

Planning Committee: 20 February 2007

Item Number: 20

Application No: W 07 / 0047

Registration Date: 17/01/07

Town/Parish Council: Leamington Spa

Expiry Date: 14/03/07

Case Officer: Jo Fitzsimons

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Outbuildings rear of, 1 Clapham Street, Leamington Spa, CV31 1JJ

Reinstatement of outbuildings and conversion to ancillary residential accommodation. FOR M Holton

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

SUMMARY OF REPRESENTATIONS

Town Council: Object as the proposal is overlarge resulting in over-development of the site.

WCC Ecology: Recommend a note relating to bats.

British Waterways: No objection.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

PLANNING HISTORY

There have been no relevant planning applications for this site.

KEY ISSUES

The Site and its Location

The site relates to an outbuilding within the curtilage of Number 1 Clapham Street which is outside the Conservation Area. The building is accessed either through the property itself or via a side passageway leading from Clapham Street. The building comprises of brick and timber boarding and has existing door and window openings.

Details of the Development

The proposal seeks to change its use which is believed to be connected with an old bakery into residential use, ancillary to the main house together with its refurbishment, as it is in some need of repair works. The building comprises of a ground floor with a first floor over part. The works will create a bedroom/bathroom at first floor, with a kitchen/lounge at ground floor.

Assessment

I consider the main issues relating to the proposal to be the principle of the use and its impact on the amenities of neighbouring residents.

Local Plan Policy

I am satisfied that in principle, the use of the outbuilding for ancillary domestic use connected with the main house is acceptable in policy terms as it will not create a separate residential unit; I am of the opinion that it would be appropriate to attach a condition to ensure that its use is not separate from number 1 Clapham Street.

Impact on neighbours

Whilst I note the objection raised by the Town Council, in this instance I do not consider the proposal to be overlarge resulting in overdevelopment of the site as the building already exists, and the application simply seeks to refurbish and repair it. With regards to the impact on neighbours, I am of the opinion that there would be no increased harm by reason of unacceptable overlooking; this site and properties in both Clapham Street and Clapham Terrace are already overlooked due to the closeness of their layout. I am also of the opinion that due to the orientation of the first floor window in relation to the backs of properties in Clapham Street and Clapham Terrace that there would be only oblique views into these gardens and as such I do not consider the proposed use of this outbuilding to warrant a refusal of permission.

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 numbers 1, 2, 3, 4 and 5 and specification contained therein, submitted on 15 January 2007 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 Notwithstanding the details in respect of the first floor arch window shown on the submitted plans, no development shall be carried out on the site which is the subject of this permission, until details of the obscure glazing 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 protect the amenities of nearby residents and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995.
- 4 This permission authorises the use of the outbuilding for ancillary accommodation to the property known as 1 Clapham Street, Leamington Spa and shall not be construed as permitting its use as a separate dwelling unit. **REASON** : The use of this outbuilding for a separate residential unit would not meet one of the criteria set out within the Council's supplementary planning document: "Managing Housing Supply". This policy seeks to limit the over-provision of new homes in the District in accordance with policies CF3 and CF6 in the Regional Spatial Strategy, policy H.1 in the Warwickshire Structure Plan and policies UAP1 and SC8a in the Warwick District Local Plan (Revised Deposit Version). A separate residential unit would, therefore be contrary to the aforementioned policies.

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 proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal is therefore considered to comply with the policies listed.