Planning Committee: **Item Number:** 14

Application No: W 26 / 0856

Registration Date: 18/06/26
Town/Parish Council: Royal Leamington Spa **Expiry Date:** 13/08/26
Case Officer: James Moulding
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Henry Tandey Court, Union Road, Royal Leamington Spa, CV32 5NL
Replacement windows at no. 4 and no. 12 Henry Tandey Court FOR Warwick District Council

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This application is being presented to Committee due to it being an application made by Warwick District Council.

RECOMMENDATION

It is recommended that planning permission is GRANTED subject to the conditions listed below for the reasons set out in this report.

DETAILS OF THE DEVELOPMENT

Replacement of all existing aluminium sliding sash double glazed windows to the front and rear at no. 4 and no. 12 Henry Tandey Court with aluminium casement double glazed windows.

THE SITE AND ITS LOCATION

The application site relates to a pair of small terraced flats located in Leamington Spa. The properties are designed such that they appear as dwellinghouses but they consist of upstairs and downstairs maisonettes.

The application site lies within the Royal Leamington Spa Conservation Area and the New Milverton Article 4 Direction Area which requires that planning permission is sought for any development which would change the external appearance of the property.

PLANNING HISTORY

W/77/0643 - Erection of 2 storey two bed flats (10 for aged persons and 2 for disabled persons) total 12 flats and car parking. - Granted

W/80/0686 - Erection of single storey wheelchair store. - Granted

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- HE1 - Protection of Statutory Heritage Assets

Guidance Documents

- Residential Design Guide (Supplementary Planning Document- May 2018)

Royal Leamington Spa Neighbourhood Plan 2019-2029

- RLS3 - Conservation Area

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

WDC Conservation: No objection.

Public Response: None received.

ASSESSMENT

Design and Impact on Heritage Asset

The NPPF (2024) places an increased emphasis on the importance of achieving good quality design as a key aspect of sustainable development. Paragraph 135 states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate external facing materials. Development is expected to function well and add to the overall quality of the area by appearing sympathetic to the local character and history.

Local Plan Policy BE1 echoes paragraph 135 of the NPPF and states that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Proposals are expected to demonstrate that they harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use. Proposals are also expected to reinforce or enhance the established urban character of streets and reflect, respect and reinforce local architectural distinctiveness. The Council's adopted Residential Design Guide SPD provides guidance to help make the assessment of good design under Policy BE1.

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is supported by Policy HE1 of the Warwick District Local Plan 2011-2029 which states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Additionally, where less than substantial harm is identified this must also be balanced against the public benefits of the proposal.

Neighbourhood Plan Policy RLS3 states that development proposals in the Conservation Area must consider the building type, style, materials and colours in relation to the character area in which it is located and its distinguishing features, and the building height, scale and rooflines sympathetic to the local setting.

The development proposes the replacement of all front and rear windows on existing maisonettes 4 and 12 Henry Tandey Court which would not be a like for like replacement whilst also being within the New Milverton Article 4 Direction Area. The development therefore does not benefit from permitted development rights and requires planning permission.

The existing windows are white double glazed, aluminium framed, sliding sash windows.

The proposed replacement windows would be white double glazed, aluminium casement windows.

The proposed casement windows would be top hung and similar in design to the existing windows with respect to window pane arrangement. Materials would be matching and both existing and proposed windows would be double glazed.

It is acknowledged that the properties subject to this application are of a more modern 20th century construction rather than historic properties where sash windows would be a key architectural design feature.

The Conservation Officer has been consulted on the application and in considering the above points it is not considered that the development would not result in a harmful impact to the Conservation Area and the impact would be considered neutral. This is because the proposed window designs are not considered to be uncharacteristic of the properties given their more modern design within the Conservation Area. It is additionally noted that the windows would increase thermal efficiency which, while small in nature, is nevertheless considered to contribute to wider public benefits of energy usage reduction.

It is therefore considered that the proposed development would comply with Local Plan Policies BE1, HE1, and Neighbourhood Plan Policy RLS3.

In making this assessment, regard has been given to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

Amenity

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that 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.

It is not considered that the replacement windows would have any impact on neighbouring amenity. This is because no new openings are proposed which would contribute to perceived or realised overlooking, nor would the development impact on the light or outlook of neighbouring dwellings. It is also not considered that the development would inhibit or hinder the future occupiers with respect to openable windows and suitable outlook to habitable rooms.

It is therefore considered that the proposed development would comply with Local Plan Policy BE3.

Summary

The proposed development is considered to comply with Local Plan Policies BE1, BE3, HE1, and Neighbourhood Plan Policy RLS3. It is recommended that planning permission is GRANTED.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings, 442630-FCG-ST-XX-DR-B-1000-S4-P01, 442630-FCG-ZZ-EL-DR-B-2204-S4-P01, 442630-FCG-ZZ-EL-DR-B-2205-S4-P01, 442630-FCG-ZZ-EL-DR-B-2206-S4-P01, 442630-FCG-ZZ-EL-DR-B-2207-S4-P01, and specification contained therein, submitted on 18/06/2026. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 The development hereby permitted shall be carried out in strict accordance with the large scale details of windows (including a section showing the window reveal, heads and cill details), detailed in the submitted and approved drawings, 442630-FCG-XX-DE-DR-B-2400-S4-P01, 442630-FCG-XX-DE-DR-B-2401-S4-P01, 442630-FCG-XX-DE-DR-B-2402-S4-P01, 442630-FCG-XX-DE-DR-B-2403-S4-P01, submitted on 18/06/2026. The development shall not be carried out otherwise than in strict accordance with these approved details.
Reason: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.