

Planning Committee: 23 June 2021

Item Number: Item 4

Application No: [W 21 / 0017](#)

Town/Parish Council: Leamington Spa
Case Officer: Jonathan Gentry

Registration Date: 06/01/21

Expiry Date: 03/03/21

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Erection of single storey side/ rear extension after demolition of existing timber-framed garden room FOR Schofield / Russell

This application is being presented to Planning Committee as the application has been submitted on behalf of a Local Councillor.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of the report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of a single storey side/rear extension after the demolition of an existing timber-framed garden room.

The scheme has been amended in line with Officer recommendations to feature more sympathetic facing material detailing.

THE SITE AND ITS LOCATION

The application site is a typically detailed end of terrace dwelling positioned on the east side of the road with the adjoining neighbouring property at No.16 to the south. There is no adjacent neighbouring dwelling to the north of the site, and its rear elevation faces onto adjacent industrial units. The application site is located within Royal Leamington Spa Conservation Area.

PLANNING HISTORY

There is no relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity
- HE1 - Protection of Statutory Heritage Assets
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- [Guidance Documents](#)
- Residential Design Guide (Supplementary Planning Document- May 2018)

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS3 - Conservation Area

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council - No objection.

ASSESSMENT

Design and impact on the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Local Plan Policy BE1 states that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Development proposals should demonstrate that they harmonise with, or enhance, the existing settlement in terms of physical form so that the established character of the street scene is respected. BE1 states that in order to do this, the development should relate well to landscape features, reinforce or enhance the established urban character of streets and reflect, respect and reinforce local architectural and historical distinctiveness. Relevant design principles for courtyard infill extensions of this type are outlined within the WDC Residential Design Guide SPD.

Policy HE1 of the Warwick District Local Plan states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or if criteria listed within the policy have been satisfied. Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use. The adopted Residential Design Guide also sets out design principles to which development proposals of this type within Conservation Areas will be expected to comply.

The existing timber framed extension is of no historic merit, and Officers raise no objection to its demolition.

In general terms, the replacement courtyard infill structure would be of comparable design to the existing structure it would replace and accords with the relevant design guidance for side courtyard extensions in Conservation Areas

outlined in the SPD. The proposed replacement extension features a fully glazed roof and a predominantly glazed rear elevation. In addition, the design includes a small set back from the existing rear elevation of the existing single storey lean-to structure.

It is therefore considered that the proposal has been designed in a way which suitably reflects the traditionally open nature of the courtyard space, while retaining and respecting the character of the traditional rear wing arrangement of this property type.

The proposed replacement structure features an eaves height of approximately 2.65 metres, above the 2-metre figure outlined within the RDG. However, this dimensional guidance is specified in order to minimise potential amenity impacts to adjacent properties in terms of light and outlook. As there is no immediate adjacent neighbouring dwelling to the north of the site that could be impacted by the scheme in amenity terms, accordance with this element of the guidance is not considered necessary in design terms. Despite this eaves height, the dimensions of the replacement extension are considered appropriately subservient to the original dwelling.

Proposed facing materials have been revised following the provision of Officer feedback to omit render, which was considered out of character with the setting and context of the dwelling and will instead utilise reclaimed bricks and painted brickwork. Imposition of a compliance condition requiring use of matching reclaimed bricks is considered reasonable and necessary in this instance to ensure an appropriate standard of detailing and finish to the extension.

In summary, the new extension is considered to enhance the appearance of the rear of the dwelling through the replacement of a somewhat tired existing lean-to conservatory with an appropriately designed new one. The proposal will result in no material harm to the special architectural and historical character of the wider Conservation Area, aligning where appropriate with the relevant design principles set out in the WDC Residential Design Guide SPD. As a result, the proposal is considered to lie in accordance with the aforementioned policy.

Impact on the amenity of neighbouring uses

Warwick District Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect.

By virtue of its location to the north of the original two storey service wing and adjoining single storey lean-to, the existing garden room structure does not breach the 45-degree line taken from the immediate neighbour, No.16. The proposed replacement structure, which features comparable dimensions, would similarly not result in a breach of this line. As a result of its scale and position, the replacement courtyard infill structure would be largely hidden from the neighbouring property and is not considered to result in material harm by reason of loss of light, outlook or privacy.

No other properties are considered to be materially impacted as a result of the works, and it is therefore considered that the replacement structure lies in accordance with Local Plan Policy BE3.

Ecological Impact

The consultee Ecologist at WCC has not commented on the scheme, and there are no ecological impacts identified because of the proposed development. The scheme is therefore considered to accord with Local Plan Policy NE2.

SUMMARY/CONCLUSION

In view of the above assessment, members are recommended to grant permission, subject to the proposed conditions.

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 '02004-P01' submitted on the 6th January 2021, approved drawing '02004-P03 Rev.A' submitted on the 2nd June 2021, and specification contained therein. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
 - 3 Except for those detailed as painted, all facing bricks used in the construction of the replacement lean-to element of the scheme hereby permitted shall be reclaimed and 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 BE1 of the Warwick District Local Plan 2011-2029.
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