Planning Committee
Tuesday 1 March 2022

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Tuesday 1 March 2022, at 6.00pm and available for the public to watch via the Warwick District Council YouTube channel.

Councillor A Boad (Chairman)
Councillor T Morris (Vice Chairman)

Councillor M Ashford
Councillor R Dickson
Councillor O Jacques
Councillor J Kennedy
Councillor V Leigh-Hunt
Councillor C Quinney
Councillor N Tangri
Councillor J Tracey
Whitnash Residents Association Vacancy

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

Agenda
Part A – General

1. **Apologies & Substitutes**

   (a) to receive apologies for absence from any Councillor who is unable to attend; and
   (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. **Declarations of Interest**

   Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

   Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

   Members are also reminded of the need to declare predetermination on any matter.

   If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

recycle When you have finished with this please recycle it
INVESTORS IN PEOPLE
disability confident EMPLOYER

3. **Site Visits**

The Chairman to report the location of the planning application sites visited and the names of the Committee Members who attended.

Part B – Planning Applications

To consider the following reports from the Head of Development Services:

4. **W/20/2165 – 6 Charlotte Street, Royal Leamington Spa (Pages 1 to 6)**

5. **W/20/2166 – 14 Charlotte Street, Royal Leamington Spa (Pages 1 to 6)**

6. **W/21/2004/LB – United Reformed Church, Spencer Street, Royal Leamington Spa (Pages 1 to 7)**

7. **W/21/2272 – 14 & 16, 17 & 19, 22 & 24, 30 & 32, 37 & 39, 49 & 51 Offa Road; 23 & 25, 31 & 33 Prospect Road; 3 & 5, 112 & 114 Waverley Road, Royal Leamington Spa (Pages 1 to 4)**

8. **W/22/0078 – 1 Prospect Road, 24 & 26 Prospect Road, 59 Alexandra Road, Royal Leamington Spa (Pages 1 to 3)**

Please note:

(a) the background papers relating to reports on planning applications are open to public inspection under Section 100D of the Local Government Act 1972 and consist of all written responses to consultations made by the Local Planning Authority in connection with the planning applications referred to in the reports, the County Structure Plan Local Plans and Warwick District Council approved policy documents.

(b) all items have a designated Case Officer and any queries concerning those items should be directed to that Officer.

(c) in accordance with the Council's Public Speaking Procedure, members of the public can address the Planning Committee meeting remotely by joining the remote meeting through their personal device on any of the planning applications or Tree Preservation Order reports being put before the Committee. If you wish to do so, please register online at Speaking at Planning Committee any time after the publication of this agenda, but **before 10.00am** on the working day before the day of the meeting and you will be advised of the procedure.

(d) please note that the running order for the meeting may be different to that published above, in order to accommodate items where members of the public have registered to address the Committee.

(e) occasionally, items are withdrawn from the agenda after it has been published. In this instance, it is not always possible to notify all parties interested in the application. However, if this does occur, a note will be placed on the agenda via the Council's website, and where possible, the applicant and all registered speakers (where applicable) will be notified.

Published Monday 21 February 2022

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ

Telephone: 01926 456114
E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports. You can e-mail the members of the Committee at planningcommittee@warwickdc.gov.uk

Details of all the Council's committees, councillors and agenda papers are available via our website on the Committees page

We endeavour to make all of our agendas and reports fully accessible. Please see our accessibility statement for details.

The agenda is available in large print on request, prior to the meeting, by telephoning (01926) 456114

Planning Committee: 01 March 2022 **Item Number:** 4

Application No: W 20 / 2165

Registration Date: 28/06/21
Town/Parish Council: Leamington Spa **Expiry Date:** 23/08/21
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

6 Charlotte Street, Leamington Spa, CV31 3EB
Erection of a two storey rear extension to existing 4 bedroom HMO (Use Class C4) FOR Mr S Singh

---

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received. The applicant is also related to a WDC member of staff.

RECOMMENDATION

That planning permission is granted subject to the conditions listed below.

DETAILS OF THE DEVELOPMENT

The proposal seeks permission for a two storey rear extension to an existing C4 HMO to facilitate the creation of an additional two bedrooms.

THE SITE AND ITS LOCATION

The application property is a two storey semi-detached dwelling property located on the eastern end of Charlotte Street, Leamington Spa.

The property is an existing lawful House in Multiple Occupation (Use Class C4) which allows the property to be used for up to 6 persons living together with shared facilities.

PLANNING HISTORY

There is no relevant planning history

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- H6 - Houses in Multiple Occupation and Student Accommodation

- TR3 - Parking
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets

Guidance Documents

- Parking Standards (Supplementary Planning Document- June 2018)
- Residential Design Guide (Supplementary Planning Document- May 2018)

Royal Leamington Spa Neighbourhood Plan 2019-2029

- RLS2 - Housing Design

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Raised a holding objection due to concerns over the level of private amenity space provided and the impact on the amenity of neighbouring properties. They also support the Ecology officers request for information relating to bats and Cllr Chilvers comments over the rear parking space.

