Planning Committee: 29 April 2016 **Item Number:** **7**

Application No: W 15 / 2035

Registration Date: 19/01/16
Town/Parish Council: Leamington Spa **Expiry Date:** 15/03/16
Case Officer: Helena Obremski
01926 456531 Helena.Obremski@warwickdc.gov.uk

10 Claremont Road, Leamington Spa, CV31 3EH
Erection of 2no. single storey side extensions and 1no. single storey rear extension garden room after demolition of existing single storey side extensions
FOR Mr SINGH

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Proposed erection of two single storey side extensions and a single storey rear extension. The scheme originally proposed two two-storey side extensions and a single storey rear extension. The proposal has been amended and significantly reduced in scale following concerns which were raised by the Conservation Officer, the Town Council and local residents in relation to the detrimental impact which the original design would have on the character of the original property, street scene and Conservation Area.

THE SITE AND ITS LOCATION

The application property is a two storey, traditional detached villa, positioned to the south of Claremont Road and is located within the Royal Leamington Spa Conservation Area. The south side of Claremont Road benefits from a row of similarly designed detached villas, all within wide, spacious plots characterise this part of the Conservation Area. Some of the villas have been extended to the side and to the rear with single and two storey extensions.

PLANNING HISTORY

There is no relevant planning history relating to this site.

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)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (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)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (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)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Objection. The Town Council agrees with the Conservation Officer's comments that the proposed extension is too large, will dominate and spoil the distinctive appearance of neighbouring properties in that part of the Conservation Area.

WCC Ecology: No objection. Recommends notes relating to bats and nesting birds as protected species.

Public Response:
15 objections have been received on grounds of:
- Harm to the character of the original dwelling, to the established street scene and the Conservation Area;
- Concern regarding the loss of green space to the front and rear amenity area, which could result in a reduction in habitats for wildlife, and could have implications for surface water run-off;

- Concern regarding adequate parking provision, with the potential to exacerbate on street parking congestion;
- Concern regarding the construction of the proposed development, storage and disposal of materials in the front amenity space as a health risk;
- Concern regarding the proposed use of the dwelling as a House in Multiple Occupation or flats;
- Concern regarding the precedent which the proposed development could set if approved;

3 letters of support have been received on the basis that there would be no impact on neighbours. Request that matching materials are used and that any first floor side facing windows should be obscure glazed.

1 letter of stating no objection has also been received.

Assessment

The main issues in the consideration of this application are:

Design and the impact on the character and appearance of the Conservation Area
Impact on the living conditions of the occupiers of the occupiers of neighbouring properties
Parking
Renewables/ CO^2
Ecology

Design and the impact on the character and appearance of the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 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.

Paragraph 132 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. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Warwick District adopted Local Plan Policy DAP8 requires development to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas. It goes on to state that development should respect the setting of Conservation Areas and should not impact on important views or groups of buildings from inside and outside of the boundary. Emerging Local Plan policy HE2 requires that new development within the Conservation Area should make a positive contribution to the local character and distinctiveness of the Conservation Area. Current Local Plan Policy DAP9 relating to unlisted buildings in Conservation Areas reiterates this by stipulating that

alterations and extensions should be refused where they adversely affect the character, appearance or setting of a Conservation Area.

The Town Council and 15 members of the public objected to the original proposal for the 2 two storey side extensions on grounds that they would dominate the original dwelling, significantly alter its character and appear as an incongruous feature within the street scene. This view was also shared by the Conservation Officer.

Following negotiations with the agent, the proposal has been amended to reduce the 2 two storey side extensions down to single storey with a considerable reduction in bulk.

As amended, the proposed design is considered to sit comfortably as a subservient addition on the property and the original dwelling remains clearly legible. The proposal will not significantly alter the character or scale of the original dwelling. Other similarly designed properties within the street scene benefit from single and two storey extensions and therefore the proposed development would not appear inappropriate within the wider street scene. The Conservation Officer is happy with the amended scheme which is also considered to overcome the Town Council's objection.

