

Planning Committee: 11 January 2006 **Item Number:** 18

Application No: W 05 / 1922

Registration Date: 28/11/05

Town/Parish Council: Kenilworth

Expiry Date: 23/01/06

Case Officer: Steven Wallsgrove
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40 New Street, Kenilworth, CV8 2EZ

Erection of a privacy screen wall (retrospective) FOR Mr J L Monks

This application is being presented to Committee at the request of Councillor Blacklock.

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: "Members expressed CONCERN that although this appeared at first only a minor application it had possible implications relating to various other permissions granted on this sensitive site in the curtilage of a listed building. Despite Condition 2 to W04/1239, the sketch provided only limited information and was not to scale so the effect was difficult to interpret.

They therefore ask the officers to clarify the situation and to confirm that:-

1. The new position of the wall does not compromise the implementation of the permissions granted under W01/1242 and W01/1243LB and also under a modified application W04/1190 and W04/1191LB for the demolition of part of the rear wing.
2. In particular that the Highway Authority are satisfied that the new position of the wall and any possible future effects on the demolition of the rear wing does not affect the various conditions requested for adequate turning space to be provided in this congested area to enable a car to leave and re-enter the public highway (which is an A road) in a forward gear, and imposed when granted W04/1239."

Councillor Blacklock: Has requested this report because:-

"If you are not minded to REFUSE, I wish Planning Committee to discuss this because:-

1. Complex planning history.
2. Previously granted permission not fully implemented.
3. The site has been subject to more than one Enforcement action.

Warwickshire County Council (Ecology) : Comment on need to protect nearby trees and hedges.

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)

PLANNING HISTORY

This property has been the subject of 4 planning applications and 3 listed building applications since 2001, excluding the present planning and listed building applications. These have been for various extensions and alterations and a detached garage.

KEY ISSUES

The Site and its Location

The property consists of a 'listed' house in the Conservation Area which has been extended. Access to the recently built garage is down a private access road which also serves other properties, including a recently converted (but unoccupied) bungalow.

Details of the Development

The present application is for the erection of a link wall, with a gate opening, between the rear, single storey, wing and the detached garage. The wall is a little over 2 metres in height, in part, as it continues over the door opening, and has been built in brickwork to match the existing.

Assessment

The wall is set back from the line of the rear wing and, as such, cannot be seen from the road. It has been provided to create a privacy screen into the back garden which would otherwise be open to the driveway and the bungalow opposite (which is owned by the applicant). It is considered that the wall does not unreasonably affect the character of the listed building and, in fact, is an expected feature which replaces an original boundary wall.

The position of the wall does not affect access to the garaging, or the turning space in front of these garages, and, in effect, satisfies condition 2 on application W04/1239 which required details of a means of enclosure to be submitted in order to integrate the garage into the garden.

RECOMMENDATION

GRANT, subject to the conditions listed below:

CONDITIONS

- 1 Details of a timber door to fit the opening shall be submitted to the District Planning Authority within two months of this decision. The door so approved shall be installed in full accordance with such approved details, within two months of its approval. **REASON** : To protect and enhance the character and setting of this listed building in accordance with Policy (DW) ENV11 of the Warwick District Local Plan 1995.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development does not adversely impact on the character and appearance of the listed building, its setting or the wider Conservation Area. The proposal is therefore considered to comply with the policies listed.