Cllr Chilvers: Commented that the proposed rear parking space would need to be assessed to ensure it is accessible.

WCC Ecology: Object due to the lack of a Preliminary Bat Roost Assessment.

WCC Highways: Have reviewed the submitted parking survey and have no comments to make.

WDC Private Sector Housing: Provided comments on the size of the bedrooms and the facilities to be provided.

Public response: 16 objection comments have been received raising concerns over the following matters:

- Impact on HMO concentrations in the area
- Impact on parking stress in the area
- Impact of the extension on the street scene
- Whether adequate refuse storage will be provided
- Impact on the amenity of neighbouring properties
- Impact on the amenity of future occupiers
- The viability of the rear parking space
- The methodology used for the Parking Survey

ASSESSMENT

Principle

Policy H6 of the Warwick District Local Plan 2011-2029 comes into force when a property is changing use to a HMO. The property is an existing lawful C4 HMO,

which allows the property to be used for up to 6 persons. Whilst the application proposes to extend and create additional bedrooms, the amount of bedrooms does not exceed 6 and therefore, there will be no impact on the existing concentration levels of HMOs within the area.

The application is acceptable in principle.

Impact on the character and appearance of the area

The National Planning Policy Framework (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 that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed extension will be located to the rear of the property and has been designed so as to blend in with the existing character of the property. The extension is set down from the main ridge line to appear as a subservient addition and will be finished in render to match the existing property.

The proposed extension is considered an acceptable addition to the property, the development is considered to comply with Local Plan policy BE1.

Impact on the amenity of neighbouring properties

Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. The Residential Design Guide SPD provides a framework for policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45° line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

The proposed two storey rear extension has been reduced in size since first submitted due to a breach of the Council's adopted 45° line when taken from the neighbouring property at no.4 Charlotte Street. The extension does not breach the 45° line to the adjoining neighbouring property at no.8 Charlotte Street. As amended the extension now complies with the 45° line and is not considered to negatively impact on the amenity of the neighbouring dwellings.

The proposed two storey extension will not breach the Council's distance separation guideline of 22m to the properties to the rear of the site situated along Claremont Road. Taking all of the above into account it is considered that the proposed extension will not cause material harm to the living conditions of the occupiers of the surrounding properties through visual intrusion or loss of light and therefore complies with Local Plan policy BE3.

Impact on the occupiers of the proposed HMO

In response to the proposal as originally submitted Private Sector Housing raised concerns over the size of bedroom 6 which was below the minimum size of a bedroom in terms of the licensing requirements. Whilst not a material planning consideration, the scheme has since been amended to increase the size of this room to comply with the licensing requirements. Private Sector Housing have also recommended that bedroom 2 is fitted with a window opposed to the existing patio doors to assist with ventilation. Officers are satisfied that the patio doors provide sufficient levels of outlook and so the recommendation for a window will be added as an informative note for the applicant as this relates to the licensing requirements.

All habitable rooms benefit from acceptable levels of light and outlook. The rear private amenity space exceeds the Council's adopted requirement of 60 sq.m for a 6 bed property. Officers are satisfied that future occupiers would have an acceptable level of amenity.

Impact on highways and existing parking

Policy TR3 of the Warwick District Local plan 2011-2029 states development will only be permitted that makes provision for parking and does not result in on-street car parking detrimental to highway safety. The Council's adopted Parking Standards SPD sets out the detailed parking standards for developments.

The existing property is a lawful C4 Use (HMO), which allows up to 6 persons to live together with some shared facilities. The application seeks to increase the number of bedrooms from 4 to 6, this results in an increase in the parking requirement by 1 space. The existing property benefits from driveway parking to the front of the property with adequate space for 2 cars. As originally proposed, the applicant was proposing a new parking space in the rear garden to be accessed via the existing rear access off Tachbrook Road. The Highways Authority were consulted and raised no object subject to the rear access being laid with a bound material which could be secured via condition. Through the course of the application following concerns over the resulting level of rear amenity that would be provided, the applicant has omitted the proposal for the rear parking space and has provided a parking survey that adequately demonstrates that the additional demand for one parking space for this property can be accommodated within the street.

The applicant has demonstrated through a parking survey that the additional demand for parking can be accommodated on-street. Concerns have been raised

over the submitted parking survey not complying with the methodology set out in the Parking Standards SPD, a revised parking survey has been submitted and officers are satisfied it complies with the SPD. The Highways Authority have been consulted on the revised parking survey and have raised no objections on highway safety. The proposal is therefore considered to comply with Local Plan policy TR3.

