

**Planning Committee:**22 May 2013

**Item Number: 11**

**Application No:**W13 / 0344LB

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Rob Young

**Registration Date:**05/04/13

**Expiry Date:**31/05/13

01926 456535rob.young@warwickdc.gov.uk

**9 Binswood Avenue, Leamington Spa, CV32 5SE**

Erection of rear single storey lower ground floor extension; conversion of front coal storage chamber into a bedroom; and internal alterations including the removal of existing walls/doors and the insertion of new walls/doors. FOR Mr & MrsCarter

-----

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

**RECOMMENDATION**

Planning Committee are recommended to GRANT listed building consent, subject to conditions.

**DETAILS OF THE DEVELOPMENT**

The application proposes the erection of a single storey lower ground floor rear extension; conversion of the front coal storage chamber into a bedroom; and internal alterations including the removal of existing walls/doors and the insertion of new walls/doors.

The following amendments have been made to the application:

- rear extension reduced in length by 1m;
- design of rear extension amended to include a brick section to correspond with the width of the original rear wing;
- a lining has been added to the opening between the living room and study, to match the architraves around the doors;
- the layout of the front garden has been amended to include areas of planting and plinth stone around the edge to match neighbouring frontages;
- the rooflight over the front cellar has been reduced in size and changed to a glass brick rooflight;
- one of the vaulted ceilings in the front cellar is proposed to be retained; and
- the correct profile has been shown for the existing boundary wall.

**THE SITE AND ITS LOCATION**

The application relates to a four storey (including basement) Grade II Listed Building situated on the northern side of Binswood Avenue. The application property is situated within a terrace of similar dwellings located within the

Leamington Spa Conservation Area. The property has not been extended previously and retains the original vaulted coal cellars under the front garden. The front garden is currently hard surfaced. Lillington Avenue runs along the rear boundary of the site. The boundary with Lillington Avenue is currently defined by a brick wall incorporating a pedestrian access gate. A number of the other properties in this terrace include two storey coach houses fronting onto Lillington Avenue, including the properties to either side of the application site.

## **PLANNING HISTORY**

In 1988 planning permission was granted for "Insertion of a door and window at basement level and internal alterations to provide a kitchen/dining room" (Ref. W88/0802).

## **RELEVANT POLICIES**

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework

## **SUMMARY OF REPRESENTATIONS**

**Town Council:** Object. The extent of the proposed works on this Listed Building are out of character with the surrounding properties.

**Public response:** Four neighbours (two of which are different occupants of the same property) have objected on the following grounds:

- concerns that the basement and / or coach house may be used as a separate dwelling;
- detrimental to the character and appearance of the Listed Building and the Conservation Area;
- adverse impact on the front garden - the rooflight above the coal cellar will be unsightly;
- the conversion of the front coal cellars will set an undesirable precedent for other houses in this terrace;
- loss of privacy due to windows in the rear elevation of coach house facing the rear of neighbouring dwellings;
- the materials are not appropriate for this location;
- loss of light;
- additional noise and disturbance;
- existing neighbouring coach houses have trees which partially shield them from neighbouring dwellings, but the current proposals do not;
- the existing coach house at No. 7 is much lower and less conspicuous than the proposed coach house at No. 9;
- solar PV panels would not be appropriate on the roof of the coach house;

- lantern lights are not in keeping with the character of the terrace;
- the garden wall between No. 9 and No. 11 is shown incorrectly on the plans;
- the garden wall between No. 9 and No. 11 would have to be increased in height to screen the extension, causing loss of light; and
- light pollution from the lantern lights.

**Conservation Advisory Forum:** Discussion took place regarding the front basement and the garden should be reinstated. Concern was raised over the rear extension and the effect it would have on the important rear elevation of the property – would the lantern rooflights obscure views of the main windows or would the new garage obscure the views anyway? It was generally felt that it was inappropriate to leave a quality property with such a small garden. Request confirmation that Building Control would ensure that the basement was habitable.

## **ASSESSMENT**

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

There have been a number of amendments to the scheme to address concerns about the impact on the character and appearance of the Listed Building and the Conservation Area. Whilst these amendments have not addressed all of the concerns of the Town Council, Conservation Advisory Forum and neighbours, it is considered that the amendments are sufficient to ensure that the proposals preserve the character and appearance of the Listed Building and the Conservation Area.

The vaulted ceiling is now proposed to be retained in one of the front cellar chambers and the alterations to the front garden layout will reduce the visual impact of this part of the development. Therefore this part of the development will retain a reference to the original layout of the building and will not have a significant visual impact. Consequently the alterations to the front coal cellar will not harm the Listed Building or the Conservation Area.

The other proposed internal alterations will not have a significant impact on any important historic features. The new opening between the study and the lounge at ground floor level will be limited to the width of a pair of double doors. More extensive wall removal is proposed at basement level, but this is considered to be appropriate for this level of the building and will not impact on any important historic features.

The amendments to the design of the rear extension will ensure that this respects the character and appearance of the building. This has been reduced in size and now includes a brick section to correspond with the width of the original rear wing. Being situated at basement level, the amended design and materials are considered to be appropriate.

As this is an application for listed building consent, this assessment only deals with the elements of the scheme that require listed building consent and the

impact on the character and appearance of the Listed Building and the Conservation Area. Other issues raised by objectors are covered in the assessment of the associated planning application.

### **SUMMARY/CONCLUSION**

The proposals would have an acceptable impact on the character and appearance of the Listed Building and the Conservation Area.

### **CONDITIONS**

- 1 The works hereby permitted shall begin not later than three years from the date of this consent. **REASON:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 12.195/003d, 12.195/004b, 12.195/005d & 12.195/006e, and specification contained therein, submitted on 18 March 2013 & 10 May 2013. **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 (including a section showing the window reveal, heads and cill details), eaves, verges, fascias, rooflights, the lantern light 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, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 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 DP1 of the Warwick District Local Plan 1996-2011.
- 5 No development shall commence until details of the treatment of the ceiling to the converted front cellar (to include the retention of one of the vaulted ceilings) have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in strict accordance with the approved details. **REASON :** To protect the character and appearance of this Listed Building, in accordance with

Policy DAP4 of the Warwick District Local Plan.

- 6 All rainwater goods for the development hereby permitted shall be metal. **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.
  - 7 All window and door frames and all doors 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.
-