

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Regulatory Committee

**Date of Committee** 17th October 2006

**Report Title** Land Adjacent to Woodhill Meadow, off Mill End, Kenilworth - Erection of a 1.1 metre High Handrail

**Summary** This application is for the erection of a 1.1 metre high steel handrail on land adjacent to Woodhill Meadow, off Mill End, Kenilworth.

**For further information please contact** Lucy Hill  
 Planning Officer  
 Tel. 01925 412643  
 lucyhill@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework?** Yes/No

**Background Papers** Planning application reference W1773/06CM026 validated 29/8/2006.  
 E-mail dated 11/9/2006 from a resident.  
 E-mail dated 12/9/2006 from Entec UK Ltd.

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

- Other Committees  .....
- Local Member(s)  .....  
(With brief comments, if appropriate)
- Other Elected Members  Councillor D Shilton – No comments received as at 3rd October 2006.
- Cabinet Member  .....  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive  .....
- Legal  I Marriott – agreed.

- Finance  .....
- Other Chief Officers  .....
- District Councils  Warwick District Council – No comments received.
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  Kenilworth Town Council – No comments received.

**FINAL DECISION**                      **YES/NO**      *(If 'No' complete Suggested Next Steps)*

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## Regulatory Committee - 17th October 2006

### Land Adjacent to Woodhill Meadow, off Mill End, Kenilworth Erection of a 1.1 metre High Handrail

#### Report of the Strategic Director for Environment and Economy

#### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the erection of a 1.1 metre high handrail on land adjacent to Woodhill Meadow, off Mill End, Kenilworth subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application Number: W1773/06CM026.

Received by County: 29th August 2006.

Applicant: Severn Trent Water Ltd.

Agent: Neil Martyn, Entec UK Ltd, Gables House, Kenilworth Road, Leamington Spa, CV32 6JX.

The Proposal: The erection of a 1.1 metre handrail.

Site and Location: Approximately 3m<sup>2</sup> of land located at Woodhill Meadow, off Mill End, Kenilworth.

See plan at **Appendix A**.

#### 1. Application Details

- 1.1 This application is for the erection of a 1.1 metre high tubular steel 33.7 mm diameter twin handrail (to BS 4360 standard) with galvanised finish to be constructed in association with an outfall from a sewage works. The handrail requires planning permission because it exceeds the permitted development tolerances which only permit the construction of such structures (fences, handrails, and other means of enclosure) to a maximum height of 1 metre where they abut a public highway used by vehicular traffic. The application is presented to Committee because objections to the structure have been received

and because delegated powers only extend to the erection of kiosks on sewage treatment sites.

- 1.2 The handrail would run a total length of approximately 5.5 metres along an existing brick wall approximately 2.5 metres in height enclosing a waste water outlet. It is proposed as a safety measure to protect pedestrians on the adjacent footpath from a fall into the brick outfall structure on the Finham Brook.
- 1.3 The total construction time would be three days and incorporate five traffic movements comprising one small van. Access to the site would be via Woodhill Meadow.

## **2. Consultations**

- 2.1 **Councillor D Shilton** – No comments received as at 3rd October 2006.
- 2.2 **Kenilworth Town Council** – No comments received.
- 2.3 **Warwick District Council** – No comments received.

## **3. Representations**

- 3.1 One written representation has been received by a local resident raising objection to the proposal on the following grounds:-
  - (i) The proposed tubular steel handrail would be visually unattractive and a wooden one would be more visually acceptable.

## **4. Observations**

- 4.1 Currently, temporary heras fencing is in position above the outfall in order to protect pedestrians and would be removed once the construction of the handrail is complete.
- 4.2 It is understood that the use of wood as a construction material for the handrail in this location would be unsuitable because it could easily become unsafe as a result of vandal attack and weathering. Steel would last longer and be of better integrity. In addition, the handrail in this location would be attached directly to the brickwork of the retaining wall which would be more difficult with timber.

### **Planning Policy**

- 4.3 Policy DP2 of the Warwick District Local Plan 1996–2011 (Revised Deposit Version) May 2005 considers the affect on the amenity of nearby uses and residents. It is considered that given the modern nature of the surrounding residential land use and the combination of a wooden footbridge over the brook together with an adjacent steel handrailing, the proposed handrail would be in keeping with the surrounding area and therefore visually acceptable.

## **5. Environmental Considerations**

- 5.1 It is considered that there are no significant adverse environmental considerations associated with the proposed development the subject of this application.

## **6. Conclusion**

- 6.1 It is considered that the proposed 1.1 metre high handrail accords to policies contained within the development plan and would not have an adverse impact upon the visual amenity of the surrounding area.

JOHN DEEGAN  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

29th September 2006

## Appendix B of Agenda No

### Regulatory Committee - 17th October 2006

#### Land Adjacent to Woodhill Meadow, off Mill End, Kenilworth Erection of a 1.1metre High Handrail

##### Application No: W1773/06CM026

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:-**To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried in accordance with the details submitted with application reference W1773/06CM026 and the details shown on plan references '12679 – P005 – 01' and '12679 – P004 – 01', unless the County Planning Authority agrees to any modification

**Reason:** To ensure a satisfactory standard of development.

##### Development Plan Policies Relevant to this Decision:-

###### Warwickshire Structure Plan 1996 – 2011:-

- (i) Policy GD3 – Overall Development Strategy

###### Warwick District Local Plan 1996 – 2011 (Revised Deposit Version) May 2005

- (i) Policy DP2 – Amenity

##### Reasons for the Decision to Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and there are no contrary material considerations sufficient to justify refusal of this application.