

Planning Committee: 05 April 2006

Item Number: 23

Application No: W 06 / 0355

Registration Date: 27/02/06

Town/Parish Council: Leamington Spa

Expiry Date: 24/04/06

Case Officer: Fiona Blundell

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Kentmere House, 2a Union Road, Leamington Spa, CV32 5LT

Erection of a single storey front extension and conversion of basement to a Physiotherapy and Pilates Clinic from residential use FOR Mr & Mrs Gregory

This application is being presented to Committee due to an objection from the Town Council having been received.

SUMMARY OF REPRESENTATIONS

Town Council: An objection has been received on the following grounds:

- 1. Inappropriate design for a structure of this nature in the Conservation Area.*
- 2. No objection to the rear basement proposal.*

Neighbours: No representations received.

CAAF: No comments received at the time of writing this report.

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 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

The application is a resubmission of a previously withdrawn scheme, ref W05/1914 as the design of the proposed front extension was not considered acceptable within the Conservation Area.

KEY ISSUES

The Site and its Location

The application relates to one of a pair of large Edwardian houses (2a and 2b Union Road) , located to the rear of 2 Union Road on the west side of Union Road, in a well established residential area which forms part of the Conservation Area. The properties are set at an angle to the neighbouring Victorian villas to the north and are constructed in a different architectural style to these properties. There is a timber structure to the front of the property which extends some 2.0 metres from the front face of the main house, running parallel with the adjoining side elevation of the neighbouring property's outbuilding and garden wall. There is parking space on site for a minimum of two cars, whilst on-street parking is unrestricted.

Details of the Development

The proposal seeks permission to erect a front single storey extension and conversion of basement to a Physiotherapy and Pilates Clinic from residential use. The proposed extension would provide a utility room and a separate access down to the basement.

Assessment

I consider the main issues in determining this application relate to the impact of the proposed change of use to a Pilates and Physiotherapy clinic on the character of the Conservation Area; the impact of the extension in terms of neighbouring amenities, the character of the Conservation Area and the design.

Impact of the change of use on the character of the Conservation Area

The application seeks permission to convert the basement into a Physiotherapy and Pilates clinic. Details submitted by the applicant relating to the proposed use have indicated that it would be used by up to 8 clients at a time, with an estimated 3 or more sessions per day, involving gentle movement to background music. As such, I consider that as the proposed activities would be restricted to the basement, (which has no windows and would be mechanically ventilated) the proposed change of use would not result in an unacceptable degree of noise and disturbance to the wider area. This level of use will give rise to increased "comings and goings" from the property and an associated increase in vehicular traffic. However, I am of the view that the overall level of use will not unacceptably impact on the character of this part of the Conservation area relatively close to the town centre, but where there is generally reasonable levels of on street parking during daytime hours

The impact on neighbouring amenities

The proposed extension would extend no further than the line of the existing timber structure, sited discreetly back behind the shared boundary wall and outbuilding of No. 2 Union Road. It would, therefore, have very limited impact on the neighbouring property. In relation to the use, subject to this being restricted to daytime hours during the week, I am satisfied that the amenity of nearby residents will not be unreasonably affected.

Design

Following consultation with the Principal Conservation Architect, the scheme has been designed to incorporate a parapet roof, with separate access down to the basement. Whilst I note the concerns of the Town Council, I consider that the proposed extension is of modest scale, has a "subsidiary" appearance and is appropriately designed, such that it would sit comfortably within the street scene and the wider Conservation Area.

I am of the view therefore that the proposal would accord with the general development principles of the Local Plan and (DW) Policies ENV6 and ENV8 of the Warwick District Local Plan 1995 and Policies DAP10 and DAP11 of Warwick District Local Plan (Revised Deposit Version) 1996-2011.

RECOMMENDATION

GRANT, subject to the following conditions.

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 approved drawing 02B, and specification contained therein, submitted on 27th February 2006 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 No development shall be carried out on the site which is the subject of this permission until large scale details of the parapet, new door and window in the proposed extension 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 ENV8 of the Warwick District Local Plan.

- 4 All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 5 The roofing material for the development shall be natural slate, a sample of which has 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 ENV8 of the Warwick District Local Plan.
- 6 The use of the premises for the purposes hereby permitted shall be restricted to the hours of 8.30 am and 6.00pm during the weekdays Monday to Friday only. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan.
- 7 The planning permission hereby permitted relates to the use of the basement as a physiotherapy and pilates clinic and for no other use whatsoever and shall only be carried out by the occupiers Mr & Mrs Gregory of the property known as Kentmere House, 2a Union Road, Leamington Spa whilst they are the residents, and upon their cessation of their occupancy of the property the use hereby permitted shall cease. **REASON** : Other uses within this property may not be appropriate by reason of the residential character of the area and therefore the District Planning Authority wish to retain control over any future development in the interest of residential amenity.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development is of an acceptable standard of design which is in keeping with the architectural and historic character of the Conservation Area within which the site is located and does not give rise to harmful effects in terms of disturbance or traffic generation which would warrant a refusal of permission. The proposal is therefore considered to comply with the policies listed.