

Planning Committee: 03 May 2005

Part 2 Item Number: 01

Application No: W 05 / 0086

Registration Date: 20/01/2005

Town/Parish Council: Rowington

Expiry Date: 17/03/2005

Case Officer: Debbie Prince

01926 456555 planning_west@warwickdc.gov.uk

2 Holly Cottages, High Cross Lane, Rowington, Warwick, CV35 7BG

Erection of a rear extension and conversion of garage to form kitchen/dining area
FOR Edward Bromwich

This application was deferred at Planning Committee on the 5th April 2005, to enable a site visit to take place on 23rd April 2005. The report which follows is that which was presented previously but has been amended to clarify the reasons for refusal.

SUMMARY OF REPRESENTATIONS

Rowington Parish Council have no objection.

Neighbours - No views received.

Councillor Caborn has requested that this application is taken before the Planning Committee.

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) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

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

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

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The application property forms part of an L-shaped barn conversion with a large gravelled courtyard. The property was given permission for residential use on 15th August 1989 Ref: W89/0501. The property is of traditional construction with brick walls and a clay tiled roof. The barn is located in the Green Belt and Special Landscape Area and lies immediately to the west of Holly Farm at High Cross, Rowington.

The proposal would involve the replacement of the rear small single storey element, with a larger two storey extension. This would provide a family room

and utility area at ground floor level and two bedrooms with roof lights at first floor level. The proposal also involves the conversion of the garage for use as a dining/ kitchen. The extension would be constructed of bricks and tiles to match the existing property.

Farm buildings whether converted to a different use or not are an established part of the rural scene and are an important element in forming the character of the Warwickshire Landscape. Permission for conversion is only granted where the proposed use or adaption can be accommodated without extensive rebuilding, alterations or extensions to the buildings as specified in Policy C3 of the Warwick District Local Plan April 1995. Conversion of this farm building was granted in 1989 and permitted development rights were removed for subsequent extensions to ensure that the character and appearance of the converted buildings and their setting within the wider countryside were respected and protected.

The property has more than adequate room for parking and the loss and conversion of the garage to create more living space would not cause any significant harm to the character of the building and is considered acceptable. However, the substantial two storey extension of this property as proposed would in my opinion be detrimental to the character and appearance of the original farm building by reason of its size and form prejudicing the objectives of Policy C3 of the Local Plan and emerging policy RAP8 of the first deposit version of the Local Plan (1996 - 2011) and therefore permission should be refused. Although the extension in itself is not considered to harm the openness of the Green Belt, if permitted this type of extension could act as a precedent for extensions to other converted barns which would be difficult to resist, thereby cumulatively eroding the character and appearance of the countryside to the detriment of the wider Green Belt and Special Landscape Area.

RECOMMENDATION

REFUSE for the following reason :

- 1 The application site which lies within the Green Belt and Special Landscape Area, comprises a converted former agricultural building which is part of a larger complex of barns now used for residential occupation. Barn conversion schemes are carefully considered in relation to policy C3 of the Warwick District Local Plan 1995 and the Council's approved Supplementary Planning Guidance on barn conversions, and permitted development rights for subsequent extensions are removed in order to ensure that the character and appearance of the converted buildings and their setting within the wider countryside are respected and protected.

In the opinion of the District Planning Authority, the proposed extension disrupts the simple form of the converted barn by reason of its size and form and detracts from the original character and appearance of the complex of buildings, thereby prejudicing the objectives of Policy C3 of the Local Plan and emerging policy RAP8 of the first deposit version of the Local Plan (1996-2011). If permitted, this type of extension could act as a precedent for extensions to other converted barns which would be difficult

to resist, thereby cumulatively eroding the character and appearance of the countryside to the detriment of the wider Green Belt and Special Landscape Area.

Planning Committee: 03 May 2005

Part 2 Item Number: 02

Application No: W 05 / 0260

Registration Date: 16/02/2005

Town/Parish Council: Leamington Spa

Expiry Date: 13/04/2005

Case Officer: Joanne Fitzsimons

01926 456534 planning_east@warwickdc.gov.uk

110 Lillington Road, Leamington Spa, CV32 6LW

Demolition of existing building and erection of replacement dwelling (re-submission of W04/1268) FOR Dr. K. Pandya

This application has been requested to be presented to Committee by Councillor Goode.

