

Application No:W12 / 1218

Town/Parish Council: Leamington Spa
Case Officer: David Edmonds

Registration Date:17/12/12
Expiry Date:11/02/13

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Eversleigh Nursing Home, 2-4 Clarendon Place, Leamington Spa

Construction of a new access lift from the front entrance, a rear glazed link and a replacement workshop in the rear of the garden with the removal of existing brick outbuilding shed and two small trees. FOR MrsKandola

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to the conditions listed

DETAILS OF THE DEVELOPMENT

The proposed development has the following components:

New lift shaft. This would be constructed in a recessed position set within the gap between the original detached properties in front of the existing recessed link. The lift shaft would have a pitched roof, the apex of which would be 0.3 metres higher than the current two storey link. This would replace the existing external platform lift.

Ground floor front entrance lobby: This would also be positioned in the gap between the two original detached houses but broadly on the alignment of the main front elevations. It would have a concealed flat roof with a lantern behind a parapet wall 3.8 metres high. It is similar to an entrance for the disabled given planning permission in 2008 (application W08/0722). Both lift shaft and entrance are to be constructed of facing bricks.

Glazed link between the existing rear projecting wings: This would be 7 metres high and 2.3 metres wide and 2.5 metres deep but recessed a minimum of 3.3 metres from the rearward extent of the wings. It would provide a weather proof connection between these rear wings.

Demolition of external store/ workshop building and timber shed & construction of single storey building. The purpose of this is said to be that the positioning of these buildings in a narrow rear garden restricts the use by the residents. The new building would be 9.2 metres wide x 3.2 metres deep and with a ridged roof 3.5 metres high and would be positioned close to its northern garden boundary. An existing small/ medium tree would be removed. The idea behind this is to make an better shaped garden not subdivided by outbuildings buildings.

THE SITE AND ITS LOCATION

The application property fronts the west side of a service road running parallel with the west side of Clarendon Place. The application site backs onto a site which fronts Upper Grove Street and is close to the junction of Clarendon Place

and Beauchamp Hill. It comprises two substantial double fronted villas with main entrance doors accessed by steps. They are unlisted buildings in the Leamington Spa Conservation Area.

PLANNING HISTORY:

The link block between this long established nursing home was constructed in the early 1990's and a new external wheel chair lift was granted permission in 2000 (reference W2000/0060) Planning permissions were granted in 2008 and 2009 for the creations of a disabled entrance and new access lift (applications W08/0722 and W09/1070) neither of which appear to have been implemented. These were to have been of similar proportions but which had an understated door entrance which did not compete with the features of the two main doors of the each original house.

RELEVANT POLICIES

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- TCP10 - Protecting the Residential Role of Town Centres (Warwick District Local Plan 1996 - 2011)
- DAP6 - Upper Floors within Listed Buildings and Conservation Areas (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)

SUMMARY OF REPRESENTATIONS

Leamington Town Council: No objections

Warwickshire County Council Ecology Unit: A pre-determinative bat survey is not required. Although the outbuilding has a tiled roof it is a single storey structure in urban Leamington Spa. Connectivity to areas that may be attractive to foraging bats are poor and the likelihood of bats being impacted is low. Therefore, bat and bird breeding informatives would suffice should planning permission be granted.

Representations of interested parties: There have been 8 letters of objection all from 'Kent House', no. 6 Clarendon Place, Leamington Spa. The main point of all the objections which appear to be from a student house, is the likelihood of construction noise and competition for parking spaces with construction workers which may take place between the months of April and June, inclusive and would interrupt the studies of the student occupants at a crucial time in their education. Construction works which took place in the autumn of 2012 already have caused noise and disruption. There are no objections to construction works taking place outside this period.

ASSESSMENT

The main issues are whether the proposed development represents good design which does not cause unacceptable harm to the character and appearance of the area, including the loss of a tree in the rear garden; and whether it would result in unacceptable harm to the living conditions of the occupants of neighbouring properties.

Issue 1: Whether it is good design which does not cause unacceptable harm to the character and appearance of the conservation area.

The principle of a new larger link to accommodate a lift shaft and entrance to the front of the existing link building was accepted by the previous planning permission W08/0722. It considered that the design now proposed would still be subordinate in scale, appearance and have a similar alignment to the previously approved scheme such that it would not significantly harm either the design/appearance of these buildings or that of the wider Conservation Area. .

To the rear, the contemporary design of a glazed link would be 'set back' between the existing rear wings of the nursing home and as such would disguise the fact that the original villas linked. Whilst it would be of contrasting appearance, the introduction of a modern architectural element in this recessed location would be acceptable.

However, it is important to control large scale detailing and minor adjustments to the design particularly of the pitched roof to the rear glazed link by planning conditions on any permission granted

The outbuildings to be demolished are no particular merit, particularly in wider the street scene. The loss of the tree to make way for the proposed replacement outbuilding is regrettable since it softens the service elements of the rear elevations and can be clearly seen from Upper Grove Street. However, it is not a specimen tree of such significant merit such that it would not be worth preserving by issuing a tree preservation order. Also, in view of its close proximity to the adjacent villa in time it could potentially cause future problems such as loss of light. The replacement building itself is of a modest scale and scale and appearance which would not compete visually with the views of the rear elevations of the villas from Upper Grove Street and Beauchamp Hill.

Issue 2: Effect on Living conditions:

There is little or no effect on neighbouring properties in respect of the main component parts of effect on living conditions which include loss of light and outlook, loss of privacy and noise and disturbance of the finished development.

The only objections relate to the noise/ disturbance during construction. The focus is related to the likely late spring timing of the construction works and particularly fears that it would commence in 2013, so as to disturb the current occupants during their examinations.

The only recent appeal decision which covered the issue of whether constructional noise would be unacceptable was that of a proposed underground swimming pool at no. 11 Mill Street, Warwick (reference W09/1117). This case would have involved digging up a whole garden and constructing an underground swimming pool and putting the garden back on top that. Even with this extremity of constructional noise dust and vibration over a prolonged period it was found that since its impact would not be permanent and other legislation exists to deal with such problems, it was not an additional reason for dismissal of the appeal.

In this context and in conclusion on this issue it is not considered that the constructional noise and timing would be exceptional enough to refuse permission or to control it by planning conditions.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the development would represent good design and would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not cause unacceptable harm to the living conditions of the occupants of nearby residential properties. The proposal is therefore considered to comply with the policies listed.

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) 09;04:13, 09:04:12, 09:04:08, 09:04;10 and specification contained therein dated 28th September 2012, except where modified by the following conditions. **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 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows and roof of the lift shaft (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods 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,
- 4 Notwithstanding the details of the approved plans modified plans shall be submitted of the rear glazed link to show the pitched roof of the stairwell sloping away from the buildings rather than into the lightwell and its relationship with existing first floor bedroom windows
REASON: In the interests of visual amenity and the living conditions of occupants.
