

Application No:W13 / 0343

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; erection of detached garage including first floor games room to rear of site; and conversion of front coal storage chamber into a bedroom FOR Mr & Mrs Carter

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 planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the erection of a single storey lower ground floor rear extension; erection of a detached garage including a first floor games room to the rear of the site; and conversion of the front coal storage chamber into a bedroom.

The following amendments have been made to the application:

- first floor glazing in rear elevation of coach house reduced to a single small window;
- barge boards and render to rear elevation of coach house changed to brickwork;
- ground floor window in rear elevation of coach house increased in size;
- windows in coach house provided with brick arched heads;
- location of solar PV slates shown on west roofslope of coach house;
- 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;
- 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

- 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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- 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)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- 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.

WCC Highways: Comments awaited.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- the impact on the living conditions of neighbouring dwellings;
- the impact on the character and appearance of the Listed Building and the Conservation Area; and
- car parking and highway safety.

Impact on the living conditions of neighbouring dwellings

The proposed rear extension would be situated below the level of the existing boundary walls and therefore it would not have any significant implications in terms of loss of light or loss of outlook for neighbouring dwellings. The concerns

of neighbours regarding light pollution and views down onto the extension and lantern light from their upper floor windows are noted, however it is not considered that this would cause material harm to the living conditions of neighbours.

The proposed coach house would be situated between two existing coach houses at the rear of the neighbouring properties. Other coach houses have also been permitted recently to the rear of other properties in this terrace. It is notable that the proposed coach house would be closer to adjacent dwellings than other coach houses that have recently been approved due to the fact that the rear garden of the application property is shorter. The rear elevation of the coach house would be 14m from the rear elevations of neighbouring dwellings. Only the coach house at the rear of No. 7 Binswood Avenue is closer to neighbouring dwellings, but this is a long-established building that pre-dates the need for planning permission and is lower in height.

The concerns of neighbours regarding overlooking from the windows in the rear of the coach house are noted, but the application has subsequently been amended to reduce the amount of glazing at first floor level and to confirm that the remaining small first floor window will be obscure glazed and non-opening (up to 1.7m above floor level). It is considered that this is sufficient to preserve the privacy of neighbouring dwellings. It is not considered that any restrictions are necessary for the ground floor french doors and window due to the screening provided by the existing boundary walls. Whilst there would be views down into the ground floor windows from the upper floors of neighbouring dwellings, it is not considered that this would result in unacceptable loss of privacy due to the fact that these doors and window would be at a lower level than the affected windows in neighbouring properties.

Neighbours have also raised concerns about loss of light as a result of the construction of the coach house. Whilst there would undoubtedly be a degree of loss of light affecting the neighbouring gardens (which are north-facing), the impact on the rear windows in those properties would not be significant. In this regard it is notable that the Council's Distance Separation Guidance would permit a blank gable end to be erected closer to the rear elevations of neighbouring dwellings than is proposed in this case (i.e. as close as 12m compared with the 14m separation distance in this case). Furthermore, in assessing the impact on neighbouring gardens, it is important to bear in mind that other coach houses that have been permitted nearby will have had a similar impact, including the coach house at the rear of the neighbouring property (No. 11). Therefore, whilst the coach house proposed in this case would have a greater impact in terms of loss of light due to the closer proximity to neighbours, it is not considered that this would be to an extent that would cause unacceptable harm to the living conditions of those dwellings.

The concerns that have been raised about potential noise and disturbance are noted. However, as no change of use is proposed, there is no reason to believe that the occupation of the coach house and extension as part of the established use of the site as a single dwelling would cause undue noise and disturbance.

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 this part 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.

The proposed coach house will be similar in design to other coach houses that have been erected to the rear of Listed Buildings in this terrace. The proposed solar PV slates on the side roofslope of the coach house will not face onto the street and are considered to be a suitably discrete solution to the need to provide on-site renewable energy production. The coach house is considered to respect the setting of the Listed Building and the character and appearance of the wider Conservation Area.

Car parking and highway safety

The comments of the Highway Authority are awaited and these will be included in the addendum report to Committee. The access to the garage would be similar to other established vehicular accesses along this side of Lillington Avenue.

In terms of car parking, the proposals will provide the application property with a single parking space where there currently is none. Therefore the proposals will comply with the Council's Parking Standards.

Other matters

In terms of ecology, the proposals will not have a significant impact on any existing roofspace. Therefore it is not considered necessary for a bat survey to be undertaken because the proposals are unlikely to have a significant impact on bats.

