



The Town Council of Royal Leamington Spa

PLANNING DETERMINATIONS 14TH DECEMBER 2022

Planning Permission has been **REFUSED** by the Planning Authority in respect of the following application:

<u>W/22/1578</u>	<u>Ms L Sutcliffe & Mr J Vicary</u>	<u>Erection of single</u>
<u>storey rear extension and enclosure of front porch</u>		<u>23 Freemans Close</u>
<u>CV32 6EZ</u>		

RESOLVED that no comments were made

WDC Reasons for Refusal:

Policy BE3 of the Warwick District Local Plan 2011-2029 states (inter alia) that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Furthermore, the Residential Design Guide Supplementary Planning Document includes the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect. The proposed rear extension breaches the 45-degree line taken from the neighbouring property.

In the opinion of the LPA, the proposal 'would therefore result in material harm to neighbouring amenity by reason of loss of light and outlook. The proposal is thereby considered to be unneighbourly and contrary to the aforementioned policies.

<u>W/22/1263</u>	<u>Ms Carol Leahy</u>	<u>Erection of 0.9m high timber</u>
<u>fence either side of the front drive (retrospective application)</u>		<u>23 Bonniksen</u>
<u>Close CV31 3RP</u>		

RESOLVED that no comments were made

WDC Reasons for Refusal:

Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design. Furthermore, the Residential Design Guide SPD provides a detailed framework which should be followed in order to achieve good design.

The NPPF places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design.

In the opinion of the Local Planning Authority it is considered that the scheme is considered not to respond well to, or integrate into the prevailing character of the streetscene, resulting in an incongruous addition to the area, detracting from the existing character to an extent

that is considered to warrant the refusal of planning permission. The area was developed as an open plan estate, without fences to the front of properties.

<u>W/22/1679</u>	<u>Mr Charles Kirkpatrick</u>	<u>Proposed driveway</u>
<u>and dropped kerb to facilitate forecourt car parking</u>		<u>14 Warwick Place</u>
<u>CV32 5BJ</u>		

RESOLVED that no comments were made

WDC Reasons for Refusal:

Policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In the opinion of the Local Planning Authority the front wall makes a positive contribution to the character and appearance of the conservation area. The proposal is considered to detract from the visual appearance of the building by reason of an incongruous proposal that could unbalance the front elevation of the dwelling and set an unwelcome precedent.

Therefore, the demolition of the front wall and provision of forecourt parking would cause less than substantial harm to the significance of the conservation area. No public benefits have been identified to outweigh this harm.