Officers note that the parking survey submitted seeks to demonstrate suitable on street parking for this application at 6 Charlotte Street and an associated application at 14 Charlotte Street (W/20/2166). The parking survey demonstrates there would be sufficient parking on-street to meet the additional parking demand of 1 space per dwelling. The proposal is therefore considered to comply with Local Plan policy TR3.

Refuse

The Residential Design Guide SPD sets out the refuse requirements for HMOs, the increase in bedrooms would result in an increase requirement for refuse storage comprising 2x 180L bins. The site benefits from a side gate and side access where bins can be stored and then moved onto the street for collection day. The existing side gate ensures that the refuse bins are not visible from within the street scene.

Ecology

Taking a precautionary approach, the County Ecologist has recommended that a preliminary bat survey is required prior to the determination of the application. This request has been considered, however, it is also noted that the existing dwelling is well sealed and is located within a built up area with other dwellings in close proximity.

On this basis, it is considered that the likelihood of bats is relatively low and a bat note advising the applicant of their responsibility in relation to protected species would be more reasonable and appropriate in this case.

Subject to an informative note the development is considered to comply with Local Plan policy NE2.

Other matters

A number of local residents have raised concerns over loss of amenity to neighbouring properties and amenity of future occupants which officers are satisfied have been addressed through amended plans. Other concerns raised include provision of refuse and parking which have been addressed as stated earlier in the report. Increasing the size of the HMO has been identified as a concern by local residents in terms of the impact on existing concentration levels in the area. As stated earlier in the report, the property is an existing lawful C4 HMO which allows the property to be used for up to 6 persons. Whilst the application proposes to extend and create additional bedrooms, the amount of bedrooms does not exceed 6 and therefore, there will be no impact on the existing concentration levels of HMOs within the area.

Conclusion

The application seeks to extend an existing HMO to increase the number of bedrooms from 4 to 6, the extension is of an acceptable design, all rooms would benefit from acceptable levels of light and outlook and the extension would not have a negative impact on the amenity of neighbouring properties. Furthermore, the development will provide suitable provision for parking which has been demonstrated through a parking survey and suitable provision for refuse which will be contained to the side of the property out of view of the street scene. The development complies with the aforementioned policies.

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 drawing(s) 20/71-02B, and specification contained therein, submitted on 22nd November 2021. **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 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

Planning Committee: 01 March 2022 **Item Number:** 5

Application No: W 20 / 2166

Registration Date: 28/06/21
Town/Parish Council: Leamington Spa **Expiry Date:** 23/08/21
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

14 Charlotte Street, Leamington Spa, CV31 3EB
Erection of a two storey rear extension to existing 4 bedroom HMO (Use Class C4). FOR Mr S Singh

---

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received. The applicant is also related to a WDC member of staff.

RECOMMENDATION

That planning permission is granted subject to the conditions listed below.

DETAILS OF THE DEVELOPMENT

The proposal seeks permission for a two storey rear extension to an existing C4 HMO to facilitate the creation of an additional two bedrooms.

THE SITE AND ITS LOCATION

The application property is a two storey semi-detached dwelling property located on the eastern end of Charlotte Street, Leamington Spa.

The property is an existing lawful House in Multiple Occupation (Use Class C4) which allows the property to be used for up to 6 persons living together with shared facilities. The site benefits from driveway parking for 2 cars.

PLANNING HISTORY

There is no relevant planning history

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- H6 - Houses in Multiple Occupation and Student Accommodation

- TR3 - Parking
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets

Guidance Documents

- Parking Standards (Supplementary Planning Document- June 2018)
- Residential Design Guide (Supplementary Planning Document- May 2018)

Royal Leamington Spa Neighbourhood Plan 2019-2029

- RLS2 - Housing Design

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Raised a holding objection due to concerns over the level of private amenity space provided and impact on the amenity of neighbouring properties. They also support the Ecology officers request for information relating to bats.

WCC Ecology: Object due to the lack of a Preliminary Bat Roost Assessment.

WCC Highways: Have reviewed the revised parking survey and have no comments to make.

WDC Private Sector Housing: Provided comments on the size of the bedrooms and the facilities to be provided.

Public response: 15 objection comments have been received raising concerns over the following matters:

- Impact on HMO concentrations in the area
- Impact on parking stress in the area
- Impact of the extension on the street scene
- Whether adequate refuse storage will be provided
- Impact on the amenity of neighbouring properties
- Impact on the amenity of future occupiers
- The viability of the rear parking space
- The methodology used for the Parking Survey

ASSESSMENT

Principle

Policy H6 of the Warwick District Local Plan 2011-2029 comes into force when a property is changing use to a HMO. The property is an existing lawful C4 HMO, which allows the property to be used for up to 6 persons. Whilst the application proposes to extend and create additional bedrooms, the amount of bedrooms does

not exceed 6 and therefore, there will be no impact on the existing concentration levels of HMOs within the area.

The application is considered to be acceptable in principle.