The application proposes the installation of solar PV slates to meet 10% of the predicted energy requirements of the proposed development. This would meet the requirements of Local Plan Policy DP13.

The coach house is not proposed to be used as a separate dwelling. A condition is recommended to ensure that this is the case.

SUMMARY/CONCLUSION

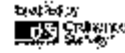
The proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the Listed Building and the Conservation Area.

CONDITIONS

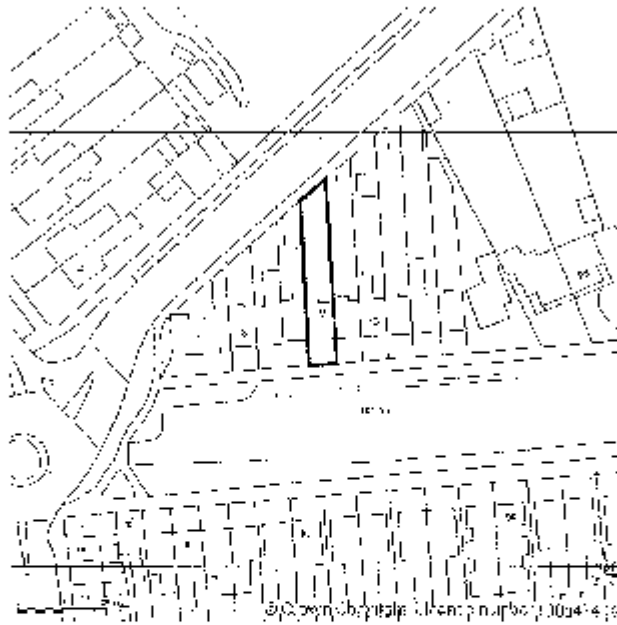
- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the 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.

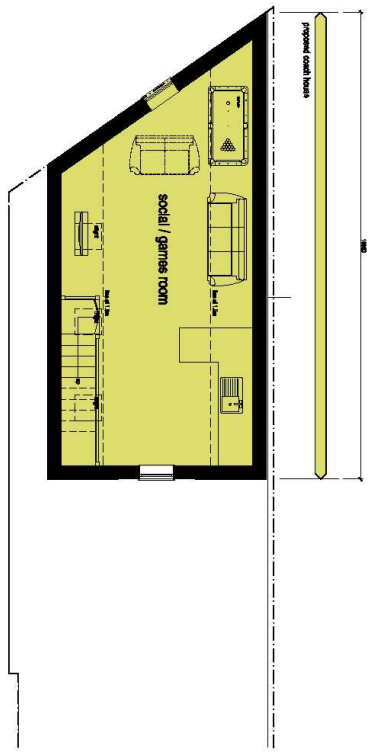
- 5 No development shall commence until details of the treatment of the ceiling to the converted front cellar (to include the retention of one of the vaulted ceilings) have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in strict accordance 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.
- 8 The roofing material for the coach house shall be natural slate, a sample of which shall have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the first floor window to be formed in the south-facing elevation of the coach house hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 10 The garage and first floor games room shall be used for purposes incidental to the residential use of the dwelling house and shall not be used as a separate dwelling unit. **REASON** : Since there is insufficient parking and amenity space for a separate dwelling and to protect the amenities of surrounding properties, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.



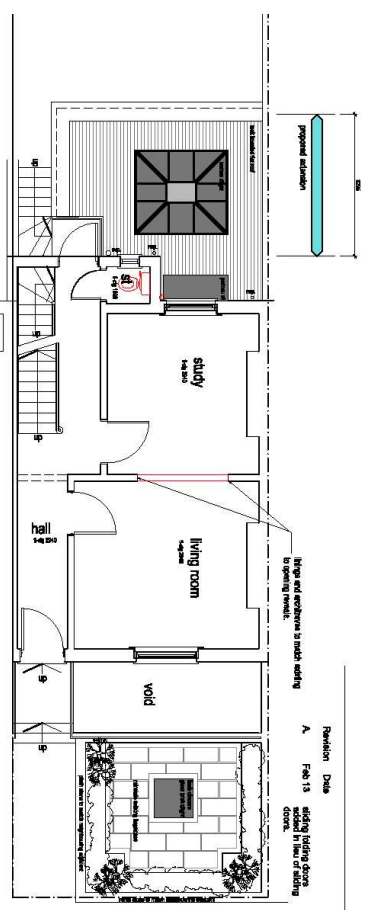
AREA 2 HA
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CENTRE COORDINATE: 431923 , 266558



