

Planning Committee: 16 August 2011

Item Number:

Application No: W 11 / 0180 LB

Town/Parish Council: Leamington Spa

Registration Date: 09/02/11

Case Officer:

Rob Young

Expiry Date: 06/04/11

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The Commonwealth Club, 3 Church Street, Leamington Spa, CV31 1EG

Conversion, extension and alterations for a change of use of ground and first floors from offices to 3 residential units; alterations to convert existing ancillary second floor flat into a self contained dwelling; demolition of existing single storey rear extension; erection of 2 storey rear extension; and internal alterations including the removal of walls and the installation of new walls. FOR Mr Deshi

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

SUMMARY OF REPRESENTATIONS

ORIGINAL PLANS

Town Council: Object. The extensions are considered insensitive and out of keeping with the proportions of the existing listed building. There is insufficient on site car parking provision

Public response: 7 objections were received, raising the following concerns:

- overdevelopment of the site;
- the scale and mass of the extension is too great and does not respect the Listed Building or surrounding buildings;
- detrimental to the character and appearance of the Conservation Area;
- detrimental to the character and appearance of the Listed Building;
- inadequate car parking;
- detrimental to highway safety;
- loss of on street parking spaces;
- loss of light, outlook and privacy for neighbouring dwellings and the adjacent church;
- unacceptable flood risk;
- increased surface water run off;
- inadequate external amenity space; and
- this is an attempt to circumvent the rules regarding student lets, there are already too many students in the area.

Conservation Area Advisory Forum: Generally the change of use to residential was supported. Subject to appropriate detailing the extension was considered to be acceptable with the exception of the high level rustication around the staircase at the side of the building. It was suggested that this could have been incorporated into the main roof of the extension. Appropriately detailed timber windows would be needed and where possible all internal features should be restored and maintained.

AMENDED PLANS

The Town Council and neighbours were renotified following the receipt of amended plans and the following further comments were received.

Town Council: No objection. Comment that the requested changes appear to have been made but the Town Council still queried the overall effect on a Listed Building.

Public response: No further comments received. The original objections have not been withdrawn.

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)

PLANNING HISTORY

There have been a large number of previous applications relating to the application property. The following are relevant to the consideration of the current proposals.

In 1963 planning permission was granted for "Use of residence as Commonwealth Club" (Ref. 9331). This was a temporary permission that was renewed on a number of occasions until a permanent permission was granted in 1976 (Ref. W76/0542).

In 1989 planning permission was granted for "Change of use from a social club to offices" (Ref. W89/1330). This was renewed in 1994 (Re. W94/0803).

The current application for listed building consent was submitted with an associated planning application for "Change of use of ground and first floors from offices to 3 residential units; alterations to convert existing ancillary second floor flat into a self contained dwelling; demolition of existing single storey rear extension; erection of 2 storey rear extension; and alteration to rear parking layout" (Ref. W11/0179). That planning application is recommended for approval alongside the current application for listed building consent.

KEY ISSUES

The Site and its Location

The application relates to a Grade II Listed detached villa dating from c1825. The application property has three storeys of accommodation in addition to a basement and occupies a corner plot at the junction of Church Street and Church Terrace, within the Leamington Spa Conservation Area. The application property faces the churchyard of All Saints Church on the opposite side of Church Street.

The application site is situated within Leamington Town Centre, in an area designated in the Local Plan to be primarily in residential use. The site is situated within Flood Zone 2.

The northern boundary of the application site is adjoined by the rear garden of the dwelling at No. 1 Priory Terrace and the church at No. 2 Priory Terrace. Both of those properties have windows facing the application site. An adopted passageway runs along the eastern boundary of the site, with the gable end of the dwelling at No. 1 Church Terrace abutting the opposite side of that passageway. There are windows in the side of No. 1 Church Terrace that face the application site. Church Terrace runs along the southern boundary of the site and the properties that face the site from the opposite side of Church Terrace are in commercial use on the ground floor with residential above. These properties have windows facing the application site.

The application property is currently vacant, but was previously used as offices. The property has a car park to the rear, set behind a brick wall along the Church Terrace boundary.

Details of the Development

The application proposes the following works:

- conversion, extension and alterations for a change of use of ground and first floors from offices to 3 residential units;
- alterations to convert existing ancillary second floor flat into a self contained dwelling;
- demolition of existing single storey rear extension;
- erection of 2 storey rear extension; and
- internal alterations including the removal of walls and the installation of new walls.

The following amendments have been made to the application:

- basement flat omitted and retained as office;
- three storey rear extension omitted;
- ground floor changed to 2 no. 1 bedroom flats;
- solar panels and air source heat pumps added; and
- alterations to internal layout including omission of proposed partitions.

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.

As amended, I am satisfied that the proposals would have an acceptable impact on the character and appearance of the Listed Building and the Conservation Area. The amendments have addressed the concerns of the Council's Conservation Architect. I note the comments of the Town Council, but the internal alterations would not now adversely affect the historic proportions of the rooms and the proposals would not result in the loss of any historic features. The proposed extension and external alterations would be in keeping with the historic character of the application property and surrounding development and the removal of the existing rear extension would improve the rear elevation. The proposed air source heat pumps would be screened by a fence and the solar panels would be largely hidden from view behind the parapet.

The other issues raised in the consultation responses are not relevant to the consideration of this application for listed building consent. These issues are considered in the report on the associated planning application.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of 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 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(s) 767-06D, 767-09D, 767-10C & 767-11D, and specification contained therein, submitted on 9 June 2011 & 14 June 2011, 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 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 and rainwater goods at a scale of 1:5 (including details of materials) 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** : For the avoidance of doubt, and 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.
- 4 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **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 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.
- 6 All rainwater goods for the development hereby permitted shall be metal. **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.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the

character and appearance of the Conservation Area within which the property is situated. The proposal is therefore considered to comply with the policies listed.