Furthermore, this application was deferred at Planning Committee on the 4th April 2005, to enable a site visit to take place on 23rd April 2005. The report which follows is that which was presented previously.

SUMMARY OF REPRESENTATIONS

Town Council: No objection

WCC Ecology: Bat notes.

1 neighbour objects on grounds that the proposed dwelling extends 2 metres beyond the existing house and is close to the boundary resulting in a loss of light, especially in the late autumn, winter and early spring months.

CAAF: This was not felt to be an improvement on the existing houses which impacted on the setting of the adjacent Conservation Area, it was felt this house would be too grand for the space and the rear wing is of concern impacting on neighbouring properties.

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)

The 45 Degree Guideline (Supplementary Planning Guidance)

HEAD OF PLANNING & ENGINEERING

The application site relates to a large detached property outside, albeit, adjacent to the Leamington Spa Conservation Area. This proposal has been the subject of a previous application which was refused by Members of the Planning Committee at their meeting on 26 October 2004. The reasons for refusal were on grounds that the proposal incorporated a double garage which projected beyond the main bulk of the house and therefore, together with the alignment of the house at an angle to the prevailing building line, was considered detrimental to the street scene and unneighbourly.

This re-submission has sought to address the reasons for refusal and now incorporates an integral garage within the main dwelling and as such no longer has a projecting element beyond the building line of the property. Furthermore, the orientation of the property has been amended to align with the neighbouring dwellings. There is no breach of the Council's adopted 45 degree line. The design of the property remains largely unaltered with a modern semi-circular bay window feature on the rear ground floor and a balcony feature to the front of the property above the entrance.

I am satisfied that this amended application has taken into account the previous reasons for refusal and would not in my opinion cause additional harm to neighbouring amenities. As such I do not consider this replacement dwelling to be inappropriate given the diverse range of styles along this stretch of Lillington Road.

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 PAN1543PA001 and PAN1543PA100 and specification contained therein, submitted on 16 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 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.
- 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 or other openings other than those expressly authorised by this permission, shall be placed at any time in the north or south elevations of the dwelling. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.

Planning Committee: 03 May 2005

Part 2 Item Number: 03

Application No: W 05 / 0188

Registration Date: 04/02/2005

Town/Parish Council: Whitnash

Expiry Date: 01/04/2005

Case Officer: Fiona Blundell

01926 456545 planning_east@warwickdc.gov.uk

4 Halls Close, Whitnash, Leamington Spa, CV31 2HS

Two storey rear extension FOR Mr & Mrs Smith

SUMMARY OF REPRESENTATIONS

Town Council: Objections received on the grounds '*Overdevelopment of the site also check if application exceeds 40% recommended volume allowed for extensions of a property.*'

Neighbours: No objections received.

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 relates to a two storey mid terraced property which is located on the north side of Halls Close. The street scene in this cul-de-sac is characterised by properties which are broadly similar in style, design and external appearance. The property is set back from the public highway and accessed via a paved area. The property has been previously extended with a modest rear kitchen extension. The adjoining property No.2 is set slightly forward of the application site.

The proposal involves the replacement of the rear kitchen extension with a larger 2 storey rear extension. The extension would be rendered to match existing external walls, with matching roof tiles. Following negotiations, the scheme has been amended so that it would comply with the Council's adopted Supplementary Planning Guidance 45° code. I am now satisfied that the proposal would accord with the general development principles of the Local Plan. Whilst I note the Town Council's concerns, I am of the opinion that this scheme would not have such a harmful impact on the neighbouring amenities, street scene and character of the residential area that it would warrant a refusal. There are no policies which seek to restrict the percentage of floor area for extensions to dwellings in the urban areas of the District.

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) (as amended, and specification contained therein, submitted on 8th April 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.
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Planning Committee: 03 May 2005

Part 2 Item Number: 04

Application No: W 05 / 0218

Registration Date: 23/02/2005

Town/Parish Council: Kenilworth

Expiry Date: 20/04/2005

Case Officer: Martin Haslett

01926 456526 planning_west@warwickdc.gov.uk

Little Woodcote, Rouncil Lane, St. Johns, Kenilworth, CV8 1NL

Erection of a two storey and second floor rear extension, garage block, gates and piers (amended design) and construction of new driveway across adjoining field
FOR Mr Mrs A Luciano

SUMMARY OF REPRESENTATIONS

Kenilworth TC: size and extension to land usage contrary to green belt policy, new driveway cuts across agricultural land.

