

Planning Committee: 18 March 2014

Item Number: **6**

Application No: W 13 / 1787

Town/Parish Council: Leamington Spa

Registration Date: 14/01/14

Case Officer: David Edmonds

Expiry Date: 11/03/14

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12 Augusta Place, Leamington Spa, CV32 5EL

Application under Section 73 for a minor material amendment in variation of condition 2 of planning permission W13/0239 to replace approved drawings 835-07d & 08d with drawings 835- 16 & 17. The minor material changes include the raising of side extension roof (eaves and ridge), increase of depth of side and rear extension and omission of vertical glazing bars in sash windows, brick work external finish to rear, and front facing french doors to match adjacent building.

FOR Mr O'Sullivan

This application is being presented to Committee due to the number of objections received, the Town Council objection and Councillor Weber requesting it be considered by Planning Committee in the event that it is recommended for approval.

RECOMMENDATION

Planning Committee are recommended to grant permission subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

This application relates to various amendments to the previous grant of planning permission W13/0239 which was determined by Planning Committee on 22nd May 2012.

It is partly retrospective, and proposes amendments to the approved scheme including changes which are already being implemented during the course of construction. The proposed changes can be summarised as follows:

- The increased height of the 2 storey side extension in order to retain the first floor level within the extension.
- The front eaves would be 0.9 rather than 1.6 metres lower than the eaves of the original building.
- The ridge would be 0.3 rather than 1.1 metres below the ridge of the original building although the ridge would be set back by 1.25 metres resulting in the rear roof plane being 0.4 metres higher than approved.
- The height of the side and rear extension sash windows have been increased from 1.65 to 1.8 metres

- The external rear finish to the side extension has been revised from the proposed painted render to brick walls which have been constructed.

THE SITE AND ITS LOCATION

The Willoughby public house is an unlisted building which is situated on the western side of Augusta Place, a street with a variety of uses set within the Leamington Spa Conservation Area. It is a traditional three storey building with modern side and rear extensions including residential accommodation. The building is a mid 19th century property, probably built as a public house. The interior has been significantly altered and a contemporary extension was added about 10 years ago.

The residential properties fronting the east side of Portland Place lie to the rear of the site separated by a narrow rear lane. The separation distance between the directly facing rear elevations is 26 metres.

PLANNING HISTORY

In May 2013 planning permission was granted for the change of use and extension of the building to provide a 16 bed house in multiple occupation.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- National Planning Policy Framework
- 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)
- DAP10 - Control of Advertisement Hoardings (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Leamington Town Council: The significant changes to the previous planning permission are unacceptable in the conservation area.

Councillor Jerry Weber: Requests that if the application is recommended for approval, it be determined by Planning Committee because it does not preserve or enhance the street scene and causes harm to the outlook for residents of Portland Street due to the increasingly dominant height and massing of the changes.

Environmental Sustainability: No adverse comments

Development Group Warwickshire County Council (Highways): No objection subject to the previously imposed highway condition.

Interested parties. There are various objections from 6 local residents. The common theme is that the scale of differences exceeds what could be described as a minor material amendment and rather involve a different development for which full planning permissions is required. The relevant substantive comments can be summarised as follows:

- The approved elevation plan shows a clear step down between the height of the side extension and the main building. The current proposals involve the retention of the side extension with a much reduced step down.
- It is disputed that this is caused by a desire to retain the first floor height of the original side extension because the approved scheme accepted a difference in height.
- The increased height and bulk of the rear gable is of poor design in that it would lead to the blocking up of one of the original rear windows
- The rear elevation of the side extension is higher than the rear roof plane of the original building and significantly higher than the building to the south harming the outlook of the residents of Portland Street and the setting of listed buildings in Portland Street.
- The concrete lintels in the ground floor rear wing look crude compared with the arched brick lintels in the approved drawings.
- It does not accord with the need to preserve or enhance the character and appearance of the conservation area.
- The sash windows are not constructed with a vertical glazing bar and do not match the original windows.
- The scale of the building to the south has been indicated as being larger in the current application than the previous application.
- A grant of permission would not accord with the Planning Inspectorate appeal decisions in respect of 18 August Place and 37 Regent Street.

ASSESSMENT

The current application gives rise to the following main issues:

- Whether the amended proposals constitute good design and the effect on the character and appearance of the unlisted building and the conservation area relative to the approved scheme.
- The affect of the amended proposals on the living conditions of the occupants of residential properties in the vicinity of the site.

Issue 1: Design Character and Appearance:

The increase in the height and massing inherent with the revised design of the side extension reduces the degree of set down previously proposed. However the revised set back of 1.4 metres is nevertheless considered to be generous such that the overall effect on the street scene is one of the extension remaining subordinate to the main elevation of the original building albeit to a reduced degree. Given the varying sizes and staggered alignment of buildings in the street scene and mixed nature of uses typical of this area on the fringe of the town centre, this proposed change is considered to be acceptable as a minor material amendment.

