the corner with Browning Avenue.

The proposed dwelling would be a two-storey, three-bedroomed, house with a hipped roof, as with all the other detached and semi-detached houses. The original layout, however, showed the back garden as being only some 6.5 m deep, which was considered inadequate, while the house was set back behind the general building line.

The plans have now been amended to bring the dwelling forward to the general building line, thereby providing a 9.5 m long back garden.

This does mean, however, that the house has more of an impact on the adjoining dwelling (No. 25 Shakespeare Avenue) since it has its front door and a first floor window facing towards the plot, but at some 5.5 m distance, due to the 'L' shape of the house. This is considered to be not unreasonable, and the revised position also still satisfies the adopted 45° code.

RECOMMENDATION

GRANT, as amended, subject to sample materials, landscaping, boundary treatments and access conditions.

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)

Distance Separation (Supplementary Planning Guidance)

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: 06 January 2004
Application No: W20031747

Part 2 Item Number: 9

Town/Parish Council: Leamington Spa

Registration Date: 10/11/2003

Expiry Date: 05/01/2004

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

29 Edmondscote Road, Leamington Spa, CV326AG

Proposed residential development comprising 2 no. 2 bedroom semi-detached houses on garden land.

FOR Mr & Mrs M. Suominen

SUMMARY OF REPRESENTATIONS

Town Council: raise no objections, but comment that this site is better suited to the development of a single unit of accommodation.

Neighbours: Two objections received from neighbours on the grounds that any additional car parking facilities would exacerbate the car parking situation. It was felt that this would be particularly difficult during the summer months when the use of Edmondscote Track car parking was greatly increased; often creating traffic over spill onto the road, especially with the traffic generated by school coaches. Further concerns were expressed particularly in reference to the possible future expansion of Edmondscote Track facilities and its associated car parking problems.

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 application site relates to a side/rear garden of a semi-detached residential dwellinghouse which is located on the north west of Edmondscote Road, off a spur road that leads to an area of lock-up garages. The site has an area of approximately 52.8 square metres and abuts part of this garage court to the south-west and the garden of 33 Edmondscote Road to the north. The site has a frontage to the access road leading to the garages, and the road also serves as the means of access for the car parking facilities for Edmondscote Athletic Track, which is located in the adjacent field, to the rear of the garages.

The application seeks outline planning permission to erect 2 semi-detached dwelling houses in the side garden of No. 29 Edmondscote Road, and includes details of their siting, access and external appearance but reserves matters relating to design and landscaping for future approval.

Whilst noting the neighbours's objections, the development would include one car parking space for each dwelling, together with a car parking space for No. 29 Edmondscote. A reasonable garden space is provided for each dwelling and there is no contravention of any Distance Separation guidelines. In my opinion, therefore, the proposal accords with the policies relating to general development principles in both the existing and emerging Warwick District Local Plan.

In conclusion, it is considered that the size of the plot would allow for the erection of two dwellings in a reasonable manner and, in my opinion, there would not be any serious adverse impact on the amenities of the neighbouring properties in terms of overlooking or dominance.

RECOMMENDATION

GRANT subject to conditions.

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: 06 January 2004
Application No: W20031749

Part 2 Item Number: 10

Town/Parish Council: Leamington Spa

Registration Date: 11/11/2003
Expiry Date: 06/01/2004

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

Avenue Hotel, 15 Spencer Street, Leamington Spa, CV313NE

Display of 1 no. lantern sign and an externally illuminated projecting hanging sign.
FOR Punch Pub Co

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

CAAF: *"The illumination of the projecting hanging sign was considered acceptable, however the lantern was not considered to be appropriate in this location on a listed building. It was also pointed out that it may conflict with the traffic signals which are adjacent."*

RELEVANT POLICIES

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

(DW) ENV20 - Advertising Control (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 premises comprise an end terrace, three storey Grade II Listed Building that is located on the northern side of Spencer Street within the commercial core of the Leamington Town Centre and the Conservation Area. The property is at the eastern end of a terrace of two storey properties of broadly similar design and appearance dating from the early 19th Century.

