Planning Committee: 25 April 2017 **Item Number:** **11**

Application No: W 17 / 0277

Registration Date: 15/02/17
Town/Parish Council: Leamington Spa **Expiry Date:** 12/04/17
Case Officer: Dan Charles
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8 Warwick Place, Leamington Spa, CV32 5BJ
Conversion of part of an existing house to create two new separate two bedroomed flats. Associated landscaping for the proposal including the removal of an external storage building. Alterations to brick boundary wall and dropped kerb to provide vehicular access. FOR Mr S Braich

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This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

That planning permission is granted with conditions.

DETAILS OF THE DEVELOPMENT

The proposed development seeks the sub-division of the existing dwelling to create one dwelling together with a two bedroom flat in the basement and a two bedroom flat on the ground floor at the rear of the property.

The proposal also includes the alteration of the rear curtilage area to create a parking area for 4 vehicles together with alterations to the boundary wall to facilitate vehicular access. The proposal also includes minor alterations to fenestration to create access to the new flats.

THE SITE AND ITS LOCATION

The site is an existing large dwelling located on a prominent corner plot fronting onto Warwick Place with its side elevation onto Albany Place. The local area is defined by residential properties of varying size and design.

The site lies within the Royal Leamington Spa Conservation Area.

PLANNING HISTORY

W/16/01415 - Conversion of part of an existing house to create two new separate two bedroomed flats. Associated landscaping for the proposal including the removal of an external storage building. Alterations to brick boundary wall and dropped kerb to provide vehicular access – Withdrawn 15.02.2017

W/08/0226 - Alterations to rear elevation to insert sliding, folding doors. Brick up existing door opening to side elevation and insert rooflight to single storey roof – Granted 15.05.2008.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council - No objection

WDC Conservation - New windows will need to be facsimile replicas of the existing sash windows, new skylights need to be conditioned to be of the conservation type, flush to the roofslope. The proposed boundary treatment looks spindly and too contemporary for this property, some research is needed by the applicant to underpin proposals for a more robust design of railings and brick piers - this can be covered by condition.

WCC Highways - No objection subject to conditions.

WCC Green Space Team - Request contribution of £2,512 towards open space improvements.

WCC Ecology - Comments as per W/16/1415 (Recommend Bat Note)

Public Response

A total of 7 letters of objection received. Comments made;

Will result in loss of amenity through both internal layout and proposed parking layout.
Loss of boundary wall will harm the character of the area.
Car parking will create a sterile appearance on Albany Terrace.
Harm to street scene as a result of loss of wall to create parking.
Gates should be provided to screen parking area.
Does not adequately address the parking pressures in the local area.
Loss of hedge will harm the local environment and result in loss of wildlife.
Will result in loss of privacy.

ASSESSMENT

Principle of development

The site lies within the built up area boundary of Leamington Spa. As such the general principle of new residential development is acceptable.

Impact on character of surrounding area

The external alterations to facilitate the creation of the two flats are limited to new fenestration together with a new external stairwell to serve the basement flat. The changes are minimal and do not result in harm to the character of the local area.

The key external change as a result of this development is the alterations to create the external parking area. The changes proposed seek to provide a parking area for 4 vehicles together with changes to the boundary wall to facilitate the access to the site. The changes proposed have been the subject of negotiation with the County Highways to provide safe access and designed to have a minimal impact on the visual amenity of the application site in this prominent location.

Subject to conditions requiring further details of the proposed boundary treatment and large scale details of the new fenestration, the development is considered to have no unacceptable harm to the amenity of the area.

Impact on the Conservation Area

Warwick District Local Plan Policy DAP8 states that development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation areas.

Warwick District emerging Local Plan Policy HE2 (protection of conservation areas) states development will be expected to respect the setting of conservation areas and important views both in and out of them.

Officers have considered the proposed scheme and subject to conditions regarding the proposed boundary treatment and large scale details of new fenestration, has raised no objection to the scheme.

The overall appearance of the site will remain predominantly unchanged by the proposed development and Officers are satisfied that the scheme will preserve the character of the Royal Leamington Spa Conservation Area.

Impact on adjacent properties

The proposed development does not result in any extension or significant alteration to the external appearance of the dwelling that would have a detrimental impact on the amenity of neighbouring properties.