The increase in the scale of extensions to the rear of the buildings gives the impression that the side extension is slightly larger than the rear of the main part of the original building. However the generous set back of the extension leading to a staggered alignment of the rear roof plane would ensure that it appears subordinate and acceptable in design terms.

The alterations in window type leading to a more simple design is one which is often seen on extensions to properties of this period and arguably assists in enabling the extension to appear visually subordinate to the main part of the original building. The incorporation of brick arches to the rear elevation windows assists in the integration of the building and accords with the facing brick work.

The concrete rather than arched lintels on the single storey rear extension wing being less prominent in visual terms are not considered to unacceptably harm the overall appearance of the extended building.

The scheme is therefore considered to be acceptable in design terms and is not considered to materially impact upon the character or appearance of the conservation area.

Issue 2: Living conditions:

The increase in the scale of the rear extension does not result in a reduction in the distance separation between the rear of residential properties fronting Portland Street and the rear of the application property as permitted to be extended. Whilst the revisions result in a marginally revised outlook from adjacent properties, there is not considered to be any material increase in any impact on the residential amenities of those properties arising from the revisions to the scheme the subject of this application.

SUMMARY/CONCLUSION

In conclusion the changes are acceptable in design terms; do not unacceptably harm the character and appearance of the unlisted building and the conservation area; or materially change the living conditions of neighbouring occupants such that planning permission should be granted.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of the planning permission W/13/0239 i.e. 23/5/16. **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) 835-01, 835-02b and the photomontage of the aluminium bike shelter, dated 26th February 2013; approved drawing no 835-09 dated on 19th April 2013; approved drawing no.s 835-16 and 835-17 dated 14 January 2014 and specification contained therein except where amended by the condition 3 which requires the construction of the noise baffle. **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 The proposed bedroom no's 13, 14, 15, 16 and 7 shall not be occupied unless or until the proposed stepped curtain wall to provide sound attenuation to the existing extraction flue at the no 16 Augusta Place has been substantially completed in accordance with the extracts of the ground floor, south and west elevations plans submitted with the e-mail from Richard Noonan dated 09/05/13. **Reason:** To ensure that the living conditions of the future occupants are acceptable.
- 4 No facing and roofing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing building. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not be occupied unless or until a Traffic Regulation Order has been made by the Highway Authority to remove the application property from the existing Traffic Regulation Order thereby securing the removal of the rights of the applicant/ future owner/ tenants of the application property to apply for residents parking permits. **REASON:** To ensure the proposed development does not result in an increase in on-street parking pressure in an area with already high demand to the detriment of highway safety and residential amenity in accordance with Policies DP8, DP2 and the Vehicle Parking Standards

SPD of the Warwick District Local Plan 1996-2011.

- 6 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 7 Within 1 month of the date of this decision large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 shall 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 a high standard of design and appearance for this Listed Building, and in this conservation area and to satisfy Policy DAP4 and DAP 8 of the Warwick District Local Plan 1996-2011.
- 8 All window and door frames shall be constructed in timber and shall be painted and not stained. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011 / 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.
- 9 The mitigation measures specified in the Environmental Noise Assessment report submitted by noise.co.uk dated 19th April 2013 shall be fully implemented before the use hereby permitted is brought into use. **Reason:** To ensure that future occupants of the proposed bedrooms have acceptable living condition in accordance with Warwick District Local Plan policy DP2.
- 10 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application prepared by J.E. Turner has been wholly implemented in strict accordance with the approved details including the installation of the proposed solar panels on the west elevation shown on plan 835-08,

Rev C. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.



