

**Crown House
67 Lillington Rd
Leamington Spa
CV32 6LF**

DESIGN AND ACCESS STATEMENT

FAO: Planning Department
Warwick District Council

WDC PLANNING
Ref
Officer
02 APR 2024
SCANNED CC OR PD MA PRE GEN DIS

Dear Sir or Madam

RE: Householders Application
Appertaining to: Crown House Lillington Rd Leamington Spa CV32 6LF

Crown House is one of Leamington Spa's historic Georgian properties being circa 1750 an original coaching house with a great deal of history, situated in the conservation area. Following approved retrospective planning given to 2 Beaty's Gardens we are now in pursuance of addressing the impact that such a planning decision has had upon our property and quality of life. Our application seeks permission to raise our boundary wall on our north elevation between our property and Beaty's Gardens and to erect a garden wall of equal height to our west elevation.

The original garden to our property was a walled garden. The lower part of the original garden was sold by a previous owner, reducing the size of our garden. We wish to recreate the original walled garden by replacing the out of context fence to our west elevation with a solid brick wall (Please see photograph 1 showing the fence we wish to replace).

This application has primarily arisen from the installation of various windows to 2 Beaty's Gardens (See photograph 1 showing the original side elevation to 2 Beaty's Gardens with no windows). Furthermore, the owner has removed a 2.0-metre-high boundary fence that enclosed 2 Beaty's Gardens for many years (shown in photograph 2). The 2.0 metre fence and original absence of windows protected our property from overlooking and therefore protected our privacy and amenity.

As a result of the planning acquired, the owner and others living in and visiting 2 Beaty's Gardens can now overlook into our back garden, kitchen/dining room area and patio area, rendering our home subject to a lack of privacy and amenity. Our application is therefore submitted to regain a previously enjoyed level of privacy and amenity.

The owner has chosen to install windows overlooking our property and gardens on our north elevation to their great benefit as they have no garden to their property. The windows installed are side windows and not a primary source of light for the owner's property. The north elevation boundary wall is only 1.3 metres high on the Beaty's Garden side (Please see

photograph 3 showing the trellis we erected at the owner's request, fencing we were required by Enforcement to remove after the installation of the windows). Please see photograph 4 showing the said windows clearly well above the height of the north elevation wall, after the removal of our trellis fencing.

Please refer also to photograph 5 showing the extent of overlooking, taken from our kitchen area and photograph 6 taken from a bedroom window.

Furthermore, as per the photographs attached with this letter, there is a significant problem with light pollution at night (Please see attached photograph 7 taken early evening in January 2024) such pollution is unacceptable in a conservation area. Raising the wall would effectively resolve this issue.

In addition, as the wall is only 1.3 metres in height on the side of Beaty's Gardens, raising the north elevation wall offers opportunity to increase our security. There is a security risk to our property because the 1.3 metre wall offers easy access to our property, which we are keen to resolve. Raising the wall would address this problem successfully.

Detailed above are our reasons for requesting this application. We hope that this can be successfully approved, and our home and garden once more become our private space as originally intended when the Beaty's Garden development was built. Raising the north elevation wall and erecting a west elevation wall would ameliorate the issue of privacy and amenity and restore our property to its intended Georgian state.

We have briefly discussed the issue with Gary Fisher Development Manager and make this application in the hope of resolution to this difficult issue.

With kind regards

A handwritten signature in black ink, appearing to read 'M Skelcher', followed by a period.

Mr. Mark Skelcher

Attached photographs:

- 1) Photograph taken in 2021 showing our boundary wall and absence of windows in 2 Beaty's Gardens
- 2) Photograph taken in 2021 showing the original 2.0 metre fence surrounding 2 Beaty's Gardens that protected our amenity and privacy.

- 3) Photograph taken in 2023 with trellis erected at the request of the owner of 2 Beaty's Gardens. The installation of floor to ceiling windows at 2 Beaty's Gardens took place 10 days later before Enforcement instructed us that we had 2 weeks to remove the fencing/trellis.
- 4) Photograph taken in 2023 of the windows installed. We can see clearly into the property as the owner can see clearly into our garden.
- 5) Photograph taken in 2024 showing the view of 2 Beaty's Gardens from our kitchen and dining room area.
- 6) Photograph taken in 2024 showing the view from a bedroom.
- 7) Photograph showing extensive light pollution taken January 2024.