The proposals relate to the illumination of the existing projecting hanging sign by dual aspect troughlights and the display of a lantern above the main entrance. The lantern would have a black finish with frosted glass and would measure 360mm by 720mm and would be hung from the centre of a 1530mm wide bow bracket.

I note the concerns of the CAAF regarding the proposed lantern. However, I consider it would be acceptable in terms of its location as a traditional feature on the facade of this listed public house building.

RECOMMENDATION

GRANT.

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) ENV20 - Advertising Control (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: 06 January 2004
Application No: W20031754

Part 2 Item Number: 11

Town/Parish Council: Kenilworth

Registration Date: 11/11/2003

Expiry Date: 06/01/2004

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

234 Warwick Road, Kenilworth, CV8 1FD

Erection of a front entrance porch and two storey rear extension with balcony. Conversion of room above garage to living accommodation, and erection of external staircase.
FOR Mr G Coleman

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: No objection.

Neighbours: Three neighbour letters have been received. One requests the first floor side window be frosted. Two object to the garage alterations, which have now been removed from this application. The remaining concerns are about the dimensions of the 'balcony', which is out of keeping with the surroundings, and concern there is a potential for people standing on this to overlook the adjacent neighbours house and garden.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
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 consists of a detached property on Warwick Road, set within long front and rear gardens. Alterations were originally proposed to the detached garage in the rear garden, but these have since been removed from the application, so the proposals now only consist of changes to the dwelling.

A two storey rear extension is proposed, across the full width of the property, leading to the creation of two gables. Two new side windows are proposed in the side of the original house which could be done under Permitted Development; the amended plans confirm these to be obscure glazed.

A first floor rear 'Juliet' balcony is proposed close to the neighbouring property. This will project a maximum of 0.3m from the rear wall, which would not enable any standing out on. (The amount of projection has been reduced on the amended plans) I am satisfied that, as amended, this would not create the amount of overlooking normally associated with balconies, as this could not be used as such due to its limited projection.

I do not consider that there would be any adverse impact on the character of the area, as the proposal is on the rear of the property and not visible in the general street scene. The rear wall of the neighbouring property is set back further than the applicants, and they are also set off the boundary, therefore, the extensions are set well behind a 45 degree guideline.

RECOMMENDATION

GRANT, as amended.

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)

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: 06 January 2004
Application No: W20031759

Part 2 Item Number: 12

Town/Parish Council: Warwick

Registration Date: 11/11/2003

Expiry Date: 06/01/2004

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

91 Bridge End, Bridge End, Warwick, CV346PD
Erection of a rear conservatory.
FOR Ms Isla McCarthy

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objections.

Neighbours: Eight letters of objection have been received. The conservatory is too large, too visible, constitutes an eyesore, will be intrusive, and is out of keeping with the area. This is an unsuitable proposal for a maisonette, and would set a precedent for similar applications. This is an open plan area, and the land is owned and maintained by the Archery Fields Owners Association, and has always been presumed to be common open space. A nearby protected Magnolia tree would be damaged. The flat above has a right of access to clean and maintain the exterior of their property, which would be impeded. The conservatory, and any future enclosure of the garden, would have an adverse impact on traffic visibility on an already hazardous turn. A door has already been installed without consent to lead into the conservatory.

RELEVANT POLICIES

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

(DW) ENV6 - Protection and Enhancement of 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 consists of a ground floor maisonette with open front and rear garden, adjacent to the arched access into the Archery Fields development at Bridge End. The rear garden area directly adjoins the footway into Archery Fields, and it is proposed to erect a rear conservatory measuring 3m by 3m, with access through the existing kitchen. The side wall would be 0.5m from the side boundary with the footway, with the existing 1.75m beech hedge retained in between. Further patio paving would be provided surrounding this. The conservatory is a lean-to design, with a brick wall up to 2m high on the side adjacent to the footway, and the remainder glazed above a 0.6m high dwarf brick wall.

I do not consider that this relatively modest conservatory would have so serious an impact on the openness of the Conservation Area, as to warrant refusal. The property on the other side of the entrance way does have a rear garden enclosed by 2m brick pillars with timber slats, and the applicant could erect a 1m high boundary fence along the side boundary with the footway, and a 2m high fence to the rear along the boundary with the garage access, under Permitted Development rights. Any further proposals would be subject to the need for planning consent.