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

CPRE: objection- green belt and special landscape area; extensions of excessive size; proposed new drive crosses farmland, object to change of use.

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)

Distance Separation (Supplementary Planning Guidance)

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

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

DP6 - Access (Warwick District Local Plan 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)

RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

HEAD OF PLANNING & ENGINEERING

The proposals involve extensions to the ground, first and second floors of this large house, and a new access. The extensions, although large, are within the 50% limit set out in policy H14 of the current local plan and would not be disproportionate. They are an amendment to extensions granted previously under permission W04/1769.

The second part of the proposals is for a new access which would replace the existing one and would cut across the corner of the adjoining field, outside the residential curtilage. The existing drive has poor visibility where it exits onto Rouncil Lane and the new position would overcome this problem. This would mean that a portion of field amounting to about 700sqm. would be added to the residential curtilage, but the remaining part of the large field would remain non-domestic. In the particular circumstance of this case I consider this to be a reasonable solution to the existing access problem. Permitted development rights for the extended curtilage should be removed by condition.

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 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 on the additional area added to the residential curtilage by this permission shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : The site lies within a rural area and it is considered appropriate therefore to retain control over future development to ensure that the amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.

Planning Committee: 03 May 2005

Part 2 Item Number: 05

Application No: W 05 / 0222

Registration Date: 11/02/2005

Town/Parish Council: Bishops Tachbrook

Expiry Date: 08/04/2005

Case Officer: Fiona Blundell

01926 456545 planning_east@warwickdc.gov.uk

Landor House, 13a Savages Close, Bishops Tachbrook, CV33 9RL
Erection of a lounge extension with loft space over FOR Mr D James

SUMMARY OF REPRESENTATIONS

Parish Council : Although not opposed in principle to an extension to the existing house, with reference to the design shown on the drawings, the Parish Council objects to this application on the basis of the proposed size, position and design with particular reference to the potential conversion of the loft space into a habitable room.

Ward Member : Councillor Tamlin; Need details of planning history (it has been alleged the house is built in a different position to that approved); submitted site plans appears inaccurate; were tree works on site approved. Issues of impact on neighbours, harmony with area and impact on Conservation Area are best considered by Members.

Neighbour : Objections have been received from an occupier of the adjacent property, Old Stables and a planning consultant acting on their behalf. Proposal considered to be overbearing, loss of privacy/overlooking, loss of sunlight daylight (effects increased due to elevated nature of application site). Contrary to Council's policies 45° Code/Distance Separation. Detrimental to Conservation Area. Inaccurate plans.

(NB. These comments relate to application as originally submitted).

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

Planning permission for a house on this site was granted in 1996 (reference W960803). Subsequently, permission for an amended scheme was granted in 1997 (reference W971153). The house has been built on site in accordance with that later permission. Planning permission was also granted in 2003 (reference

W20031609) for conversion of garage loft to habitable unit ancillary to the dwelling with the insertion of rooflights, an external door and an external staircase.

The site is in the Conservation Area.

The present proposal is to build single storey, pitched roof extension on the side of the existing house some 7m deep by 5.5m wide with a height to ridge of some 6.3m. The proposal is shown to create a ground floor room with a first floor room accessed by a 'pull down' stair. As amended, this first floor room would be lit by windows in the front and rear gable. A previously proposed rear facing 'juliet balcony' has now been deleted from the scheme. An amended site plan to accurately show the relationship of the site to Old Stables has been submitted).

The extension would be on the north side of the property adjoining the access drive to the property known as Old Stables; the site is elevated above this drive and is overlooked by windows on the single storey south facing elevation of Old Stables. The side wall of the extension would be some 8m from the side elevation of Old Stables; no windows are proposed in this side elevation of the extension.

I consider this extension would not cause harm to the character and appearance of the Conservation Area. Consent to reduce or remove as necessary a nearby multi-stemmed ash tree was granted in February 2003. Whilst the extension with its windows will be clearly visible from the adjoining property, Old Stables, I do not consider it would be unneighbourly to a degree which would justify refusal.