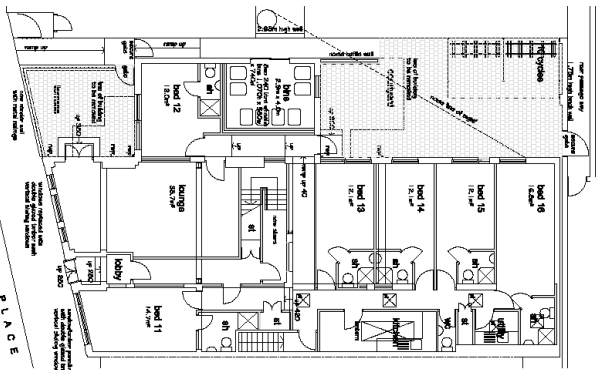
client : Mr O'Sullivan

project : HIMO - The Willoughby

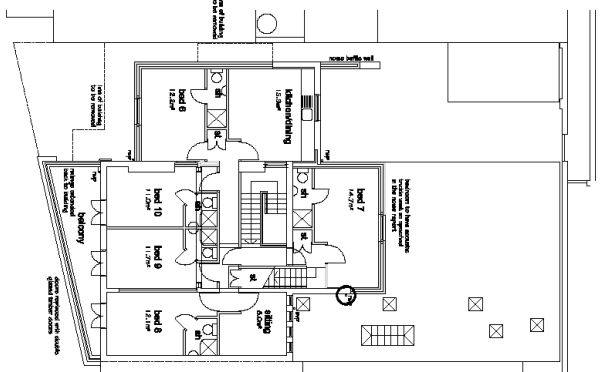
12 Augusta Place, Leamington Spa, CV32 5EL

title : Location Plan 1:1250

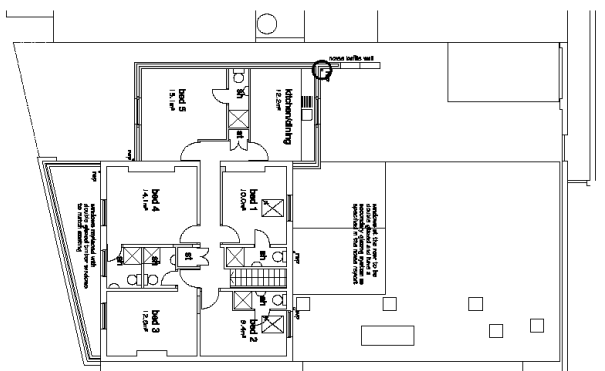
835 - 01



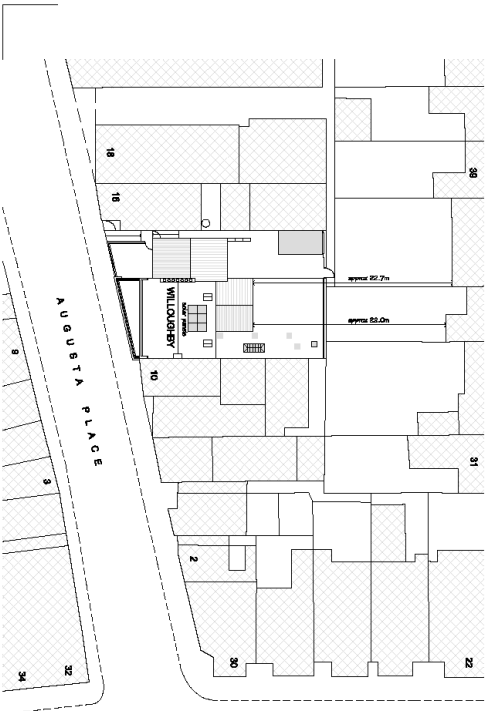
GROUND FLOOR PLAN 1:100



FIRST FLOOR PLAN 1:100



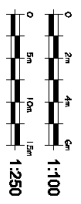
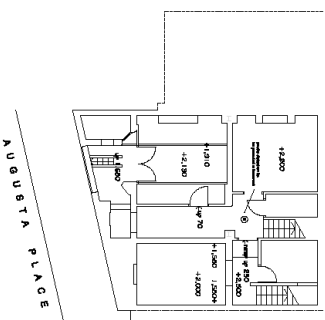
SECOND FLOOR PLAN 1:100



BLOCK PLAN 1:250

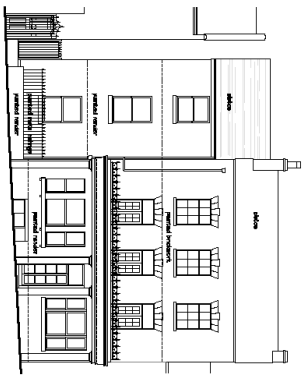
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BASEMENT PLAN 1:100