The proposed development will be constructed from matching materials to those of the original dwelling which are considered to be appropriate.

The proposed extensions as amended are considered to be subservient to the main dwelling and would not be harmful to the established character of the street scene. The development is considered to be in accordance with the NPPF, Local Plan policies and the Council's adopted Residential Design Guide SPG.

Impact on Neighbouring Residential Amenity

Warwick District adopted Local Plan Policy DP2 and emerging Local Plan Policy BE3 require all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide SPG provides a framework for Policies DP2 and BE3, which stipulate the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

Number 12 is positioned to the eastern boundary of the application site and is of a similarly designed architectural narrative. This property is set on a slightly lower ground level, however, there would be no conflict with the 45 degree line as a result of the proposed development.

Number 8 is positioned to the western boundary of the application site and has been converted into a block of flats. Owing to the nature of the wide plots and the distance between the properties, there would be no conflict with the 45

degree line as a result of the proposed development from the proposed side or rear extensions.

Therefore, it is considered that the proposed extensions would not result in material harm to living conditions that would warrant reason for refusal and the proposal complies with Local Plan policies DP2 and BE3 and the Residential Design Guide SPG.

Parking

15 public objections have been received, some of which raise concern regarding the number of resulting number of bedrooms following the erection of the proposed development and inadequate parking provision. However, the proposal accords with the Council's adopted Vehicle Parking Standards SPD and is therefore considered to be acceptable.

Energy Efficiency/CO^2

The agent has provided a Sustainable Buildings Report detailing that solar panels will be used in order to meet Policy DP13. However, as no drawings have been provided showing the location of the proposed solar panels and the report states that the applicants may wish to use a fabric first approach towards construction methods in order to meet the Council's requirements, it is considered that a condition requiring further details would be necessary.

Ecology

Council Ecology have been consulted regarding this application and assessed the bat survey which was submitted by the agent. Originally they recommended a condition requiring a further bat survey. However, as the proposed development no longer affects the main part of the roof and there appears to be little potential for bats in the single storey extensions to be demolished, they consider that a precautionary bat note is sufficient. A nesting bird note is also required.

Some of the 15 public objections include concern regarding the loss of the green space to the front and rear amenity areas, which could result in a loss of habitats for wildlife. As the applicants can lay down an area of hardstanding to the front amenity space without requiring planning permission (subject to the use of porous materials or drainage systems) and as County Ecology have not raised concern regarding the loss of the green space, the proposal is considered to be acceptable and will not result in material harm to protected species.

No amendments to the driveway have been sought under this application, however, for clarity a note will be added to the application advising that planning permission is required to lay hard standing which is not porous materials or drains to a porous area.

Other Matters

Some of the public objections received raise other matters:

- The construction of the proposed development, storage and disposal of materials in the front amenity space as a health risk: This is not considered to be a material planning consideration and would be dealt with under separate legislation.

- The dwelling potentially to be used as a House in Multiple Occupation or flats: Planning permission would be required to convert the property to a HMO or multiple flats and if such an application was received it would be assessed on its merits.

- Comments that the windows have been changed from traditional timber frames to white uPVC frames and that the external chimneys have been removed without planning permission: The windows in the existing property have been amended from white painted sash window frames to white uPVC window frames under permitted development.

Conclusion

The proposal, as amended, is considered to comply with the relevant Local Plan policies and the NPPF.

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 004 Revision B and 006 Revision D submitted on 8th March 2016 and 007 Revision C submitted on 1st March 2016, and specification contained therein. **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 The development hereby permitted shall not commence unless and until large scale details of the parapet to the front elevation (including details of materials) have been submitted to and approved by the Local 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.