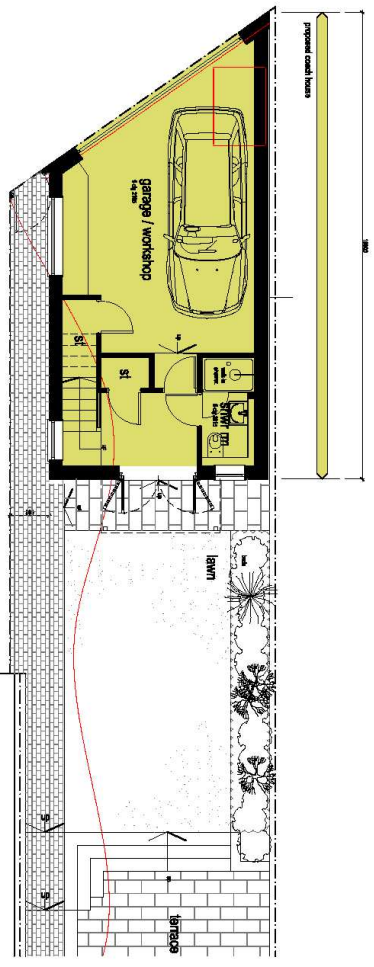
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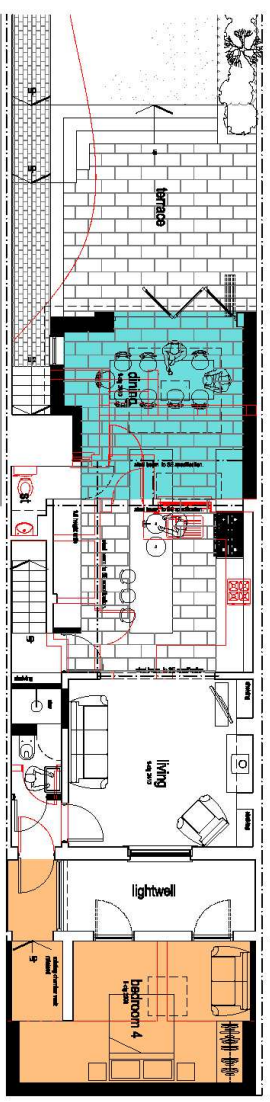
proposed first floor plan (coach house)



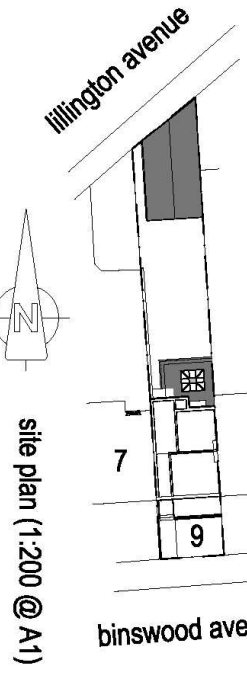
proposed ground floor plan



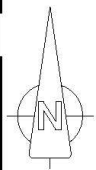
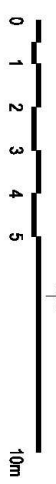
proposed ground floor plan (coach house)



proposed lower ground floor plan



site plan (1:200 @ A1)



Revision	Date
A	Feb 15

- B. Mar 13 minor amendments
- C. May 13 completion of drawings
- D. May 13 further minor amendments



PLANNING & LISTED BUILDING CONSENT APPLICATIONS

For details of the proposed works, please refer to the drawings and specifications. The drawings are the property of Jigsaw Architects and shall remain confidential. All rights reserved. © Jigsaw Architects 2015.