Impact on the character and appearance of the area

The National Planning Policy Framework (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 that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed extension will be located to the rear of the property and has been designed so as to blend in with the existing character of the property. The extension is set down from the main ridge line to appear as a subservient addition and will be finished in render to match the existing property.

The proposed extension is considered an acceptable addition to the property, the development is considered to comply with Local Plan policy BE1.

Impact on the amenity of neighbouring properties

Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. The Residential Design Guide SPD provides a framework for policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45° line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

As originally proposed the two storey rear extension breached the Council's adopted 45° line when taken from the neighbouring property at 12 Charlotte Street, this has now been amended and reduced in size to comply with the 45° line. The extension does not breach the 45° line to the adjoining neighbouring property at 16 Charlotte Street. As amended the extension now complies with the 45° line and is not considered to negatively impact on the amenity of the neighbouring dwellings.

The proposed two storey extension will not breach the Council's distance separation guideline of 22m to the properties to the rear of the site situated along Claremont Road. Taking all of the above into account it is considered that the proposed extension will not cause material harm to the living conditions of the occupiers of the surrounding properties through visual intrusion or loss of light and therefore complies with Local Plan policy BE3.

Impact on the occupiers of the proposed HMO

Private Sector Housing raised concerns over the size of bedroom 6 which was below the minimum size of a bedroom in terms of the licensing requirements. Whilst not a material planning consideration, the scheme has since been amended to increase the size of this room to comply with the licensing requirements. Private Sector Housing have also recommended that bedroom 2 is fitted with a window opposed to the existing patio doors to assist with ventilation. Officers are satisfied that the patio doors provide sufficient levels of outlook and so the recommendation for a window will be added as an informative note for the applicant as this relates to the licensing requirements.

The amenity for future occupiers is considered acceptable as all habitable rooms are served by windows providing suitable levels of light and outlook. The rear private amenity space exceeds the Council's adopted requirement of 60 sq.m for a 6 bed property. Officers are satisfied that future occupiers would have an acceptable level of amenity.

Impact on highways and existing parking

Policy TR3 of the Warwick District Local plan 2011-2029 states that development will only be permitted that makes provision for parking and does not result in on-street car parking detrimental to highway safety. The Council's adopted Parking Standards SPD sets out the detailed parking standards for developments.

The existing property is a lawful C4 Use (HMO), which allows up to 6 persons to live together with some shared facilities. The application seeks to increase the number of bedrooms from 4 to 6, this results in an increase in the parking requirement by 1 space. The existing property benefits from driveway parking to the front of the property with adequate space for 2 cars. As originally proposed, the applicant was proposing a new parking space in the rear garden to be accessed via the existing rear access off Tachbrook Road. The Highways Authority were consulted and raised no objection subject to the rear access being laid with a bound material which could be secured via condition. Through the course of the application, following concerns over the resulting level of rear amenity that would be provided, the applicant has omitted the proposal for the rear parking space and has provided a parking survey that sufficiently demonstrates that the additional demand for one parking space for this property can be accommodated within the street.

The applicant has demonstrated through a parking survey that the additional demand for parking can be accommodated on-street. Local residents have raised concerns over the submitted parking survey not complying with the methodology

set out in the Parking Standards SPD, a revised parking survey has been submitted and officers are satisfied it complies with the SPD. The Highways Authority have been consulted on the revised parking survey and have raised no objections on highway safety. The proposal is therefore considered to comply with Local Plan policy TR3.

Officers note that the parking survey submitted seeks to demonstrate suitable on street parking for this application at 14 Charlotte Street and an associated application at 6 Charlotte Street (W/20/2165). The parking survey demonstrates there would be sufficient parking on-street to meet the additional parking demand of 1 space per dwelling. The proposal is therefore considered to comply with Local Plan policy TR3.

Refuse

The Residential Design Guide SPD sets out the refuse requirements for HMOs, the increase in bedrooms would result in an increase requirement for refuse storage comprising 2x 180L bins. The site benefits from a side gate and side access where bins can be stored and then moved onto the street for collection day. The existing side gate ensures that the refuse bins are not visible from within the street scene.

Ecology

Taking a precautionary approach, the County Ecologist has recommended that a preliminary bat survey is required prior to the determination of the application. This request has been considered, however, it is also noted that the existing dwelling is well sealed and is located within a built up area with other dwellings in close proximity.

On this basis, it is considered that the likelihood of bats is relatively low and a bat note advising the applicant of their responsibility in relation to protected species would be more reasonable and appropriate in this case.

Subject to an informative note the development is considered to comply with Local Plan policy NE2.

Other matters

A number of local residents have raised concerns over the loss of amenity to neighbouring properties and the amenity of future occupants which officers are satisfied have been addressed through amended plans. Other concerns raised include provision for refuse and parking which have been addressed as stated earlier in the report. Increasing the size of the HMO has been identified as a concern by local residents in terms of the impact on existing concentration levels in the area. As stated earlier in the report, the property is an existing lawful C4 HMO which allows the property to be used for up to 6 persons. Whilst the application proposes to extend and create additional bedrooms, the amount of bedrooms does not exceed 6 and therefore, there will be no impact on the existing concentration levels of HMOs within the area.