In my opinion, this application would not set a precedent for future development, as all applications must be considered on their own merits, besides which no other properties have a similar situation whereby their rear gardens are currently open and in such an exposed position. Any impact on highway safety would be minimal as the conservatory would only extend 3m from the rear wall. The Magnolia tree is not the subject of a Tree Preservation Order, and would not be eligible for one, even though it is in the Conservation Area, due to it's size.

The applicant has completed the relevant land ownership declaration which confirms that the land is in their ownership. It is considered that UPVC (currently shown on the plans) is not a suitable material for a conservatory in the Conservation Area, especially in such a prominent position, and therefore I recommend a condition that further details of materials be submitted.

RECOMMENDATION

GRANT, subject to further details of materials, notwithstanding the details shown on the submitted plans.

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)

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)

Planning Committee: 06 January 2004
Application No: W20031768

Part 2 Item Number: 13

Town/Parish Council: Warwick

Registration Date: 11/11/2003

Expiry Date: 06/01/2004

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

Caretaker's Lodge, Warwick Preparatory School, Banbury Road, Warwick, CV346PL
Erection of a two storey caretaker's lodge
FOR Warwick Independent Schools Foundation

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection.

CPRE: Object as the site is located in an Area of Restraint (although the boundary is not too clear - this should be examined closely) and the small site does appear to be cramped by the house and two car garage.

Warwick Society: The school is being developed in a piecemeal fashion, with this building having no apparent connection with the rest of the site. It could set a precedent for the building of other dwellings on this side of the road, which is too close to the bend on the Banbury Road and detracts from the approach to the town, contrary to (LW) ENV1 while obstructing views of St Nicholas Church.

RELEVANT POLICIES

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

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

(LW) ENV1 - The Town Approaches (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

The current application proposes the construction of a part two-storey three bedroom property at the entrance to the school off the Banbury Road. The building has been individually designed to a high standard so as to appear as an 'L' shaped entrance lodge. The corner element, adjacent to the school entrance would be two-storey with the two wings being single storey, thereby appearing as a modern interpretation of a traditional gatehouse. The building has been designed so as to complement the adjoining modern school buildings thereby providing a visual connection with the main site.

The proposed dwelling would have a rear garden of over 200 sq metres, together with small areas of front garden, adjacent to the school driveway. I cannot therefore agree that the site appears over developed, especially as the dwellings proximity to the driveway is part of its character.

It is not considered that the proposal would set a precedent for the building of other dwellings on this side of the road as the land adjacent to the application site, ie the schools playing fields, is allocated as an Area of Restraint (Warwick District Local Plan 1996-2011 (1st Deposit Draft), and as such development which "would harm or threaten the generally open nature of the area" would not be permitted.

The proposed site is located approximately 200 metres from the junction of Heathcote Lane and the Banbury Road. Due to the nature of the use of the site and high quality design of the proposal , it is considered that the proposal would not detract from this approach to Warwick and would not impact upon the setting of St Nicholas Church or obstruct any significant public views of the church.

Although, as with most large sites, the school has been developed in a piecemeal fashion, it is considered that a development brief for the site could not be justified and any application submitted has to be judged on its own merits.

RECOMMENDATION

GRANT subject to conditions on materials, landscaping and restricting the occupation of the house to workers at Warwick School.

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)
(LW) ENV1 - The Town Approaches (Warwick District Local Plan 1995)

Planning Committee: 06 January 2004
Application No: W20031774

Part 2 Item Number: 14

Town/Parish Council: Kenilworth

Registration Date: 13/11/2003
Expiry Date: 08/01/2004

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

95 Abbey End, Kenilworth, CV8 1LS

Change of use from D1 (Medical Clinic) to B1 (Offices). FOR South Warwicks. NHS PCT

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: No objection.

