

Planning Committee: 20 March 2012

Item Number: **17**

Application No: W 11 / 1451

Town/Parish Council: Leamington Spa
Case Officer: Rob Young

Registration Date: 06/12/11
Expiry Date: 31/01/12

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Mortimer House, 52 Kenilworth Road, Leamington Spa, CV32 6JW
Erection of detached garage and workshop in rear garden FOR Mr Kohli

This application was deferred at Planning Committee on 28 February 2012, to enable a site visit to take place on 17 March 2012. The report which follows is that which was presented previously, incorporating consultation responses on the amended plans that were included in the addendum report to the previous Committee.

This application has been requested to be presented to Committee by Councillor De Lara Bond.

SUMMARY OF REPRESENTATIONS

The following comments were submitted in relation to the original plans.

Town Council: No objection.

Cllr De Lara Bond: Requests that the application be determined by Planning Committee. The application relates to developments within the Conservation Area of which some aspects will have a negative effect detracting from, opposed to enhancing or preserving the designated area.

Public response: The occupier of the coach house at the rear of the application site has objected to the proposals on the following grounds:

- query why a workshop is needed;
- this is a Conservation Area and there should be no overdevelopment;
- there should be no windows in the future in the east elevation; and
- query whether the garage could be put in the position of the existing conservatory.

Another neighbour has submitted comments in support of the application.

Conservation Area Advisory Forum: Concern was expressed at the size and roof pitch. If permitted the pitch should be no greater than the house with no roof-lights. Also some tarmac should be removed.

Severn Trent Water: No objection, subject to a condition to require drainage details.

WCC Ecology: It is strongly recommended that the removal of vegetation is undertaken outside the nesting bird season (March-September). If this is not

feasible then all the vegetation should be inspected for nesting birds by a qualified ecologist prior to works. Also, any existing trees and hedgerows to be retained that may be impacted through the works should be protected by works by an appropriate buffer, 2–3m, from the existing canopy edge.

WDC Conservation: This application is for the construction of a significant 1½ storey garage building to the rear of 52 Kenilworth Road. This is within the garden of 52 Kenilworth Road; it may be visible down the driveway and will also be visible from 52a Kenilworth Road which was probably the original coach house for this property. In terms of the design of the garage, I consider it would be more appropriate to have two garage doors side by side with a masonry pillar between, rather than the large double door opening. The staircase turret is an interesting design formed in to a bay window projection from the front of the building. I consider the window should be a proper sliding sash window rather than the top hung window as shown on the drawing, if the windows are to open at all.

In terms of the detailing of the building, I note that it will have reclaimed matching slate to match the main house. It is unclear if the shaded area below the eaves on both the main building and the bay window are a change of material or purely a shadow line. Although through colour render is suggested, this is difficult to source in a smooth finish and, as it is adjacent to a smooth finish rendered property, I consider it should be carried out in a traditional smooth finish and painted, or built in brickwork which is usual for news type buildings. I would like to do a site visit to gain further aspects of the impact of this building on both the main house and the coach house from the garden.

The following comments were submitted in relation to the amended plans.

Town Council: No objection.

Cllr De Lara Bond: As members are aware the site lies within the designated conservation area and as such, development is required to preserve or enhance the conservation area and respect the setting and important views both in and out of them (DAP8).

An important feature of this site is the natural relationship between the detached Victorian villa, which fronts the main road and the original subservient coach house to the rear. Vehicle access to both properties is shared. The villa has an in and out access with parking to the front of the property (with additional spaces at the rear). The coach house shares the same 'in' access' but continues along the driveway to the entrance of the coach house, with its own parking.

All residents living within the conservation area have some responsibility in maintain and preserving those important features and all equally (both present and future) should be able to enjoy them. I believe the introduction of a garage and workshop (including first floor accommodation) does not preserve or enhance, nor respect views in or out of the site in this case.