Conclusion

The application seeks to extend an existing 4 bed HMO to increase the number of bedrooms to 6, the extension is of an acceptable design, all rooms would benefit from acceptable levels of light and outlook and the extension has been reduced in size to ensure there would be no detrimental impact on the amenity of neighbouring properties. Furthermore, the development will provide sufficient provision for parking which has been demonstrated through a parking survey and sufficient provision for refuse which will be contained to the side of the property out of view of the street scene. The development complies with the aforementioned policies.

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 drawing(s) 20/71-04B, and specification contained therein, submitted on 22nd November 2021. **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 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

Planning Committee: 01 March 2022 **Item Number:** 6

Application No: W 21 / 2004 LB

Registration Date: 29/10/21
Town/Parish Council: Leamington Spa **Expiry Date:** 24/12/21
Case Officer: Emma Booker
01926 456521 Emma.Booker@warwickdc.gov.uk

United Reformed Church, Spencer Street, Leamington Spa, CV31 3NE
Repairs, refurbishment and redevelopment of Grade II Listed United Reform Church to facilitate a change of use to office space (Use Class E). FOR Complex Development Projects

---

This application is being presented to Committee because Warwick District Council own the site.

RECOMMENDATION

Listed Building Consent is recommended to be GRANTED.

PLANNING HISTORY

W/06/1718/LB & 1719 - Part demolition, conversion, refurbishment and extension of existing building for use as theatre and associated facilities

W/09/0081 & 0082/LB - Formal approval of amendments to application No. W06/1718LB & W06/1719 Part demolition, conversion, refurbishment, and extension of existing building for use as theatre and associated facilities

W/20/2134 - Extensions, alterations and change of use to office space (Use Class E). – Granted.

W/20/2135/LB - Internal and external alterations for creation of new office space. – Granted.

DETAILS OF THE DEVELOPMENT

The proposal seeks Listed Building Consent (LBC) for internal and external alterations to facilitate the creation of new office space. The application site comprises three buildings: The United Reform Church (URC), Old Dole Office and Nursery, which have already been granted Planning and Listed Building consent for alterations under application references: W/20/2134/FULL and W/20/2135/LB. The work to the URC was approved under those two applications but there have since been some alterations made to the proposals which now require further approval.

Previously, the alterations comprised:

- Opening up the staircase well to the basement, with the staircase to serve the upper floor
- The extension of the mezzanine level with access gained via a central atrium
- The reinstatement of windows
- Reroofing and the insertion of 4 No. conservation rooflights
- Works to the basement to create office space
- The introduction of steps and a new entrance for the rear elevation

Although not an exhaustive list, since the approval of the previous LBC application, the following elements have been added to the scheme:

- The omission of a number of the previously approved new windows, doorways, stud wall partitions
- The demolition of internal walls to widen openings
- New stud walls and screens, and other minor alterations to those previously approved to alter the layout of spaces
- New internal windows
- The removal of plaques
- Alterations to the floor level on the first floor
- New balustrades
- Relaying surface finishes to the front of the building
- The installation of new gates
- Repair works to the elevations
- The amended design of the steps and new entrance for the rear elevation

THE SITE AND ITS LOCATION

This application for listed building consent is related to works to The United Reformed Church Building only. This forms part of a wider scheme relating to 3 buildings around Spencer Yard. This area lies within the town centre of Leamington Spa, within the Conservation Area and forms an integral part of "The Creative Quarter". The site is situated within a predominantly commercial part of Leamington Town Centre.

The 3 buildings forming the wider scheme are; the Grade II listed United Reform Church (URC), the former benefits office building (the Old Dole Office), and the Nursery.

The URC is adjoined to the east by the Grade II listed building, 5 Spencer Street. This forms part of a group, 5-13 Spencer Street. These contain a variety of residential and commercial uses.

A further Grade II listed building adjoins the site to the west in Spencer Street. The Loft Theatre is located to the north.

Vehicular access to the rear of the site is gained off Spencer Street via Spencer Yard; there is presently no public access into Spencer Yard via Victoria Colonnade. The central open area within Spencer Yard is used for car parking.

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas

Royal Leamington Spa Neighbourhood Plan 2019-2029

- RLS3 - Conservation Area

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Support the application. They however commented that they were disappointed to learn that the cafe on the ground floor would not be open to the public.

WDC Conservation: No objection, following amendments, and subject to conditions.

ASSESSMENT

Impact on the Listed Building and Conservation Area

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that in considering whether to grant permission for developments affecting listed buildings or their setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In paragraph 190 of the NPPF it is stated that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This includes putting heritage assets to viable uses consistent with their

conservation so that they can bring wider social, cultural, environmental and economic benefits to the historic environment.