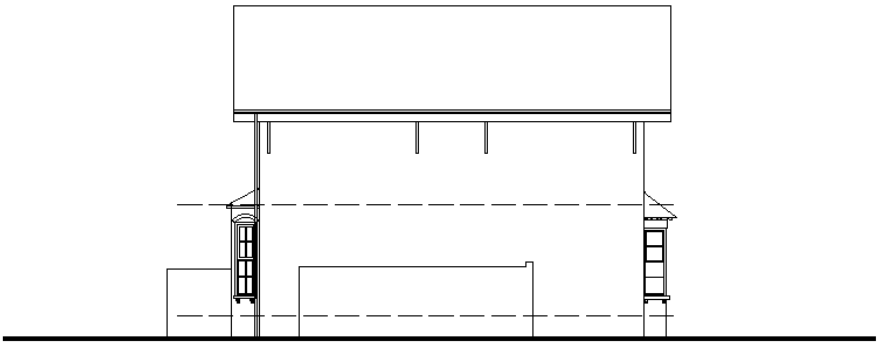
4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy 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.

5 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

6 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 DP1 of the Warwick District Local Plan 1996-2011.

FRONT ELEVATION



SIDE ELEVATION TO No 12

Client
GIAN SINGH

Project
10 CLAREMONT ROAD
LEAMINGTON SPA

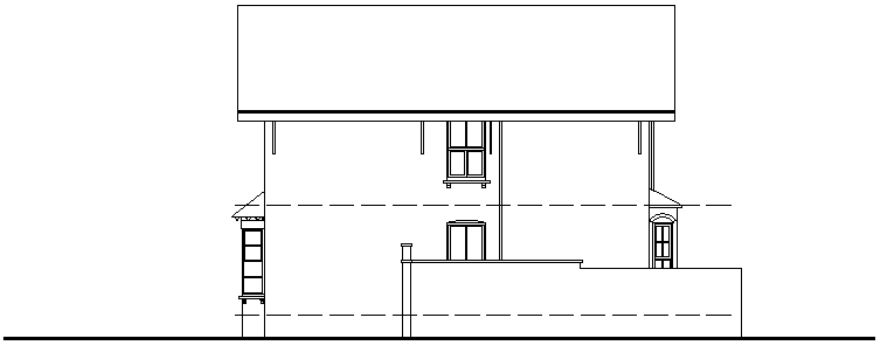
Drawing Title
EXISTING ELEVATIONS 02

Drawn	Checked	Paper Size	Scale	Date
VC	W	A3	1:100	12.10.15

Project no.	Drawing no.	Revision
15046	009	

Cullen associates.
environmental design consultancy
Horton, Rugby Road, Weston under Wetherley
Warwickshire, CV35 9RF
tel 01926 375 505 www.cullen-associates.co.uk