CLIENT
M. & M. Owen

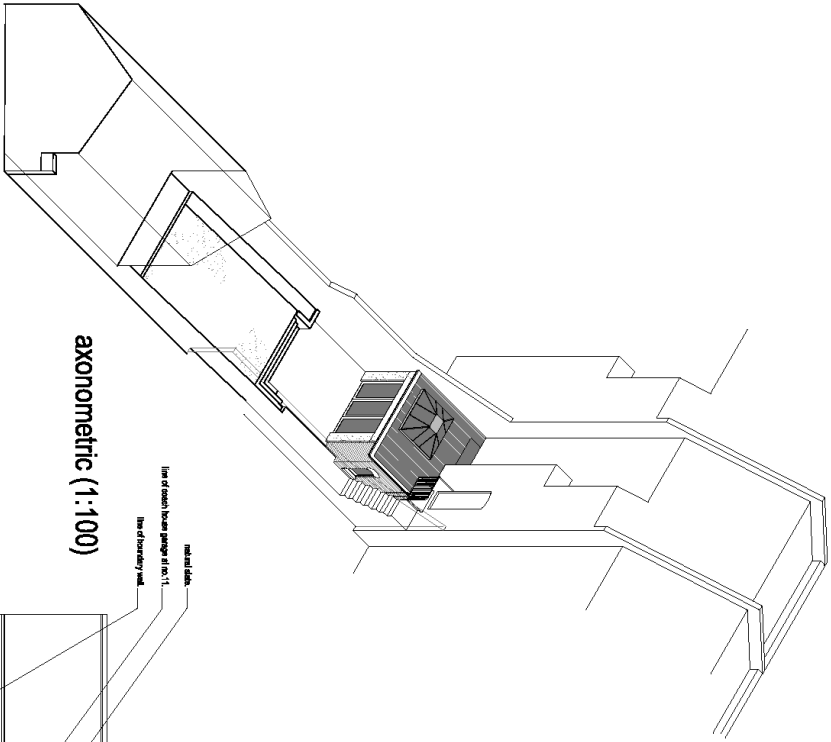
PROJECT
Proposed Extension & Alterations to Listed Building at Lillington Spk.

TITLE
Proposed Lower Ground & Ground Floor Plans, 5th Nov 15.

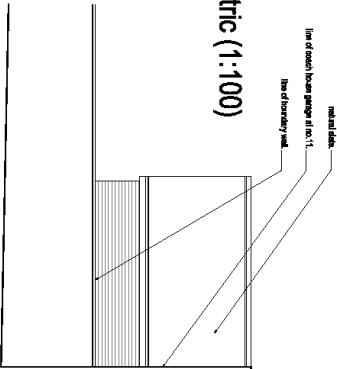
SCALE
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1:20 @ A2 (1:100 @ A3 (As Permitted))
1:50 @ A3 (1:100 @ A4 (As Permitted))
1:100 @ A4 (1:100 @ A5 (As Permitted))
1:200 @ A5 (1:100 @ A6 (As Permitted))

JOB NO
12.195

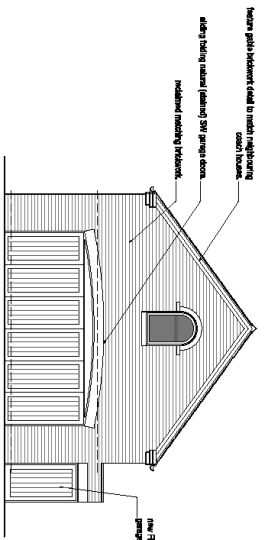
DRAWING NO
003d



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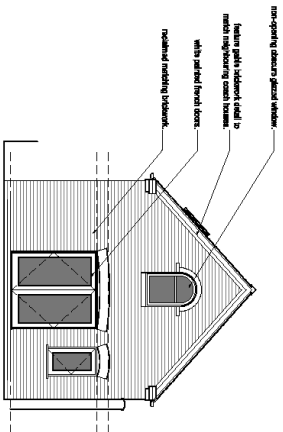


proposed side (east) elevation (coach house)

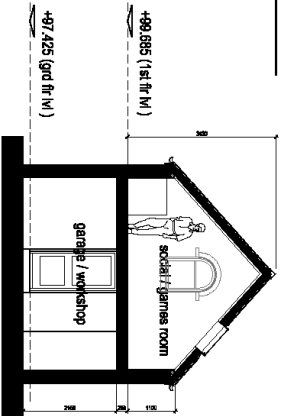


proposed front (north) elevation (coach house)
(head on)

Revision	Date
A	Feb 13
B	Mar 13
C	Mar 13
D	May 13
E	May 13



proposed rear (south) elevation (coach house)



section (coach house)

PLANNING & LISTED BUILDING
CONSENT APPLICATIONS

PROJECT Extension & Alterations to
Barn, 1000, Leamington Spa,
Leamington Spa.

TITLE
Proposed Coach House Elevations

CLIENT
Mr & Mrs Carter

SCALE
1:50 @ A1 (1:100 @ A2/A3 (As Directed))
1:20 @ A4
1:50 @ A5
1:10 @ A6
1:20 @ A7
1:50 @ A8
1:20 @ A9
1:50 @ A10
1:20 @ A11
1:50 @ A12
1:20 @ A13
1:50 @ A14
1:20 @ A15
1:50 @ A16
1:20 @ A17
1:50 @ A18
1:20 @ A19
1:50 @ A20

DATE
12.1.95

DRAWING NO
0066



FOR INFO:
1000, Leamington Spa,
Leamington Spa,
CV32 3JF
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01927 51718
01927 51719

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