Neighbours: One has commented. Any weekend working that causes disturbance, or any change in normal Monday to Friday working hours would be unacceptable. There should be no changes in building height and clarification is sought regarding the nature of the business use. Parking should be restricted to their own land without blocking entry/exit to their land, which has been a previous concern.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The application site consists of an extended single storey flat roof doctors surgery, with small parking area, located between residential dwellings to the north and east, and a dentists surgery to the south. It is proposed to change the use of the surgery to general B1 business use. This use class would allow the use of the building for the purposes of offices, light industry, research and development, studios and laboratories, and as such, one that can be carried out in residential areas without detriment to the amenity of the area by reason of noise, smell, vibration, fumes, smoke, soot, ash, dust or grit. Therefore, the change of use of this building to B1 would not harm the residential amenity of the surrounding area. Furthermore, given that this is a town centre location and close to public transport links, I consider the parking provision sufficient, and a condition requiring that the parking area be kept available at all times can be imposed. Any parking on the neighbour's land would be a civil matter. As there are no current restrictions on the working hours of the building, I do not consider it reasonable to introduce any at this time. There are no changes proposed to the material of the building.

RECOMMENDATION

GRANT, subject to parking area to be kept available at all times for staff and visitor parking for the use hereby approved.

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)

Planning Committee: 06 January 2004
Application No: W20031777

Part 2 Item Number: 15

Town/Parish Council: Warwick

Registration Date: 13/11/2003

Expiry Date: 08/01/2004

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

42 Stratford Road, Warwick, CV346AT

Demolition of existing rear garages and erection of replacement garages with study over.
Erection of a 1.98m side and rear boundary wall with rear access gates.
FOR Mr C. Macias

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Comment that any permission granted should be conditioned to not be used commercially, and that the hours of operation should be limited to 9am to 7pm, with appropriate insulation to ensure that there is no disturbance to local residents.

Warwick Society: The front garden is currently used as a builders yard with an advertisement on the front wall, and the existing garage houses a builders pick up truck. There is no objection to a garage and workshop, but they are not in favour of the study above. Any permission should be conditioned to ensure the use is domestic only.

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 consists of a semi-detached dwelling on Stratford Road, adjacent to a public footpath leading onto Goldsmith Avenue at the rear. The dwelling has had a large two storey side extension, and has an existing flat roof garage in the rear garden, with access onto Goldsmith Avenue.

It is proposed to erect a 1.98m side and rear boundary wall, with remote control electrically operated gates. A double garage/workshop is to be erected on roughly the same site as the existing garage, measuring 7.1m by 7.6m, and 5.5m high to ridge. Internal stairs will lead up to a study/office in the roof space, with a pitched roof dormer facing towards the rear boundary, and two roof lights facing towards the applicants house. The adjoining neighbour has a flat roof garage roughly level with the proposal.

The study over the garage is in the roof space, and is some distance from the nearest neighbour, that adjoins. The garage is over 13m from the main rear wall of the host dwelling, and due to the position which is roughly level with the neighbours garage, would not have a seriously detrimental impact on their amenities in terms of loss of light or dominance. Subject to a condition that the use of the garage remains ancillary to the main dwelling house, I do not consider the proposal so unreasonable as to warrant refusal. The business use concerns are not relevant to this application, but have been passed to the enforcement section to investigate.

RECOMMENDATION

GRANT, subject to private domestic use, and sample 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: 06 January 2004
Application No: W20031779

Part 2 Item Number: 16

Town/Parish Council: Leamington Spa

Registration Date: 11/11/2003

Expiry Date: 06/01/2004

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

63 Eagle Street, Leamington Spa, CV312AT

Proposed conversion (and extensions) of existing garage building to create separate dwelling.
FOR Mr F. Cadden

SUMMARY OF REPRESENTATIONS

Town Council : Concern is raised at the modest proportions of this dwelling; suitable for occupation by one person only.

Neighbours : One neighbour on Alexandra Road has written to state this would be an invasion of privacy; it will not fit in with existing buildings and on a no-through road there is not enough parking.

Head of Environmental Health : No objections.

RELEVANT POLICIES

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

(DW) H5 - Infilling within the Towns (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 proposal entails the conversion of a detached single storey, pitched roof garage some 5.5m wide by 7.4m deep to provide a living room, bedroom and hall with the erection of a 2.4m by 3m extension to form a kitchen and a 2.4m by 4m extension to form a lobby and bathroom. The garage is in the rear garden of No. 63 Eagle Street but is accessed off Alexandra Road. An off-road car parking space would still be available in front of the proposed garage which is set back off Alexandra Road behind an existing boundary wall and gates some 2m in height.