REAR ELEVATION



SIDE ELEVATION TO No 8

Client:
GIAN SINGH

Project:
10 CLAREMONT ROAD
LEAMINGTON SPA

Drawing Title:
EXISTING ELEVATIONS 01

Drawn	Checked	Paper Size	Scale	Date
VC	W	A3	1:100	12.10.15

Project no.	Drawing no.	Revision
15046	002	

Cullen associates.
architectural design management

Horton, Rugby Road, Weston under Wetherley
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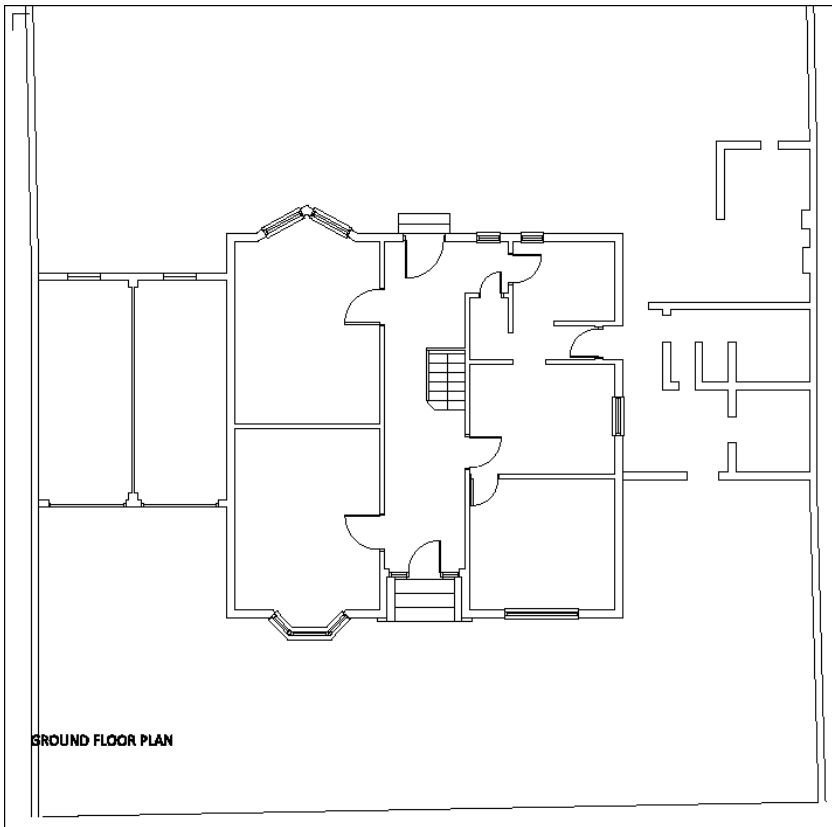
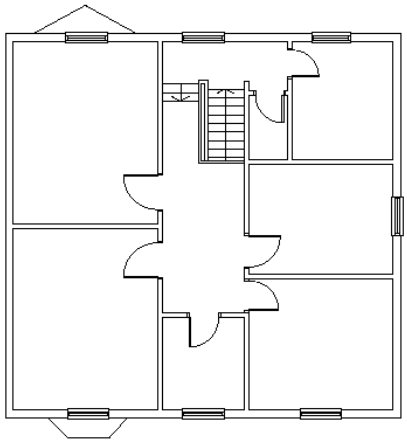
tel 07584 975 585 www.cullen-associates.co.uk