REASON FOR RECOMMENDATION

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

RECOMMENDATION

GRANT as amended 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 floor plan drawing, deposited with the District Planning Authority on 11th February and the amended proposal plans deposited with the District Planning Authority on 11th April 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 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.

- 4 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.
 - 5 No development shall be carried out on the site which is the subject of this permission, until large scale details of the chimney, 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 a high standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan 1995.
 - 6 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 or other opening other than those expressly authorised by this permission, shall be placed at any time on the dwelling. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.
 - 7 Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
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Planning Committee: 03 May 2005

Part 2 Item Number: 06

Application No: W 05 / 0299

Registration Date: 23/02/2005

Town/Parish Council: Leamington Spa

Expiry Date: 20/04/2005

Case Officer: John Beaumont

01926 456533 planning_east@warwickdc.gov.uk

**Land at Union Row, off Southborough Terrace, Brunswick Street,
Leamington Spa, CV31 3EB**

Erection of a two storey building to provide 2 flats (amended description) FOR Mr
H Jhita

SUMMARY OF REPRESENTATIONS

Town Council : Object : overdevelopment.

Ward Member : Councillor Gill. "A very little piece of land. I know it is for housing but there is a huge development very close to it on the industrial site which I supported. This application is for 3 flats, 3 storeys high which will be an overdevelopment. Strongly object."

Neighbours : 4 letters and a petition of 23 signatures has been received raising objection on grounds of unneighbourly due to loss of daylight/sunshine to existing residents and residents in proposed adjacent flats, noise/disturbance, no car parking which may also result in residents parking on-street nearby resulting in a loss of customers to local shops/congestion, fire hazard/difficulty of access by emergency services, contrary to 45 degree code.

Head of Environmental Health : No objection subject to contaminated land survey to demonstrate land will be fit for purpose.

(NB. The above comments relate to application as originally submitted which was for a 3 storey building containing 3 flats).

RELEVANT POLICIES

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

(DW) H23 - Relocation of Non-Conforming Uses (Warwick District Local Plan 1995)

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

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

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

DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

HEAD OF PLANNING & ENGINEERING

This is an amended application. As originally submitted it was for a 3 storey building containing 3 flats; it is now for a two storey building containing 2 flats.

Planning permission for the erection of a 4 storey residential block of 16 flats with 108 bed spaces for student accommodation, wardens flat and 20 car parking

spaces was granted on land which effectively surrounds this site on 31st July 2003, reference W20030646. The report to Planning Committee on this previous adjoining application contained the following comment relating to the present application site:-

'Impact of this proposal on the 'omitted' land : This application site does not include an area of land within the site some 11m by 12.5m which is in separate ownership. Whilst this is unusual, the scheme as amended has been designed to avoid direct overlooking of this land which in my opinion presently does not have a valid planning use; it is understood it was formerly the site of housing, now demolished, called Union Row. I consider that if this land remains vacant it will not unduly affect the amenity of the amended scheme now proposed whilst there would be, subject to planning permission, the opportunity of a modest redevelopment of this vacant land. As such, although the present application does not secure the comprehensive redevelopment of this area, I do not consider that, as amended, the omission of this area of land would either significantly prejudice the amenity of the present site or the possibility of a beneficial use of the omitted land.'

The 'omitted' land has now been consolidated into one ownership and this application has been brought forward, as amended, to resolve its future use. Whilst recognising that this proposal will clearly have an impact on the adjacent development now under construction, I do not consider this harm will be such as to justify refusal. The scheme has been reduced in height to two storeys and has been designed to avoid overlooking to neighbouring properties. Whilst no off-street car parking is proposed, given the location of this site within walking distance of the town centre, I do not consider a refusal on that ground could be substantiated.

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 amended drawing(s) 'Revision 14 March 05, deposited with the District Planning Authority on 4th April 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 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.