A previous application for a two storey dwelling on this site was refused on the grounds that its scale and mass would be unneighbourly and it would result in unacceptable overlooking; W20030900.

Whilst noting the concerns of the Town Council and a local resident, I consider that this proposal will create a modest single storey dwelling which will not cause unacceptable harm to neighbours amenity. One off-street car parking space will exist off Alexandra Road for the new dwelling and whilst No. 63 Eagle Street will no longer house off-street car parking, given this is a terraced area where such provision is not normally available, I do not consider a refusal on car parking grounds could be sustained.

RECOMMENDATION

GRANT subject to conditions on materials and removal of permitted development rights.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the following policies:

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

(DW) H5 - Infilling within the Towns (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: 06 January 2004
Application No: W20031793

Part 2 Item Number: 17

Town/Parish Council: Rowington

Registration Date: 14/11/2003

Expiry Date: 09/01/2004

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

Pools Peace Farm, Five Ways Road, Shrewley, Warwick, CV357HZ
Use of poultry building for storage (Use Class B8)
FOR Mr A.S. Audhali

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: Comment that the buildings have been condemned and should be demolished and object since previous appeal Inspector advised there should be no further development.

W.C.C. (Highways): No objection subject to access and visibility conditions.

Neighbours: One neighbour is concerned about traffic generation, history of problems with the site, increased noise, detrimental to Green Belt, lack of need, condition of buildings.

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)

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

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

Structure Plan Policy RA4 conversion of existing rural buildings.

HEAD OF PLANNING & ENGINEERING

The application site comprises the four poultry buildings which form part of the 'Farm Gate' enterprise. They have an overall floor area of 3295.75 sq.metres. The site has a separate access from the remaining Farm Gate site. The buildings are of fairly substantial construction with blockwork for the lower part of the walls and timber cladding above with corrugated metal sheet roofs. The buildings appear to be in reasonable condition structurally.

The original plans showed 33 parking spaces, which involved the removal of a tall screen 'hedge' in front of one of the units. These have been amended to retain this screen, omit the 11 front parking spaces, and show the existing front projections on the two front buildings as being retained.

The re-use of substantial buildings in the Green Belt is in accordance with national policy and the Development Plan, where the use does not result in substantial changes to the buildings, and I am satisfied that this is the case with these buildings and this use. The appeal referred to by the Parish Council related to additional built development at the site for additional cutting/processing operations which was by definition "inappropriate" development in the Green Belt.

The reduced parking should also be adequate for a storage use, although there is no standard set out in the Development Plan, and the retention and enhancement of the existing screen planting should also protect the character of the area.

RECOMMENDATION

GRANT, as amended, subject to access and landscaping conditions and a restriction on outside storage.

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)

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

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

Structure Plan Policy RA4 conversion of existing rural buildings.

Planning Committee: 06 January 2004
Application No: W20031816

Part 2 Item Number: 18

Town/Parish Council: Warwick

Registration Date: 25/11/2003

Expiry Date: 20/01/2004

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

18 Neville Court, Castle Lane, Warwick, CV344EZ
Construction of a balcony.
FOR Mr Mrs W McCracken

SUMMARY OF REPRESENTATIONS

Warwick Town Council : Object to balcony of modern design due to visual impact on building.
Warwick Society : Consider design alien to setting and very prominent.
Neighbours : One neighbour objects to loss of light to passageway, noise, and out of keeping with conversion.

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)
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 proposed balcony is at first floor level on the rear of one of the listed buildings now forming this courtyard development and will be overlooking the car park. The balcony would be constructed in wrought iron with a hardwood base. It is not above a passageway and will not affect light to any of the other units, particularly since it is less than 1m deep.

The original proposal, however, was for a balcony that was some 2.8m wide. This was considered to be too large in relation to the building and an amended plan was therefore negotiated. This reduces the width to some 1.8 m, which is now considered acceptable.

Objections also related to the design, but I am of the opinion that a contemporary design is not out of place as long as the quality of the detailing is correct, e.g. they are not too 'weak'. These details can be resolved through an appropriate condition.