Paragraph 199 of 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.

Policy HE1 of the Warwick District Local Plan 2011-2029 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.

Policy RLS3 of the Royal Leamington Spa Neighbourhood Plan relates to development located within the Conservation Area and requires proposals to demonstrate that they harmonise with the existing character in terms of design, scale and external facing materials. The policy supports the use of suitable boundary treatments when considered in relation to the surrounding local context and the retention, restoration and reinstatement of period details such as decoration, ornamentation, and ironwork. Where proposals impact on the significance of Listed Buildings, the proposal should demonstrate a regard for this and not result in harm.

The URC in its current state has been left empty for many years. It is starting to fall into a state of disrepair.

The application, as amended, seeks to gain approval for relatively minor alterations to the previously approved scheme. The majority affect the internal spaces, such as those which comprise minor revisions to the position of stud walls, new openings (doors and windows) and the installation of balustrades to meet the Building Regulations. Several plaques are also proposed to be removed which are not referenced in the listing description but none the less form a part of the listed building.

Externally, the application proposes repair works to some of the decaying external facing materials (repointing and new render for example). The design of the new rear access has been amended and the basement windows are proposed to be infilled with brickwork. New gates will be fitted at the corners of the building for increased security and surfaces replaced to improve the appearance of the site.

WDC Conservation have been consulted throughout the course of the application. They have confirmed that the raise no objection to the revisions to the application provided that large scale details for new windows, lintels and the limecrete floor slab are secured by condition. They also consider that sample materials for the new brickwork should be secured by condition.

The Conservation Officer did raise concerns with the revised design of the rear entrance to which the agent has submitted an amended drawing to meet their requests.

On this basis, WDC Conservation raises no objection. Therefore, by virtue of its appropriate design and scale, it has been concluded that the scheme of works would preserve the character and appearance of the Listed Building and would preserve its significance. The works to the exterior of the building are considered sympathetic to the building, will improve its appearance and character and will therefore be of benefit to the significance of the Conservation Area. The recommended conditions will ensure that the finer details of the proposals maintain the quality of the scheme.

The proposed works would facilitate the reuse of a Listed Building that has been vacant for a number of years. The proposed alterations facilitate a change of use which is viable and consistent with the conservation of the building. As such, the proposal accords with the NPPF and Policies HE1 and RLS3.

CONDITIONS

1 The works hereby permitted shall begin not later than three years from the date of this consent. **Reason:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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) and specification contained therein;

Submitted on 29th October 2021:

12000 - 104 T1	Church- Proposed Sections
12000 - 105 T1 2362.01.0040. T1	Basement Floor Strip Out_Demo Plan.
2362.01.0041.T1	Ground Floor Strip Out_Demo Plan
2362.01.0042.T1	First Floor Strip Out_Demo Plan
2362.01.0043.T1	Second Floor Strip Out_Demo Plan
2362.01.0044.T1	Roof Floor Strip Out_Demo Plan
2362.01.0045.T1	Reflected Ceiling Plan Strip Out_Demo
2362.01.0046.T1	Elevation Strip Out_Demo

2362.01.0047.T1	Existing Section A-A Strip Out_Demo
2362.01.0048.T1	Existing Section B-B Strip Out_Demo
2362.01.1000.T2	Proposed Site Plan
2362.01.1100.T2	Proposed Basement Plan
2362.01.1101.T2	Proposed Ground Floor Plan
2362.01.1102.T2	Proposed First Floor Plan (Mezzanine).
2362.01.1104.T3	Proposed Roof Plan
2362.01.1200.T1	Proposed South Elevation
2362.01.1202.T2	Proposed East Elevation
2362.01.1203.T1	Proposed West Elevation
2362.01.1803.T1	Proposed First Reflected Ceiling Plan.
2362.01.2000.T2	Proposed Section A-A.
2362.01.2001.T2	Proposed Section B-B.
2362.01.2002.T2	Proposed Section C-C
2362.01.2004.T2	Proposed Section D-D
2362.01.3002.T3	Detail - Roof Section.
2362.01.3005.T2	.Detail - Basement Tanking
2362.01.3010.T1	Detail - Memorial Signs.
2362.01.3015.T1	Detail - Vents
2362.01.3050.T1	Detail - New Gates
2362.01.3053.T1	Detail - Mezzanine Balustrade

2362.01.3054.T1	Detail - Window Details
2362.01.3055.T	Detail - Upper Mezzanine
2362.01.3056.T1	Detail - Proposed Balustrade on ground
2362.01.3060.T2	Detail - Central Stair Details

Submitted on 24th January 2022:

2362.01.1201.T2	Proposed North Elevation

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029.