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Client
GIAN SINGH

Project
10 CLAREMONT ROAD
LEAMINGTON SPA

Drawing Title
EXISTING FLOOR PLANS

Drawn	Checked	Paper Size	Scale	Date
VC	W	A3	1:100	12.10.15

Project no.	Drawing no.	Revision
15046	001	

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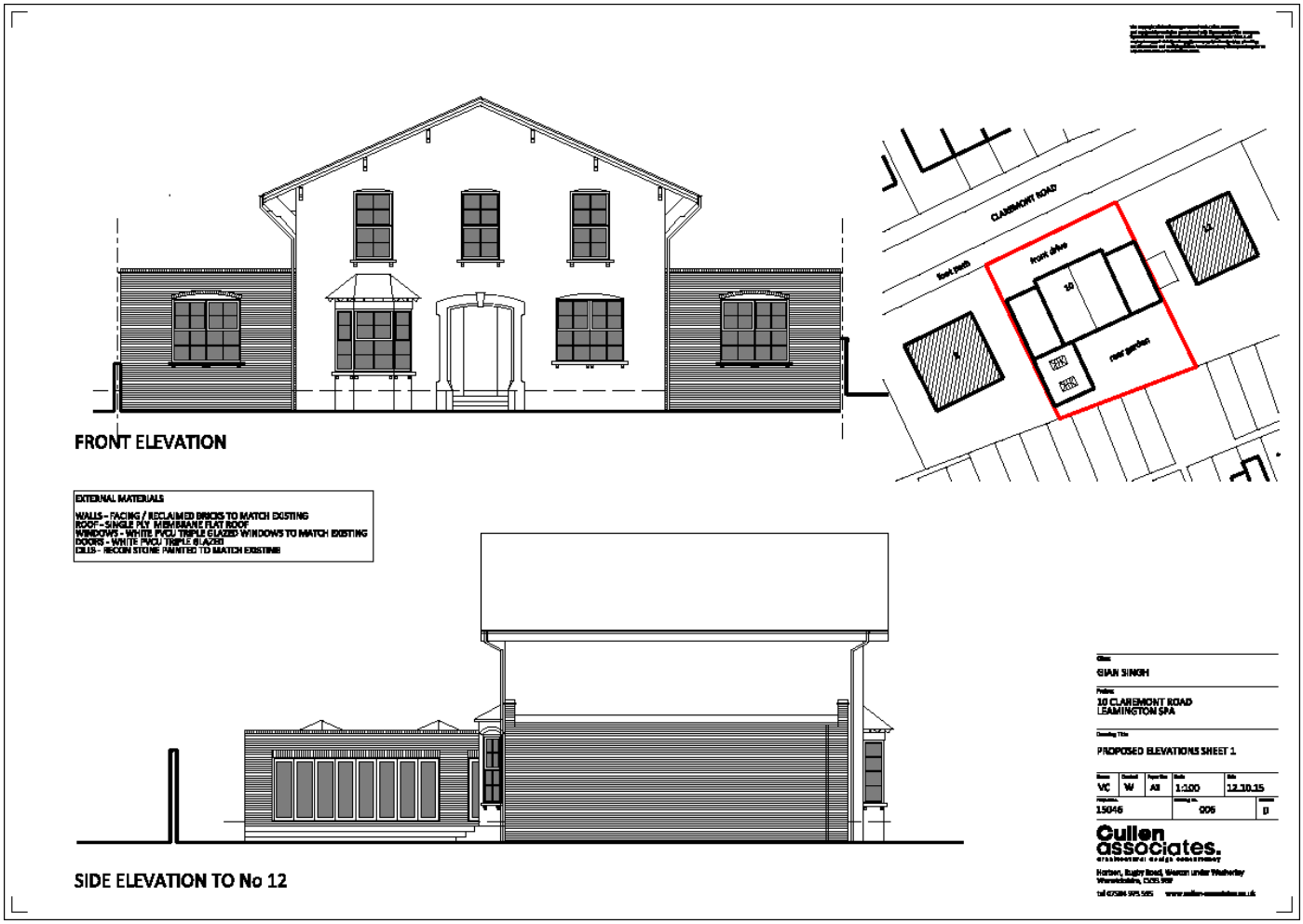
CLAREMONT ROAD
front path
front drive
10
rear garden
12
8
FRONT ELEVATION
EXTERNAL MATERIALS
WALLS - FACING / RECLAIMED BRICKS TO MATCH EXISTING