RECOMMENDATION

GRANT planning permission and listed building consent, as amended, 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)

(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: 06 January 2004
Application No: W20031819

Part 2 Item Number: 19

Town/Parish Council: Kenilworth

Registration Date: 27/11/2003

Expiry Date: 22/01/2004

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

25 Brookside Avenue, Kenilworth, CV8 1ES
Erection of single-storey rear extension.
FOR Mr R Conway

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - No objection.

Neighbours - One neighbour objects to loss of sunlight and daylight, loss of privacy, and affect on drainage.

RELEVANT POLICIES

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

The 45 Degree Guideline (Supplementary Planning Guidance)

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 proposal is to erect a single storey rear extension some 2.925 m deep to enable a third bedroom to be provided on this detached bungalow. The extension would also result in the need to move a bedroom window onto the side of the dwelling.

The affected neighbour lies to the north of the application site and is set marginally further forward. The affected part consists of a living/dining room with two, narrow, side windows, a narrow rear window and, further away from the boundary, a wide patio window. The side of the applicants bungalow is set about 1 metre off the boundary with the objectors bungalow being some 1.7 m off that boundary.

It is considered, therefore that the proposed extension not only satisfies the Councils 45 degree code, but will not have an unreasonable affect on light since the sun will be relatively high in the sky when it is behind this shallow extension and the principal window to the affected room is even further away.

The reference to a drainage problem is understood to be a problem with surface water running across the land, from the rear, since it cannot soak in as the ground is clay. The extension should not affect this problem.

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)

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: 06 January 2004
Application No: W20031822

Part 2 Item Number: 20

Town/Parish Council: Kenilworth

Registration Date: 28/11/2003
Expiry Date: 23/01/2004

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

19 De Montfort Road, Kenilworth, CV8 1DE

Alterations and extensions to existing bungalow to form new dwelling house.
FOR Mr & Mrs Priest

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - Object as the proposal is very unneighbourly and is considered to be overdevelopment of the site thereby causing loss of light to both of the neighbouring properties. Neighbours - Two neighbours object as being unneighbourly, overbearing, overdevelopment, out of character with surroundings, object on sunlight and daylight, overlooking, inadequate parking.

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 proposal is to erect a first floor over the original bungalow, and to erect a replacement single storey side extension, with replacement front garages. These extensions, with internal alterations, would result in a detached, four bedroom, house with an attached double garage and a rear conservatory.

The property lies on the corner with Woodcote Avenue, which mainly has bungalows in this section, while De Montfort Road generally has two-storey houses. I consider, therefore, that, as a matter of principle, the erection of a first floor would not be out of place in the street scene.

The remaining issues, therefore, relate to the details of the scheme and, in particular, the impact on the adjoining properties 21 De Montfort Road and 2 Woodcote Avenue.

The plans, as submitted, had a discrepancy on the north elevation (i.e. facing the side of the De Montfort Road property) but amended plans show that the two windows here would both be high level, one being to a bedroom and the other to a bathroom. There should, therefore, be no loss of privacy either into the side windows of No. 21 or into their back garden. The only rear window proposed is into an en-suite and, therefore, there should be no loss of privacy from here either.

Whilst the development will be visible from the side kitchen window of 2 Woodcote Avenue, I am of the opinion that the impact would not be unreasonable due to the existing tall boundary hedge close to that bungalow and the length of the back garden of the applicants property.

In terms of loss of daylight and sunlight, since this property is directly south of the De Montfort Road neighbour, and with its rear wall only 3 metres behind that of this neighbour, I consider that the difference will be small and only for a very short period as the sun passes. It should

also only have a limited effect on the side windows or ground floor rooflight since the two-storey part is over 2 metres from the side boundary and some 5 m from the 1st floor side windows.

RECOMMENDATION

GRANT, as amended, subject to not altering the approved windows.

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: 06 January 2004
Application No: W20031829

Part 2 Item Number: 21

Town/Parish Council: Leamington Spa

Registration Date: 27/11/2003

Expiry Date: 22/01/2004

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

9 Farley Street, Leamington Spa, CV311HB
Erection of a two storey extension.
FOR Mr Jardine

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

CAAF: No comments.