- 4 No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed ground levels of the development, including the finished floor levels of the building 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 protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 5 Development shall not be commenced until there has been submitted to the District Planning Authority a survey report on the extent to which any part or the whole of the application site is contaminated by toxic or other noxious materials and on the remedial measures required to deal with the hazards. No development shall be commenced until all toxic or obnoxious materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON** : To protect the health and safety of future occupiers.
- 6 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such 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.
- 7 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.
- 8 No external lighting, cctv camera or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 9 Notwithstanding the details shown on the approved plan, no development shall be carried out on the site which is the subject of this permission until large scale details of a cycle parking facility and refuse stores have been submitted to and approved in writing by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details and the cycle parking facility and refuse stores shall be installed and available for use prior to the first occupation of any that hereby permitted and shall thereafter be retained available for use at all times. **REASON** : To satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995).
- 10 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 that the visual amenity of the area is protected in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan 1995).
- 11 Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made for the disposal of storm water and foul sewage.
- 12 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In the interests of the amenities of future occupiers of the building.
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Application No: W 05 / 0303

Registration Date: 11/03/2005

Town/Parish Council: Hatton

Expiry Date: 06/05/2005

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

42 Quinton Close, Hatton Park, Warwick, CV35 7TN

Erection of a single storey and two storey rear extension and single storey front extension FOR Mr H Jheeta

SUMMARY OF REPRESENTATIONS

Hatton Parish Council:- Object due to significant affect on visual amenities of neighbours and overdevelopment of site. Curvature of frontage out of line with building line and rear boundary too close to garage.

Neighbours:- 1 neighbour objects due to size, affecting street scene, and existing parking problem. 1 neighbour concerned about loss of privacy.

RELEVANT POLICIES

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

The 45 Degree Guideline (Supplementary Planning Guidance)

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

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

HEAD OF PLANNING & ENGINEERING

This four bedroom "L shaped" detached house lies at the turning head of the cul-de-sac and has a detached double garage in the back garden off the turning head. It has a back garden of some 12m to 14m in depth with the blank gable end of 17 Welford Grove (to the rear) across most of the width of the garden.

The proposal is in two parts, with a single-storey front extension in the corner of the 'L' shape but set back by 0.75 m from the forwardmost wall. It is considered that this would not unreasonably affect the character of the street scene or the amenities of neighbours, the nearest houses being on the other side of the road.

The other part is at the rear and is partly two-storey and partly single-storey. The two storey part would enlarge the rear lounge and one of the bedrooms, the window of which faces the blank gable end of the house in Welford Grove, rather than its back garden. A gap of 0.9 m would be left between this extension and the garage. This extension is designed to respect the character of the house, with the ridge being set down and the roof hipped. It is considered that this will not unreasonably affect the amenities of the neighbours.

The single storey part is labelled as "covered yard" and would consist of a tiled, lean-to, roof supported on a corner pier. It would not project beyond the back of

the adjoining house. It is considered, therefore, that this would also not unreasonably affect the amenities of the neighbours.

In total, the extensions would leave a fairly substantial area of garden, similar to some original gardens on this part of the Hatton Park development. It is considered, therefore, that this proposal would not amount to overdevelopment.

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.

Planning Committee: 03 May 2005

Part 2 Item Number: 08

Application No: W 05 / 0308

Registration Date: 24/02/2005

Town/Parish Council: Warwick

Expiry Date: 21/04/2005

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

32 Jourdain Park, Heathcote, Warwick, CV34 6FJ

Erection of a single and two storey extension FOR Mr Mrs I J Bond

SUMMARY OF REPRESENTATIONS

One neighbour (34 Jourdain Park) objects on grounds of loss of light to kitchen windows and loss of privacy.

Town Council: objects on the grounds that this is a large extension, situated close to the plot boundary, would not harmonise with the surrounding properties in terms of design and excessive size and would be injurious to the character of this recently developed area. If permitted it would act as a precursor to similar applications, which would be more difficult to refuse and which would be injurious to the character of the area. Additionally, the Town Council considers that the plot size is insufficient to accept the proposed development and that its overbearing size would not harmonise with the adjoining properties and represent an unneighbourly form of development. The Town Council strongly recommends a site visit.

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 comprises a detached 2-storey property located on the corner of Jourdain Park within an established residential area of the Warwick Gates development that comprises detached dwellings of varying size and design. The property adjoins No. 30 Jourdain Park to the west and No. 34 Jourdain Park to the south. The property has a detached garage set back along the side driveway of the property which would be largely demolished as part of the proposal; its side wall to No. 30 Jourdain Park would be retained at 2 metres in height.

