

**Planning Committee:** 22 June 2005

**Item Number:** 27

**Application No:** W 05 / 0565

**Registration Date:** 08/04/2005

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Joanne Fitzsimons

**Expiry Date:** 03/06/2005

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**29 Tachbrook Road, Leamington Spa, CV31 3DW**

Conversion and extension to rear to form six flats together with front lightwell and boundary wall (re-submission of W04/1911) FOR Mr J Sandhu

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**SUMMARY OF REPRESENTATIONS**

Town Council: Object: " The application is considered to represent overdevelopment of the site, resulting in an unsatisfactory standard of amenity for future occupants."

CAAF: Consider the rear wing should be omitted as this would spoil the rear elevation of this unaltered terrace. It was pointed out that very poor accommodation was being provided particularly in the rear wing and basement where one set of accommodation is a lounge/bedroom kitchen. It was felt that the alteration to the building did not enhance or improve the Conservation Area and it would be better to remain as a single dwelling and therefore should be refused.

1 neighbour has written 2 letters objecting on grounds that the rear extension would lead to a loss of light into their kitchen with the first floor extension being out of keeping with the rear of these houses.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The 45 Degree Guideline (Supplementary Planning Guidance)

**PLANNING HISTORY**

There have been several planning applications, converting the property to flats in 1965. In 2004 (reference W04/1911) an application was received to convert the building into 6 flats, incorporating a rear extension and front lightwell. This was subsequently refused under delegated powers on grounds that the extent of the excavation for the lightwell would harm the Conservation Area and the railings would disrupt the rhythm of the terrace.

## **KEY ISSUES**

### **The Site and its Location**

The application site relates to a two storey mid-terrace property within the designated Conservation Area. There is access to the rear of the site via Priory Street where some of these properties have garages. Some of the surrounding properties have been converted into flat accommodation. The front garden is of limited size and capacity and is not clearly distinguished from the footpath.

### **Details of the Development**

The proposal seeks to address the previous reasons for refusal through a reduction in size of the lightwell together with an open grille over. In providing some distinction between the front garden and footpath, it is proposed to build a brick wall measuring 900mm so as to form a sense of defined enclosure.

To the rear, it is proposed to extend the property at first floor level over an existing sloping roof kitchen area. This has been amended to take into account the adjoining neighbour's kitchen window (number 27) and now meets the Council's adopted 45° line.

### **Assessment**

As amended I consider the proposal to meet Local Plan Policies with regards to amenity and whilst I note the objections in relation to harm to the Conservation Area, I am of the view that the reasons for the previous refusal have been overcome, particularly since the lightwell has been significantly reduced in depth from 2.3 metres to 1.55m. The creation of a wall feature at the back of the footpath, in my opinion, enhances the character and appearance of this part of the Conservation Area and will relate to the neighbouring property which also has an enclosed front garden.

With regard to the rear extension, it complies with the 45° line and whilst it may be desirable to retain the rear wing as existing, I do not consider a relatively modest extension measuring 0.85m in depth to be unacceptable and therefore I am of the view that a refusal could not be substantiated.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

### **RECOMMENDATION**

GRANT subject to the following conditions :

- 1    The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2    The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 2848/02E and 2848/03E and specification contained therein, submitted on

6 June 2005, 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 Local Plan Policy ENV3.

- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, rainwater goods and front boundary wall at a scale of 1:5 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 ENV8 of the Warwick District Local Plan.
  - 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
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