3 Large scale details of the new windows and doors (including a section showing the window reveal, heads and cill details) (except for those already provided on drawing no. 2362.01.3054 submitted on 29th October 2021), all new lintels and a section drawing of the limecrete slab (with labels) at a scale of 1:5 (including details of materials) must be submitted to and approved by the Local Planning Authority prior to the commencement on any works in association with that element of the scheme in question. The development shall not be carried out otherwise than in strict accordance with such approved details. **Reason:** To ensure a high standard of design and appearance for this Listed Building and the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.

4 No development shall be carried out to the basement windows on the North elevation of the building unless and until samples of the external facing materials to be used to infill the basement windows have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **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 HE1 and HE2 of the Warwick District Local Plan 2011-2029.

Planning Committee: 01 March 2022 **Item Number:** 7

Application No: W 21 / 2272

Registration Date: 21/12/21
Town/Parish Council: Leamington Spa **Expiry Date:** 15/02/22
Case Officer: George Whitehouse
01926 456553 george.whitehouse@warwickdc.gov.uk

14&16, 17&19, 22&24, 30&32, 37&39, 49&51 Offa Road, 23&25, 31&33 Prospect Road, 3&5, 112&114 Waverley Road, Leamington Spa, Warwickshire

Multi-dwelling application for whole-house retrofit measures. Identical semi-detached dwellings [20 properties] to receive external improvements, including external wall insulation and new surface finishes, roof repairs and insulation, dormer insulation and new cladding, new high-performance windows and external doors, and mechanical extract ventilation. FOR Warwick District Council

---

This application is being presented to Committee due to it being submitted by Warwick District Council

RECOMMENDATION

It is recommended that Planning Committee Grant this application for the reasons set out in this report

DETAILS OF THE DEVELOPMENT

Planning permission for retrofit measures to 20 identical semi-detached dwellings to make external improvements, including external wall insulation and new surface finishes, roof repairs and insulation, dormer insulation and new cladding, new high-performance windows and external doors, and mechanical extract ventilation in order to improve the thermal efficiency of the dwelling.

THE SITE AND ITS LOCATION

The dwellings subject to this application are identically designed semi detached dwellings all of which benefit from permitted development rights

PLANNING HISTORY

None

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets

- CC1 - Planning for Climate Change Adaptation
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS2 - Housing Design
- RLS4 - Housing Character Outside the Conservation Areas

SUMMARY OF REPRESENTATIONS

Leamington Town Council: Support the application due to the positive impact the proposals have on thermal efficiency of the dwellings. Subject to confirmation the additional confirmation that residents' windows will still be able to be opened fully and without restriction following the implementation of the work. (The design statement submitted states the windows will be moved outwards to align with the new position of the external facing wall).

Councillor Ian Davison: Supports the application due to the positive impact the proposals have on thermal efficiency of the dwellings.

Public response: 4 objections citing the design being contrary to the character of the established street scene and harmful to the property style.

1 Neutral comment referencing the fact that the design package states the dwellings have cavity walls.

Officer note: The dwellings do not have cavity walls.

One comment refers to the statutory consultation period being too short. The same comment also references that the Council should have sent paper copies of the plans to all statutory consultees.

Officer note: The statutory consultation period is not set by Warwick District Council; this is set by the Government in the national planning legislation. In any case public comments are considered after the statutory minimum 21 days if they are received after this date and before a decision is made. With regard to the request for paper plans to be sent out, given there have only been four responses received, this indicates that to do so would have been a waste of resources. This being said, if there were any request from individuals for paper copies of the plans the Council would have provided these on a per request basis. However, no such requests for paper plans were made to this office.

ASSESSMENT

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.

Local Plan Policy CC1 requires all development to be designed to be resilient to, and adapt to the future impacts of, climate change.

Neighbourhood Plan Policy RLS2 states that Development proposals are encouraged to adopt higher environmental standards of building design and energy performance, such as the Passivhaus approach or similar. The use of 'Building for Life', or an equivalent assessment framework, should be demonstrated in the justification of proposals.

The majority of these works, including the additional render and changes to the roof materials, do not require planning permission and are therefore not under consideration as part of this application.

The proposed ground floor tile hanging could be carried out under permitted development if the tile is similar in appearance the existing tile hung dormers. However as the material is not specified on the plans it is considered necessary to impose a condition to secure the details of the proposed hanging tile to ensure no harm arises to the streetscene as a result of this development following approval.

It should be noted that the colour shown on the design pack for the proposed tile hanging appears appropriate and it is important to recognise that the entire dwellings could be finished in either render or tile hanging without the need for planning permission and the proposals are more in keeping with the general street scene than this realistic permitted development fall back.

Each of the dwellings will increase in size by roughly 175mm as a result of the improvements to the thermal efficiency of the buildings. This change is not considered to unacceptably harm the street scene.

It is considered that Local Plan Policies BE1 and CC1 and Neighbourhood Plan Policy RLS2 are complied with.