The proposal is to construct a 2-storey rear extension and a single storey garage at the side of the property. The extension would project out 3.5 metres at ground floor and 2.5 metres at first floor at the rear. At first floor the extension would be set in some 2.6 metres from the side boundary of No. 30. The new garage would occupy the existing driveway at the side of the property and would be set slightly back from the front of the existing property.

As submitted, I am satisfied that the proposals are acceptable in terms of design and appearance and would not be out of keeping with the varying size and style of the properties in Jourdain Park. I also consider the site has sufficient capacity to accommodate the development without causing an unacceptable degree of harm, especially as the proposal includes the substantial removal of the existing garage at the side of the property. With regard to the impact on the neighbouring residents at No. 34 Jourdain Park, given the application site is due north of that property and has existing windows on the rear elevation which face towards the side of No. 34, I consider its effect would not be unneighbourly such as to justify a refusal.

With regard to the impact on No. 30 Jourdain Park, similarly I note the position of the existing garage which will largely be demolished and I do not consider the extension will create additional harm as to justify 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 (A05271/01), and specification contained therein, submitted on 24th 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.
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Planning Committee: 03 May 2005

Part 2 Item Number: 09

Application No: W 05 / 0326

Registration Date: 28/02/2005

Town/Parish Council: Leamington Spa

Expiry Date: 25/04/2005

Case Officer: John Beaumont

01926 456533 planning_east@warwickdc.gov.uk

125 Brunswick Street, Leamington Spa, CV31 2EJ

Erection of extensions (previously approved W041192) to form separate dwelling
FOR Mr & Mrs K.S. Rai

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

Neighbours: 5 letters of objection have been received on grounds of creating a terrace, out of keeping with the streetscene, noise/disturbance, likely to become a student house with insufficient car parking, overlooking, overdevelopment, loss of light.

WCC (Highways): No objection subject to condition on access/car 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

Planning Permission for the erection of a detached dwelling and double garage was refused in 1992 (reference W91/1328) for the following reasons (an appeal against the decision was dismissed).

- 1) The site for the proposed dwelling comprises the side garden land of a semi-detached property in a prominent corner location. In the opinion of the District Planning Authority, the insertion of a detached dwelling on this restricted site, together with the provision of the garaging, vehicle parking and manoeuvring space required for the existing and proposed dwellings would constitute a cramped overdevelopment of the site, detrimental to the established character and amenities of this residential area.
- 2) The dimensions of the site are insufficient to accommodate a feasible turning area within the site curtilage and vehicles would be required to reverse from or onto the public highway, in close proximity to a traffic signalled controlled junction which would cause obstruction and endanger other users of the public highway.
- 3) The proposed access suffers from restricted width and does not comply with current design and development standards and any increase in turning movements would cause obstruction to and interfere with the safety and free flow of traffic on the highway.

Subsequently an application for a 2 storey side extension to this property was granted by the Planning Committee on 15th November 2004, reference W04/1192.

The present proposal is to construct an extension of the same size and to a similar design but incorporating a front door and to be occupied as a separate 2 bedroomed dwelling with no internal door linking it to No. 125 Brunswick Street. The proposal would incorporate a garage with 3 parking spaces in the front garden.

Whilst being conscious of the views expressed by local residents and the terms of the previous appeal decision, I consider that the present proposal would not cause significant harm compared to the extensions already permitted at this property. The Highway Authority are also now satisfied that the proposal will be acceptable on highway safety grounds. I do not consider, therefore, that objection to this proposal could be sustained.

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 Subject to Condition 4 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 1545/3C and 4A and the specification contained therein 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 details shown on the approved plans, the development hereby permitted shall not be occupied until such time as:-
 - (i) a new 5 m wide access has been formed adjacent to the southern boundary of the site in strict compliance with details first submitted to and approved in writing by the District Planning Authority;
 - (ii) 3 parking bays have been formed in the front garden adjacent to the northern boundary of the site with a turning area such that the vehicles are

able to enter and leave the highway in a forward gear;

(iii) the existing vehicular access has been closed and highway features reinstated in accordance with details approved in writing by the District Planning Authority.

REASON: In the interest of highway safety in accordance with the request of Policy ENV3 of the Warwick District Local Plan 1995.