ROOF - SINGLE PLY MEMBRANE FLAT ROOF
WINDOWS - WHITE PVCU TRIPLE GLAZED WINDOWS TO MATCH EXISTING
DOORS - WHITE PVCU TRIPLE GLAZED
CILLS - RECON STONE PAINTED TO MATCH EXISTING
SIDE ELEVATION TO No 12
SIAN SINGH
10 CLAREMONT ROAD
LEAMINGTON SPA
PROPOSED ELEVATIONS SHEET 1
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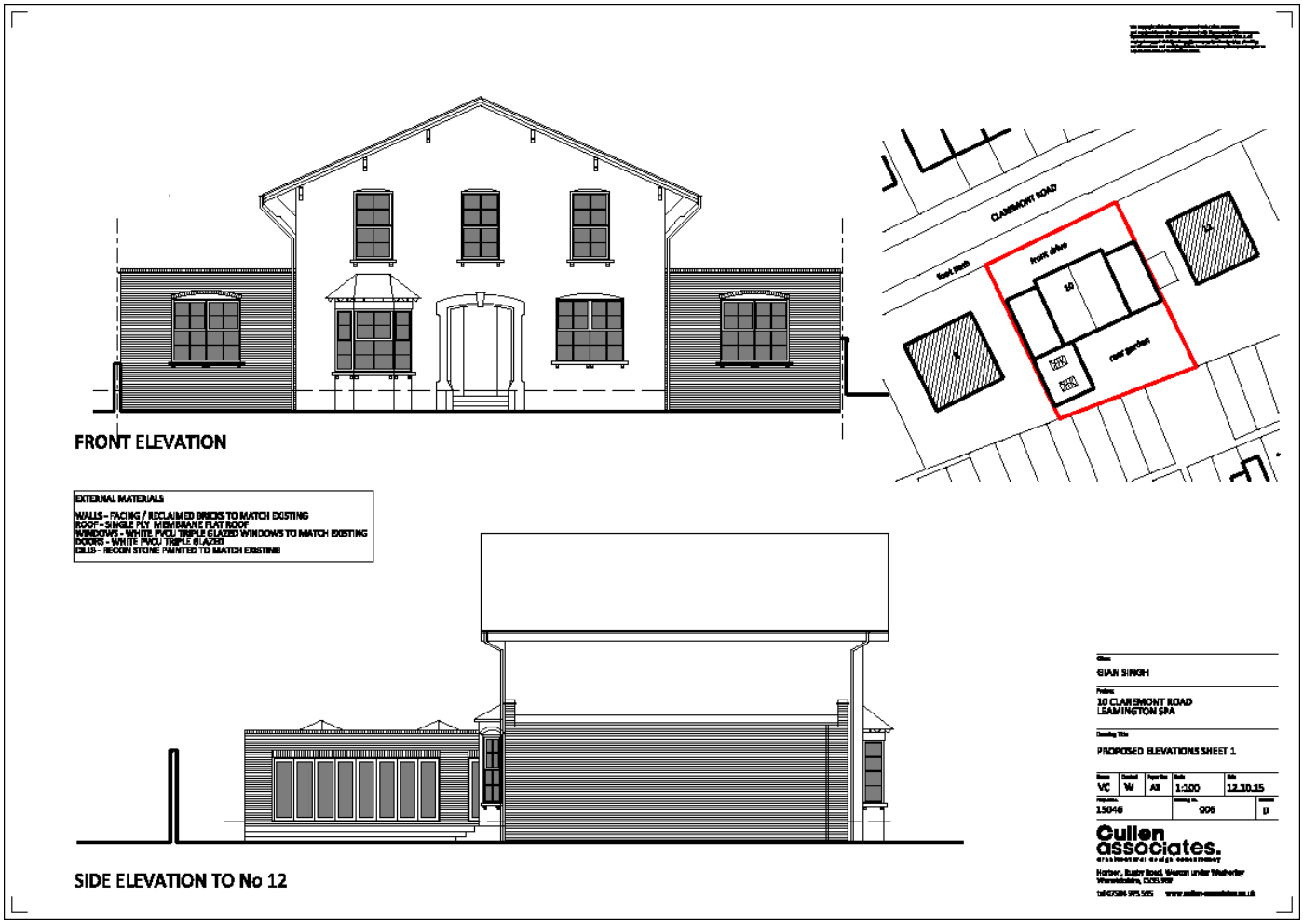
Cullen associates.
Horton, Rugby Road, Weston under Wetherley
Warwickshire, CV35 9RF