Amenity

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy.

The proposals result in no unacceptable harm to the amenity of neighbouring occupiers.

It is considered that the proposals comply with Local Plan Policy BE3

SUMMARY / CONCLUSION

The proposals do not result in an unacceptable impact on the streetscene, amenity of neighbouring occupiers nor do they unacceptably impact protected species. The

proposals therefore comply with Neighbourhood Plan Policy RLS2 and Local Plan Policies BE1 and BE3. It is recommended planning permission is granted subject to conditions.

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 630_02_P100, 630_02_P101, 630_02_P102, 630_02_P120 & 630_02_P121, and specification contained therein, submitted on 21/12/2021. **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 No development shall be carried out above slab level unless and until samples of the hanging tiles to be used on the dormers and ground floor have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **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 Policy BE1 of the Warwick District Local Plan 2011-2029.

Planning Committee: 01 March 2022 **Item Number:** 8

Application No: W 22 / 0078

Registration Date: 18/01/22
Town/Parish Council: Leamington Spa **Expiry Date:** 15/03/22
Case Officer: George Whitehouse
01926 456553 george.whitehouse@warwickdc.gov.uk

1 Prospect Road, 24 & 26 Prospect Road, 59 Alexandra Road, Leamington Spa

Multi-dwelling application for whole-house retrofit measures to semi-detached dwellings [4 properties] to receive external improvements, including external wall insulation and new surface finishes, roof repairs and insulation, dormer insulation (to one of four properties) and new cladding, new high-performance windows and external doors, and mechanical extract ventilation. FOR Warwick District Council

---

This application is being presented to Committee due to it being submitted by Warwick District Council

RECOMMENDATION

It is recommended that Planning Committee Grant this application for the reasons set out in this report

DETAILS OF THE DEVELOPMENT

Retrofit measures to 4 semi-detached dwellings to receive external improvements, including external wall insulation and new surface finishes, roof repairs and insulation, dormer insulation and new cladding, new high-performance windows and external doors, and mechanical extract ventilation.

THE SITE AND ITS LOCATION

The dwellings subject to this application are identically designed semi-detached dwellings all of which benefit from permitted development rights, one of the properties (59 Alexandra Road) benefits from a first floor side facing dormer.

PLANNING HISTORY

None.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets

- CC1 - Planning for Climate Change Adaptation
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS2 - Housing Design
- RLS4 - Housing Character Outside the Conservation Areas

SUMMARY OF REPRESENTATIONS

WCC Landcape: Requested confimation as to whether vegetation to the front of the dwelling will be protected or removed as part of the proposals. (Removing this vegetation isn't development and doesn't require permission)

ASSESSMENT

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.

Local Plan Policy CC1 requires all development to be designed to be resilient to, and adapt to the future impacts of, climate change.

Neighbourhood Plan Policy RLS2 states that Development proposals are encouraged to adopt higher environmental standards of building design and energy performance, such as the Passivhaus approach or similar. The use of 'Building for Life', or an equivalent assessment framework, should be demonstrated in the justification of proposals.

The majority of these works, including the additional render and changes to the roof materials, do not require planning permission and are therefore not under consideration as part of this application.

The tile hanging in all cases but 59 Alexandra Road requires permission. However, this could be carried out under permitted development if the tile is similar in appearance the existing tiles on the properties. As the material is not specified on the plans it is considered necessary to impose a condition to secure the details of the proposed hanging tile to ensure no harm arises to the streetscene as a result of this development following approval.

It should be noted that the colour shown on the design pack for the proposed tile hanging appears appropriate and it is important to recognise that the entire dwellings could be finished in either render or tile hanging without the need for planning permission and the proposals are more in keeping with the general street scene than this realistic permitted development fall back.

Each of the dwellings will increase in size by roughly 175mm as a result of the improvements to the thermal efficiency of the buildings. This change is not considered to unacceptably harm the street scene.

It is considered that Local Plan Policies BE1 and CC1 and Neighbourhood Plan Policy RLS2 are complied with.

Amenity

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy.

The proposals result in no unacceptable harm to the amenity of neighbouring occupiers.

It is considered that the proposals comply with Local Plan Policy BE3

SUMMARY / CONCLUSION

The proposals do not result in an unacceptable impact on the streetscene, amenity of neighbouring occupiers nor do they unacceptably impact protected species. The proposals therefore comply with Neighbourhood Plan Policy RLS2 and Local Plan Policies BE1 and BE3. It is recommended planning permission is granted subject to conditions.

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 630_02B_P100, 630_02B_P101, 630_02B_P102, 630_02B_P120, 630_02B_P121, 630_02C_P100, 630_02C_P101, 630_02C_P102, 630_02C_P120 & 630_02C_P121, and specification contained therein, submitted on 18/01/2022. **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 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **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 Policy BE1 of the Warwick District Local Plan 2011-2029.