Planning Committee: 03 May 2005

Part 2 Item Number: 10

Application No: W 05 / 0341

Registration Date: 01/03/2005

Town/Parish Council: Bubbenhall

Expiry Date: 26/04/2005

Case Officer: Alan Coleman

01926 456535 planning_east@warwickdc.gov.uk

York Barn, Pagets Lane, Bubbenhall, Coventry, CV8 3BJ

Conversion of existing cart hovel to ancillary residential accommodation FOR Mr
& Mrs K Keefe

SUMMARY OF REPRESENTATIONS

Parish Council: (none received at time of agenda preparation).

Highway Authority: No objection.

WCC (Ecology): Express concern about adverse ecological impact arising from possible encroachment of domestic activities into Bubbenhall Wood, designated as an 'Ancient Woodland'. Recommend provision of boundary fencing to prevent such encroachment from occurring.

RELEVANT POLICIES

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

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

(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)

(DW) ENV29 - Protection of SSSI's and Local Nature Reserves (Warwick District Local Plan 1995)

(DW) H9 - Open Countryside (Warwick District Local Plan 1995)

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

(DW) C3 - Criteria for the Conversion of Rural 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)

RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 First Deposit Version)

RAP2 - Directing New Housing (Warwick District 1996 - 2011 First Deposit Version)

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

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP4 - Protecting Nature Conservation and Geology (Warwick District 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

The proposals relate to a former cart barn which stands within the grounds of York Barn, a residential property formed by a barn conversion, directly adjacent to the entrance gates at the end of Pagets Lane. The site is located in the Green Belt adjacent to Bubbenhall Wood, an ancient woodland. Essentially, it comprises an open sided structure on 8 brick pillars. There appears to have been a lean-to brick addition to the eastern elevation, but little of it remains. Works have commenced to repair this building including the provision of a new roof and installation of roof lights.

The cart barn formerly stood on a triangular site outside the grounds of York Barn. Planning permission for the change of use of this land to additional domestic garden land to serve York Barn was granted by this 'Committee at the meeting on 31 March 2004 under application W04/0252. In assessing these proposals consideration was given to an earlier application for the conversion of the cart barn to a residential property, which was refused in 1994 under application W940297. An appeal against that refusal was dismissed. In dismissing the appeal the Inspector commented: *'This open sided structure would be replaced by a solid building, and, to my mind, that is inappropriate in the Green Belt where the paramount consideration is the retention of the openness of such areas. Clearly the proposal would drastically change the present nature and appearance of this structure; one might expect to see a simple open sided barn in the countryside, but not what could be in reality a virtually new building used as a dwelling, which would doubtless be accompanied by a residential curtilage, with garden furniture, washing lines etc. Thus, not only would the integrity of this area as Green Belt be impaired, but the proposal would also be harmful to the area of pleasant countryside.'*

In order to ensure that both the land and the cart barn retains its traditional open character conditions were attached to this permission withdrawing permitted development rights for future alterations to the building and to effectively limit the domestic use of the building to storage.

More recently, planning permission for the conversion of the cart barn to provide tourist accommodation was refused on the grounds that it would be unacceptable in principle and *'...would fail to satisfy relevant development criteria for the conversion of agricultural buildings as it would require extensive internal and external alterations which would drastically change and detract from the present nature and appearance of this open-sided cart hovel to the detriment of its original architectural style and would thereby fail to reflect, respect and reinforce its architectural and historic distinctiveness.'*

In the opinion of the District Planning Authority the proposal would therefore unacceptably impair the open nature and integrity of this area as Green Belt and would also be harmful to the character and appearance of its countryside setting, contrary to Policies (DW) ENV1 and C3 of the Warwick District Local Plan and Policies DAP1, RAP8 and DP1 of the Warwick District Local Plan 1996-2011 (First Deposit Version).

The current proposals are for the use of the building as ancillary residential accommodation and seek to address the design concerns in the previous refusal and appeal by the introduction of large uninterrupted areas of glazing set back the full width to the rear of the brick piers in the front and side elevations (south and west). Infill panels previously proposed have also been minimised to the rear elevation and areas of horizontal boarding replaced by vertical boarding. The existing rooflights in the north and east roof slopes would be replaced by conservation rooflights to ensure that they would sit flush with the plain clay tile roof. The existing rooflights in the front roof slope would be replaced by an area of patent glazing. All car parking would occur within the forecourt of York Barn itself.