Neighbours: 6 letters of objection have been received from the residents of 4,5, 6 and 12 Squirhill Place, the owner of 9&10, and the Squirhill Place Management Company on the grounds that the revised application does not fully address the previous reason for refusal in relation to the size, height, scale, mass and proximity of the extension in relation to neighbouring properties, overdevelopment by reason of there being inadequate capacity within the site to accommodate the proposal in an acceptable manner, harm to the visual amenities of the surrounding area, loss of daylight, sunlight and outlook, loss of privacy from overlooking between the roof garden and neighbouring flat windows, which would be exacerbated by the intensified use of the roof terrace following the loss of the existing garden area to accommodate the extension and its increased accessibility from the extension, noise and disturbance arising from the use of the roof terrace in close proximity to habitable room windows of neighbouring flats and noise, dust, inconvenience and loss of amenities/use of clothes drying facilities throughout the construction period.

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)

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)

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

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

DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The premises comprise a two-storey detached house that is situated on the eastern side of Farley Street within a predominantly residential part of the Conservation Area. The building dates to the mid 19th Century and is unique in its design and appearance but is not listed. A modern development of 21 no. apartments stand adjacent to the site in two detached blocks to the east and west, known as Squirhill Place. The car parking area serving Squirhill Place adjoins the rear boundary of the premises, which is defined by a brick wall containing two windows to the property. The wall itself descends in height across its 20 metre length in six

stages from approximately 4.8 metres at its southern end to approximately 2.1 metres at its northern end where it adjoins the side boundary of 42 Willes Road. Habitable room windows in the northern rear elevation of the neighbouring apartments at 1-8 Squirhill Place face onto the southern return elevation of this wall at a distance of approximately 3.5 metres away.

The main two-storey body of the house is set back from this boundary by approximately 3.9 metres behind a single storey flat roofed extension containing the kitchen and bathroom. The roof area is currently used as a roof garden with access from the courtyard via a step ladder and is set below the top of the boundary wall by approximately 1.8 metres.

Planning permission for a two-storey extension was refused under delegated powers on 20 August 2003 on the grounds that 1) its scale, mass and proximity to neighbouring properties would have an unacceptable over-bearing and over-shadowing effect and would thereby constitute an unneighbourly form of development, and; 2) its scale and design would neither preserve nor enhance the character or appearance of the Conservation Area (WDC Ref: W20031066).

In comparison with the refused scheme, the footprint of the development is identical. In terms of its design, parapet walls with corbelled eaves are now proposed to each gable of the extension and the entrance porch in order assimilate it with the gables of the original dwelling. The width of the porch has also now been reduced and indented, together with corresponding alterations to the porch roof, addition of a cement render surround to the entrance/patio doors, refinements to door/window glazing patterns and use of obscure glazing for the first floor bedroom window in the northern gable elevation of the extension. The overall height of the extension has also been reduced by lowering the ridge from 6.9 metres to 6.5 metres with a corresponding reduction in the height of the eaves from 4.9 metres to 4.5 metres. As a consequence, the height of the rear elevation of the extension above the rear boundary wall is also reduced by 0.5 metres, which equates to an overall area of brickwork of 3.05 sq. m.

In my opinion, these amendments are sufficient to render the scheme acceptable in terms of its design and appearance in relation to the host property and the character and appearance of the Conservation Area. I also consider it would be appropriate to attach conditions requiring the submission/use of matching reclaimed facing/roofing materials, large scale architectural details and details of the roofing pattern to ensure it would match the decorative finish of the existing roof. In terms of its impact on neighbouring residents' amenities, as summarised above, the development would undoubtedly be clearly visible when viewed from neighbouring properties. However, the reduction in the ridge and eaves height now proposed would have a material benefit overall in reducing the mass of the rear elevation and southern gable elevation to the extent that I consider it would not cause an unacceptable degree of harm.

With regard to the potential loss of privacy through overlooking, I note the roof terrace currently exists and is available for use. I also note the outlook therefrom/thereto is currently restricted by the height of the existing surrounding boundary wall. This wall would be retained at its current height and position as part of the proposals. I do not therefore consider the proposals would result in any greater prospect of direct overlooking. In terms of noise/disturbance arising from its use, I accept that it would be more readily accessible and convenient for the applicants to use as a result of the development. However, I do not consider this, in itself, would render the scheme unacceptable in planning terms.

