Planning Committee: 22 February 2011 **Item Number:**

Application No: W 11 / 0015

Registration Date: 18/01/11
Town/Parish Council: Leamington Spa **Expiry Date:** 15/03/11
Case Officer: Rob Young
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34 Russell Terrace, Leamington Spa, CV31 1EZ
Construction of front lightwells FOR Mrs A Blakeman

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

SUMMARY OF REPRESENTATIONS

Town Council: Object. The size of the lightwell and the pattern of the grating should conform to the existing lightwells in the street.

Conservation Area Advisory Forum: Part II item, no comment.

WCC (Ecology): Recommend bat notes.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (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)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

PLANNING HISTORY

In 1949 planning permission was granted for a vehicular access (Ref. 2909).

In 2003 a planning application was submitted for "Conversion of basement to habitable rooms, including insertion of windows and construction of a lightwell" (Ref. W03/0160). Concerns were raised about these proposals and the application was subsequently withdrawn.

In 2010 applications for planning permission and conservation area consent were submitted for "Demolition of existing garage and erection of new two storey dwelling and associated parking to the rear" (Refs. W10/0558 & W10/0559CA). Concerns have been raised with the applicant about those proposals, but no decision has been made to date. Those proposals relate to the rear garden of the application property and do not affect the current application for the front lightwells.

KEY ISSUES

The Site and its Location

The application relates to a two storey semi-detached house situated on the southern side of Russell Terrace. The site is situated within a predominantly residential part of the Leamington Spa Conservation Area; the building is not 'Listed'. The application property has a small front garden that is mostly hard-surfaced, with a hedge along the front boundary.

Details of the Development

The application proposes the excavation of front lightwells.

The following amendments have been made to the application:

- top of lightwell finished off with blue bull-nosed brick;
- glazing beads to window chamfered; and
- moulding incorporated on rear of window frames and glazing bars.

The submitted plans also show internal works and works to the rear of the property which do not require planning permission and therefore do not form part of this planning application.

The current proposals differ from the planning application that was withdrawn in 2003 in that the 2003 proposals showed a single large lightwell with the remainder of the front garden sloping down from the edge of the pavement.

Assessment

The main issue relevant to the consideration of this application is the impact on the character and appearance of the Conservation Area.

I note the concerns of the Town Council, but I also note that elsewhere in Russell Terrace there are existing lightwells of a similar size to those that are currently proposed. The proposal shows 3 separate lightwells of limited size, with the majority of the existing front garden retained at the existing level around the new lightwells. The lightwells would be protected by horizontal grilles and these would further limit the visual impact of the proposals. Therefore I am satisfied that the proposals would preserve the character and appearance of the Conservation Area. Amended plans have been submitted which satisfactorily address the detailed design matters raised by the Council's Conservation Architect.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 10/18-03, 10/18-04A & 10/18/05A, and specification contained therein, submitted on 5 January 2011 & 8 February 2011, unless first agreed otherwise in writing by the District Planning Authority. **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 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.

4 All window frames shall be constructed in timber and shall be painted and not stained. **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.

5 The basement accommodation shall not be occupied as a separate flat and shall only be occupied for purposes ancillary to the existing dwellinghouse at 34 Russell Terrace. **REASON** : For the avoidance of doubt, since there is insufficient parking for a separate dwelling, and to help satisfy the objectives of Policies DP1, DP2 and DP8 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. The proposal is therefore considered to comply with the policies listed.