

Planning Committee: 23 August 2005

Item Number: 23

Application No: W 05 / 1046

Registration Date: 28/06/05

Town/Parish Council: Leamington Spa

Expiry Date: 23/08/05

Case Officer: Joanne Fitzsimons

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1A Highfield Terrace, Leamington Spa, CV32 6EE

Change of use from office to house FOR B R Bassett

This application has been requested to be presented to Committee by Councillor Gifford.

SUMMARY OF REPRESENTATIONS

Town Council: Comments to be reported in addendum.

1 Neighbour: Raises objection on the grounds that as a residential unit there will be overlooking from the first floor, loss of privacy. Car parking - at the moment numbers 216, 218 and 220 Rugby Road park their cars at the lower end of Highfield Terrace and to allow this application will reduce the space enjoyed by these residents for the past 30 years.

CAAF: Comments to be reported in addendum.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

In 1986 (ref: W86/1235) permission was granted for a change of use from shop/flat to a design studio. In 1988 (ref W88/1256) permission was granted to

allow a first floor side extension to the office. From then on the premises were split to form numbers 1 and 1a Highfield Terrace (both offices)

KEY ISSUES

The Site and its Location

The site lies within a predominantly residential area within the Conservation Area. Highfield Terrace is accessed off the main Rugby Road and leads into Acacia Road which runs parallel to it.

Details of the Development

The application relates to the change of use of an office (no. 1A Highfield Terrace) to a dwelling with no external architectural alterations.

Assessment

Whilst I note the concern from the resident at no. 220 Rugby Road with regard to over-looking, the two first floor windows do not serve habitable rooms (ie: landing and bathroom) and therefore I do not consider over-looking to be a sustainable reason for refusal. In this instance however, a condition could be attached to ensure that these are obscure glazed.

In respect of concerns over car parking, given that its current use as offices generates visitors/clients , I am of the view that a refusal on grounds of parking is unjustified since the traffic generation impact of a dwelling is unlikely to be significantly greater than the approved office use.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in

accordance with the details shown on the approved drawing numbers 378/201 and 378/202 and specification contained therein, submitted on 28 June 2005, 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 Local Plan Policy ENV3.

- 3 The first floor windows in the east elevation of the building shall be non-opening and obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.