RECOMMENDATION

GRANT, subject to conditions regarding facing/roofing materials, metal rainwater goods, timber doors and windows, large scale architectural details, matching decorative roofing and obscure glazing.

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) 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)

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

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

DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)

Planning Committee: 06 January 2004
Application No: W20031835

Part 2 Item Number: 22

Town/Parish Council: Leamington Spa

Registration Date: 26/11/2003

Expiry Date: 21/01/2004

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

Land rear of 9, Guy's Cliffe Road, Leamington Spa, CV325BZ
Erection of a dwelling house.
FOR Mrs K Fawkes

SUMMARY OF REPRESENTATIONS

Town Council : Object. Overdevelopment; design of poor quality; particular concern regarding roofline.

CAAF: No objection to the principal of a dwelling in this location. Some concerns were expressed at the appearance of the gabled roof next to the existing hipped roof however it was suggested that the scheme as proposed could be acceptable providing the pitch of the next roof follows that of the adjoining dwelling so that in the future the two roofs could be joined together if the neighbouring hipped roof was infilled.

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)

(DW) H5 - Infilling within the Towns (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 fronts onto Gunnery Terrace and is presently occupied by a single storey flat roof garage. It is adjoined to the south by a similar flat roof garage to the rear of No. 7 Guys Cliffe Road with two storey terraced housing abutting these garages which form a break in an otherwise developed street frontage with terraced houses located at the back of the pavement.

The site lies within the Conservation Area.

It is proposed to erect a two storey two bedroomed dwelling with a traditional pitched roof as a continuation of the existing building line of the adjacent presently end-terraced house, No. 9 Gunnery Terrace, which has a hipped roof.

The rear wall of the proposed dwelling would align with the back wall of No. 9 Gunnery Terrace; it would be some 22m from the rear wing of No. 9 Guys Cliffe Road.

An outline planning application for a dwelling on this site was refused in 1989, reference W890527 for the following reason:- The size and shape of the plot would not permit development of a standard compatible with existing development in the area and the proposed

development would, therefore, be detrimental to the amenity of the locality which is within the Conservation Area.

Whilst recognising the objection raised by the Town Council to the present application and the previous refusal of an outline planning application, I consider that this detailed application would be similar in size and scale to existing terraced properties fronting Gunnery Terrace and replacing an existing flat roof garage would not harm the character or appearance of the Conservation Area or the amenity of neighbours. Given the existing terraced character of development in this locality where off-street car parking is not commonly available, I do not consider it would be possible to sustain an objection on car parking grounds.

RECOMMENDATION

GRANT subject to conditions on materials and 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)

(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)

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)

Planning Committee: 06 January 2004
Application No: W20031840LB

Part 2 Item Number: 23

Town/Parish Council: Warwick

Registration Date: 04/12/2003

Expiry Date: 29/01/2004

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

18 St. Nicholas Church Street, Warwick, CV344JD

Replacement of windows to rear addition; provision of plinth to front elevation brick work.
FOR Mr P Hughes

As required under the delegated agreement for applications this scheme is being presented to the committee, as the applicant is currently an employee of Warwick District Council.

SUMMARY OF REPRESENTATIONS

Town Council: No representation has been received to date.
CAAF: No comments.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (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 application proposes to replace two windows, including the enlarging of one window, in the rear elevation of a modern (late 1970's) rear extension to a 19th Century red brick two-storey dwelling. Due to the rear extension, the rear elevation of the property is of a different style and character to the traditional front elevation, which has large sash windows set under rusticated stucco heads with keyblocks. Due to the different rear character, the alterations to the rear windows are considered to be appropriate and would not adversely affect the overall character of the property. The plinth proposed on the front elevation of the property would be similar in style to other properties along the street. Although not necessarily a feature of the style of property, it is not considered that it would adversely affect the character of the property or street scene to an extent that would warrant refusal.

RECOMMENDATION

GRANT subject to a condition relating to the submission of 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)
(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)