I am mindful of the Appeal Inspectors concerns and the previous reason for refusal. The current proposals seek to address these concerns and, in my opinion, represent an improvement in comparison with the previous schemes. Whilst I remain concerned about the extent to which the current proposals would detract from the original architectural integrity and distinctiveness of the cart barn, I am of the view that the amended scheme as now detailed can be supported.

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.760.4, and specification contained therein, submitted with the application, received on 1 March 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 3 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 Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority.
REASON : The site occupies a location in the Green Belt adjacent to Bubbenhall Wood, an ancient woodland. It is considered necessary to retain control over future development on this site and changes to the appearance of the existing cart shed to retain the openness of the area and the rural character and appearance of this rural building, in accordance with

the provisions of Policies (DW) ENV1, ENV3, ENV27 and ENV29 of the Warwick District Local Plan 1995.

- 4 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details.

REASON : To prevent the encroachment of this residential use towards Bubbenhall Wood, an ancient woodland and to ensure that the visual amenities of the area are protected, in accordance with the requirements of Policy (DW) ENV3 of the Warwick District Local Plan 1995.

- 5 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows, rooflights, glazed roof panel 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 that the rural character and appearance of the barn is protected, in accordance with Policy (DW) C3 of the Warwick District Local Plan 1995.

- 6 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 rural character and appearance of the barn is protected, in accordance with Policy (DW) C3 of the Warwick District Local Plan 1995.

- 7 The residential accommodation hereby permitted shall only be occupied by members or relatives of the family occupying the main dwelling house and shall not be let or sold as a separate dwelling house or as holiday accommodation.

REASON : The site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the rural character of the area will be retained, protected and wherever possible enhanced. Local Plan policy (DW) ENV1 and emerging policy DAP1 of the first deposit version of the Local Plan (1996-2011) presume against inappropriate development in the Green Belt, except in very special circumstances, unless it fulfils specific criteria.

In the opinion of the District Planning Authority the use of the building for any purpose other than as ancillary residential accommodation incidental to the occupation of the York Barn would constitute inappropriate development that would, by definition, be harmful to the Green Belt and the purposes of including land and buildings in it.

Planning Committee: 03 May 2005

Part 2 Item Number: 11

Application No: W 05 / 0384

Registration Date: 09/03/2005

Town/Parish Council: Leamington Spa

Expiry Date: 04/05/2005

Case Officer: Alan Coleman

01926 456535 planning_east@warwickdc.gov.uk

**Town house at the rear of 56 Warwick New Road, Leamington Spa, CV32
6AA**

Installation of 2 no. windows to western gable elevation FOR Mr R Dupille

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

CAAF: No comment.

Neighbours: The residents of 58 Warwick New Road object on the grounds of loss of privacy through overlooking and note discrepancies in the size and configuration of the windows between the plans and actual windows installed. The resident of 289 Rugby Road does not wish to have windows that overlook bedroom windows at the rear of the property.

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)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

HEAD OF PLANNING & ENGINEERING

Approval was granted by this 'Committee at the meeting on 8 March 2005 for amendments to planning applications W20021891 and W20031892, namely:

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.

Planning permission is now sought for the retention of 2 no. windows to the western gable elevation of the town house being constructed at the rear of the site as 'permitted development' rights for such alterations were removed by a condition of application W20021891.

The proposed first floor window would serve a bathroom and would be fitted with obscure glazing to maintain mutual privacy. The proposed second floor window would serve a bedroom and would be fixed shut and obscure glazed too. These characteristics have been particularly specified for these windows in support of the application and it is in this particular form that they are being considered. 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 these windows. However, in the form proposed I do not consider an unacceptable degree of overlooking would arise. I am also satisfied that the proposals would be 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.

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 drawings 03/65-04 A and 03/78-08, and specification contained therein, submitted on 9 March 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 3 The proposed first and second floor window in the western gable elevation hereby permitted shall be non-opening and obscure glazed and retained as such at all times thereafter.
REASON : To protect the amenities of the occupiers of nearby properties and, in particular 58 Warwick New Road, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 4 Samples of the obscure glazing to be used for the development hereby permitted, shall be submitted to and approved by the District Planning

Authority before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

REASON : To protect the amenities of the occupiers of nearby properties and, in particular 58 Warwick New Road, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.
