

Planning Committee: 02 November 2005

Item Number: 12

Application No: W 05 / 1511

Registration Date: 02/09/05

Town/Parish Council: Leamington Spa

Expiry Date: 28/10/05

Case Officer: Sarah Laythorpe

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29 Clarendon Square, Leamington Spa, CV32 5QX

Erection of single storey conservatory at rear. FOR Mr & Mrs J Langdell

This item is being reported to committee to request authorisation for enforcement action.

SUMMARY OF REPRESENTATIONS

Town Council: no objection

Neighbours: Flat 1, 28 Clarendon Square - no objection as there has been a conservatory there for several years.

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) ENV11 - Retention of Listed Buildings (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)
DAP7 - Changes of Use of Listed Buildings (Warwick District 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)

PLANNING HISTORY

W870643 - Conversion of basement into a self-contained flat.

KEY ISSUES

The Site and its Location

The application site relates to one of two flats within 29 Clarendon Square which is a Grade II Listed Building and is located within Leamington Spa's Conservation Area. It is located on the north side of Clarendon Square and part of the rear garden contains a coach house which fronts Trinity Street.

Details of the Development

The development is a newly constructed UPVC conservatory attached to the rear projecting wing of the property and was constructed as a replacement to the previous dilapidated structure which was situated in an identical position.

The replacement conservatory has been built on a raised level which is 1.4 metre high and access to the rear garden from the conservatory is via a small external staircase. The structure itself is 2.3 metres high to the eaves, 4.2 metres in length and 2.4 metres wide.

Assessment

It is considered that the use of UPVC which forms two sides of the conservatory and the roof, would be a wholly unacceptable addition to this Listed Building. This is because the conservatory, and in particular, the use of UPVC, do not respect the character of this nineteenth century villa or the character of neighbouring properties which follow the same architectural design as the application site. Therefore, it is considered that the replacement conservatory does not protect or enhance the historic setting and integrity of this Listed Building or the character, quality and appearance of the Conservation Area.

As this conservatory was built as a replacement to an existing structure in an identical location, I do not consider that the impact on neighbours, in terms of loss of light or loss of privacy, would be so significant that it would result in harm to adjacent properties.

I accept that the previous structure was dilapidated and needed to be removed, however, the choice of materials in this instance is wholly unacceptable and the elevated conservatory appears as an incongruous addition to the listed building. If approved, an unacceptable precedent would be set in relation to Listed Buildings within Warwick District and within Warwick District's Conservation Areas.

RECOMMENDATION

That (1) Enforcement action be authorised to have the UPVC conservatory removed with a compliance period of three months (2) That Planning Permission be REFUSED for the following reason:-

The proposal relates to a Listed Building that stands within a terrace of properties in the Conservation Area, wherein Policy (DW) ENV11 seeks to prevent development that would adversely affect their character. This is reflected in Policy DAP6 of the emerging Warwick District Local Plan 1996-

2011 which states that proposals will not be permitted to alter or extend listed buildings which would adversely affect their historic integrity, character and setting. Policy (DW) ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design which harmonises with its surroundings. This is reflected by Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version) which states development will only be permitted which positively contributes to the character and quality of its environment and does not have an adverse effect on neighbours' amenities.

The historic pattern of the listed buildings within this terrace predominantly consist of a nineteenth century villa with a projecting rear wing enclosing a rear yard area and a rear garden with development fronting Trinity Street.

It is considered that the proposal would be detrimental to the character, appearance and setting of the application site and neighbouring listed buildings in this terrace and the character and appearance of the Conservation Area, by reason of its elevated appearance on a substantial brick plinth incorporating a pair of rear french doors without any associated access stairs and the use of UPVC, resulting in an incongruous and unsympathetic addition on this Listed Building.