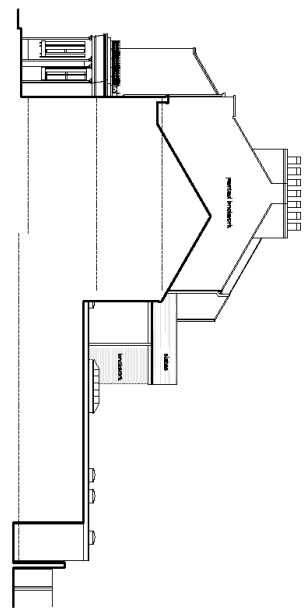


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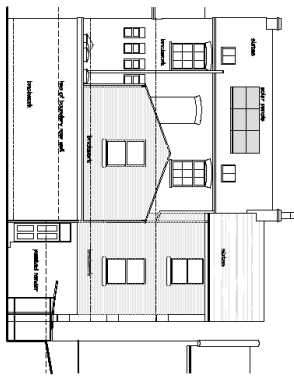
DRAWN BY: **Richard Nugent**
 CHECKED BY: **Richard Nugent**
 DATE: **17/08/2017**
 PROJECT: **Mr O'Sullivan**
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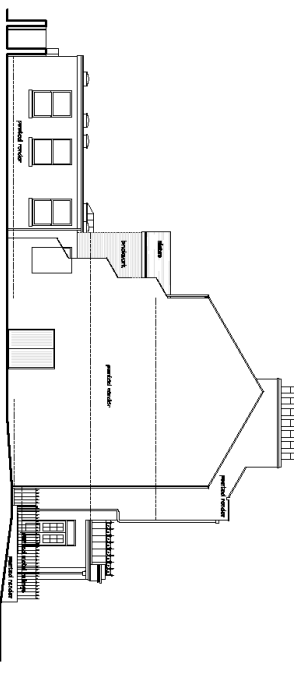
EAST ELEVATION - AUGUSTA PLACE



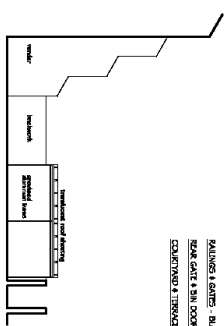
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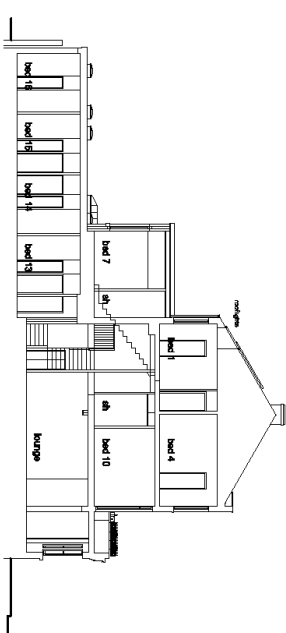
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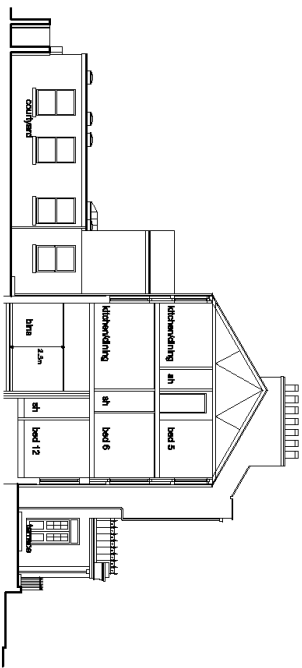
SOUTH ELEVATION



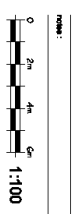
CYCLE RACK



SECTION A



SECTION B



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 - THE DRAWING SHALL BE APPROVED BY THE ARCHITECT.
 - DO NOT SCALE.

MATERIALS:

- EXTERIOR ROOF - METAL SHEET.
- EXTERIOR WALLS - BRICK WITH RENDER.
- EXTERIOR FLOORING - TO BE CONSIDERATION THE ARCHITECT'S DISCRETION. TO BE Laid AS AT FOOT OF WALLS OR SHOWN WITH THE DRAWING.
- EXTERIOR - WHITE PAINTED ALUMINUM FINISH.
- GABLE ROOF - TRANSLUCENT ALUMINUM FINISH.
- BALCONY FLOORING - PAINTED BLACK WPC.
- WALLS SIDE EXTENSION - PAINTED RENDER & BRICKWORK.
- WALLS SIDE EXTENSION - FINISH BRICKWORK.
- WALLS SIDE EXTENSION - FINISH BRICKWORK.
- WINDOW & DOOR - PAINTED WOOD.
- TO BE CONSIDERATION THE ARCHITECT'S DISCRETION TO BE Laid AS AT FOOT OF WALLS OR SHOWN WITH THE DRAWING.
- EXTERIOR - WHITE PAINTED ALUMINUM FINISH.
- EXTERIOR - WHITE PAINTED ALUMINUM FINISH.
- ROOF GABLE END ROOF - VERGICAL UNDER ROOFING.
- EXTERIOR WALLS - FINISH BRICKWORK.

client: **Mr O'Sullivan**
 project: **HMCo - The Willoughby**
12 Augusta Place
Leamington Spa CV32 5EL
 Elevations & Sections
 date: 11/10
 drawn: BN
 checked: Richard Hooper
 approved: Andrew Chalkley
 scale: 1:100
 date: December 2015
 name: HMCo
 address: Leamington Spa
 contact: 01923
 phone: **835 - 17**
 email: info@hmcocv.com
 website: www.hmcocv.com