The proposal will result in an intensification of the use of the existing building compared to the use as a single house. In this respect, concern has been raised by third parties about the internal layout of the building potentially having an impact on residential amenity of the attached property. The key elements of concern are that the internal party walls of the buildings are not well soundproofed and noise transmittal through the wall is high. This is particularly concerning the neighbouring resident as a result of having toilets located against the party wall. Officers have considered this concern and note that the internal layout cannot be controlled by the planning system in terms of layout and as such, this element is outside of the realms of planning control and is a matter for the Building Regulations or Environmental Health in terms of potential noise disturbance.

The proposal involves the creation of a parking area for 4 vehicles within the curtilage of the existing dwelling and this will result in more vehicles parking in close proximity to neighbouring property boundaries. Officers have considered this impact and note that there is no significant harmful impact that would result in demonstrable harm to the amenity of neighbouring properties.

Access and Parking

The proposed development is proposing 4 parking spaces associated with the residential use. The overall requirement for parking at this development would amount to 6 spaces (2 per residential unit). Therefore, the provision of parking on-site is below the requirement as specified within the Parking Standards Supplementary Planning Document.

In considering the acceptability of the proposal in terms of parking, Officers are mindful that as part of a previous planning application (W/16/1415) a parking survey was undertaken to assess the parking demand/stress in the surrounding area and the resultant impact, should the development have any residual demand on the surrounding highway. The results of the survey demonstrated that there is still an opportunity for parking should this be a requirement. Officers are also mindful that the proposed development is located near to the Town Centre with easy access to all of the facilities by sustainable transport methods such as walking and cycling.

Therefore, in this location, the provision of 4 spaces on site is considered to be acceptable and would not result in harm to highway safety or parking standards.

The County Highways Officer has raised no objection to the proposed application subject to conditions.

Energy Efficiency / CO2 reduction

As the proposal results in the provision of additional self-contained residential units, an Energy Efficiency statement is required in accordance with the Sustainable Buildings Supplementary Planning Document.

As a detailed statement has not been submitted as part of the application, Officers are satisfied that it can be secured by an appropriate condition.

Other Matters

Open Space Contribution

The open space team have requested a contribution of £2,512 based upon a net gain of 4 bedrooms over 2 dwellings @ £628 per room.

The contribution will be put toward the development objectives of local open spaces within approximately 500m (10 minute walk) of the development where these open spaces have development plans and projects in need of funding. At the time of responding, development contributions are required at Clarendon Square, The Spa Gardens and Milverton Riverside.

This contribution can be secured by condition.

Ecology

The County Ecologist has assessed the proposal and raised no objection to the scheme subject to the imposition of an explanatory bat note.

Conclusion

The proposed development seeks the sub-division of an existing dwellinghouse into a three units incorporating the retention of the existing dwelling and the provision of 1 x two bedroom flat at ground floor level and 1 x two bedroom flat in the existing basement of the premises.

The proposed development is located in a sustainable area where new housing is acceptable in principle. The proposed development will not have an adverse impact on the character of the local area and will preserve the character of the Royal Leamington Spa Conservation Area. The proposal will also not have an adverse impact on residential amenity, parking or highway safety and will not have a detrimental impact on protected species.

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 drawing(s) 1185-0502, and specification contained therein, submitted on 15 February 2017. **REASON** : For the avoidance of doubt

and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

3 Notwithstanding the details on the approved plans, no works shall commence on the construction of the development hereby permitted until revised details of the siting, height, design and materials of the treatment of all boundaries have been submitted to and approved in writing by the local planning authority. The screening as approved shall be constructed prior to the first occupation of the development to which it relates and shall be retained as such thereafter. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

4 No development shall be carried out on the site which is the subject of this permission, until large scale details of new doors and windows (including a section showing the window reveal, heads and cill details) at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011. (CA)

5 Prior to occupation of the development the site access and parking area shall be laid out in accordance with drawing number 1185-0502. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.

6 The access to the site for vehicles shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.

7 The development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access has been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **REASON:** In the interest of highway safety having regard to Policy DP6 and DP8 of the Local Plan.

8 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and

approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

9 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.