Similarly, to introduce a 'significantly' large garage and workshop to the rear of the application site, situated between the Victorian villa and original coach house will detract from the important layout and remove forever the original setting and ground design of the traditional villa and coach house.

'Development which adversely affects the character, appearance or setting of the conservation area will not be permitted (DAP9)'.

I would also like to draw members attention to the size and scale of the proposed garage/workshop/first floor accommodation. I accept this has now been reduced in size and I note the removal of reference to first floor accommodation. However, this is still a significant size and would potentially be able to accommodate first floor accommodation.

Public response: The occupier of the adjacent coachhouse at Garden Cottage, No. 52a Kenilworth Road has objected to the amended proposals on the following grounds:

- what is the function of the rooflights?;
- this modern looking building will be the size of a ground floor home and will stand just 2.5 metres from the boundary with Garden Cottage;
- the proposed building is not in sympathy with the traditional arrangement of the villa and the coach house;
- the scale of the building is disproportionate to the proposed siting;
- loss of outlook for Garden Cottage; and
- the building could be used in the future for purposes other than a garage and workshop.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

PLANNING HISTORY

There have been a number of previous planning applications relating to the application site but none of these are relevant to the consideration of the current application.

KEY ISSUES

The Site and its Location

The application relates to a two storey detached Victorian villa situated on the eastern side of Kenilworth Road. The application site is situated within a predominantly residential part of the Leamington Spa Conservation Area. The rear wing of the property is divided into flats while the main part of the building fronting onto Kenilworth Road comprises a two storey house.

There is vehicular access from Kenilworth Road along the side of the application property that is shared with a separate coach house dwelling to the rear. This provides access to a tarmac parking area in the rear garden of the application property. The application relates to this parking area, which is faced by the coach house to the rear.

Details of the Development

The application proposes the erection of a detached garage and workshop.

The following amendments have been made to the application:

- garage reduced in height to single storey;
- footprint of garage increased;
- design of garage amended; and
- render changed from through colour render to natural painted render.

Assessment

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

- the impact on the living conditions of neighbouring properties; and
- the impact on the character and appearance of the Conservation Area.

Impact on the living conditions of neighbouring properties

Of the neighbouring dwellings, the greatest impact would be on the coach house at the rear of the site, No. 52a Kenilworth Road. The proposed garage would be 2.5m from the boundary and 13m from the front elevation of that property. The impact of the proposals would be limited by the fact that the amended proposals are for a single storey structure that would present a blank narrow end elevation to No. 52a. Furthermore, the existing fence / hedge on the boundary with No. 52a would screen a large part of the proposed garage. For these reasons, I do not consider that the proposals would cause unacceptable loss of light, loss of outlook or loss of privacy for No. 52a. The proposed garage would also have an acceptable impact on the other dwellings surrounding the site.

Impact on the character and appearance of the Conservation Area

As amended, I am satisfied that the proposals would preserve the character and appearance of the Conservation Area. The amendments have reduced the height of the garage down to a single storey structure with a hipped roof to match the roof of the main house. The building would now be of an appropriate scale and design for this rear garden location. The amendments have addressed the concerns of the Council's Conservation Architect and should have largely addressed the concerns of CAAF.

Other matters

In view of the size of the proposed building and the proposed use for garaging, storage and as a workshop, the proposals are unlikely to result in a significant increase in the energy requirements of the application property. Therefore I do not consider that it would be appropriate to require on-site renewable energy production as part of these proposals, in accordance with Local Plan Policy DP13.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning 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 application form, site location plan and approved drawing(s) 11.165/009c & 11.165/010a, and specification contained therein, submitted on 22 November 2011 & 1 February 2012, 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 Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made for the disposal of storm water and foul sewage and to satisfy Policies DP9 and DP11 of the Warwick District Local Plan 1996-2011.
- 4 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, rooflights 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 5 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 construction 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.
- 6 All window and door frames and the garage 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.

- 7 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.

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 development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.