CLAREMONT ROAD
front path
front drive
10
rear garden
12
8
FRONT ELEVATION
EXTERNAL MATERIALS
WALLS - FACING / RECLAIMED BRICKS TO MATCH EXISTING
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PROPOSED ELEVATIONS SHEET 1
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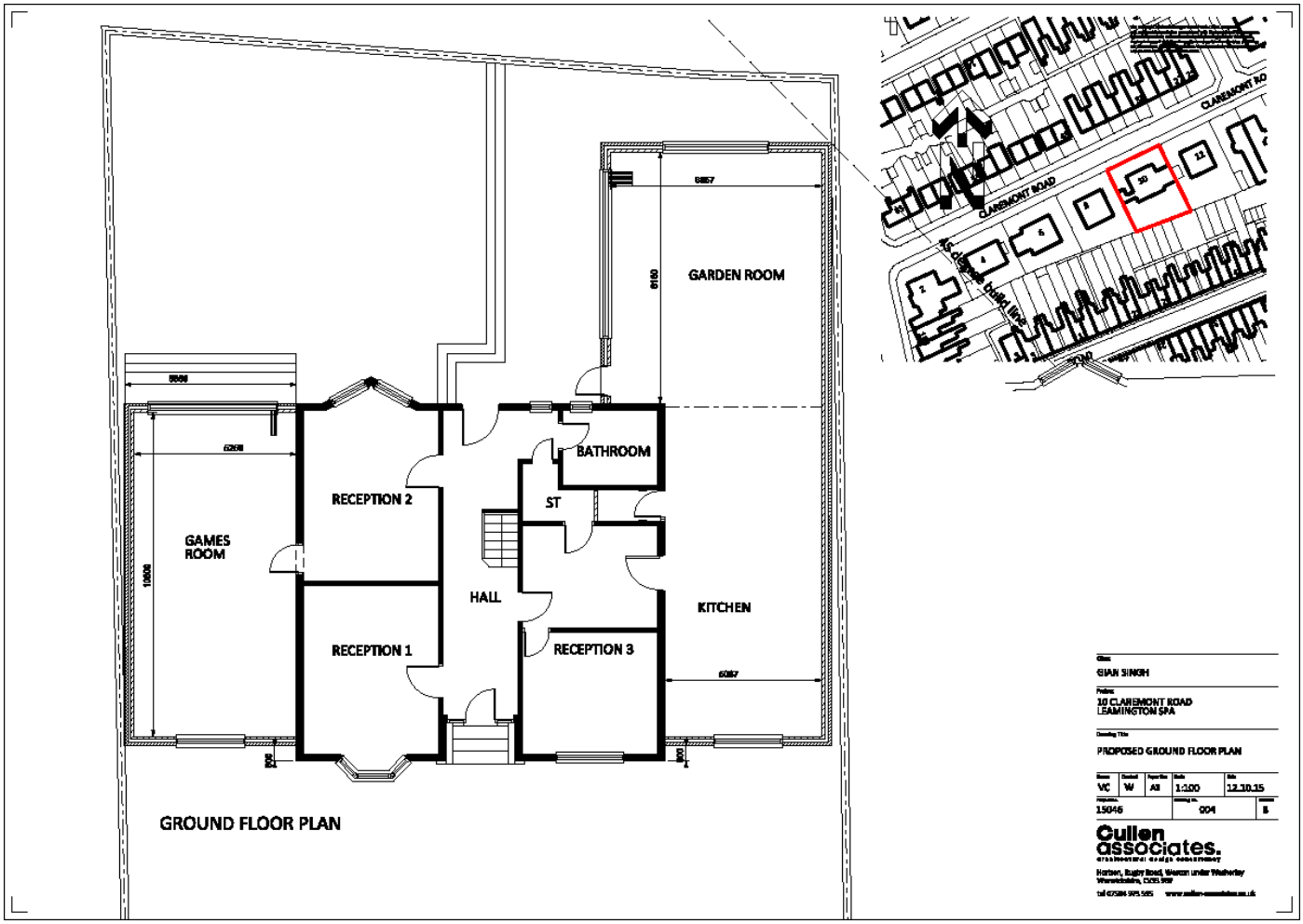
GARDEN ROOM
BATHROOM
ST
RECEPTION 2
GAMES ROOM
HALL
KITCHEN
RECEPTION 1
RECEPTION 3
GROUND FLOOR PLAN
CLAREMONT ROAD
GIAN SINGH
10 CLAREMONT ROAD
LEAMINGTON SPA
PROPOSED GROUND FLOOR PLAN
Cullen associates.