

**Planning Committee:** 31 March 2015

**Item Number: 13**

**Application No:** W 15 / 0090

**Town/Parish Council:** Leamington Spa

**Registration Date:** 23/01/15

**Case Officer:**

Sally Panayi

**Expiry Date:** 20/03/15

01926 456541 Sally.Panayi@warwickdc.gov.uk

**28 Clarendon Street, Leamington Spa, CV32 4PG**

Erection of first floor rear extension to existing HMO FOR KEYSTONE DEVELOPMENTS

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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 proposal is for the erection of a first floor rear extension, 2.97 metres in depth and 2.6 metres in width above the existing single storey flat roofed rear extension. Internal alterations to the property will convert an existing bedroom on the first floor to a bathroom and the area of the extension will create a replacement bedroom. There will therefore be no net increase in the number of bedrooms to the existing HMO.

**THE SITE AND ITS LOCATION**

The application property is a two storey mid-terraced period dwelling with accommodation in the roof space, located on the western side of Clarendon Street, within the Royal Leamington Spa Conservation Area. The application property is an established house in multiple occupation. The attached neighbour to the south, number 30, is a two storey dwellinghouse, also in use as a house in multiple occupation. The single storey front extension to number 30 extends forward to the pavement and is in use as a hairdresser's salon. The attached neighbour to the north, 26 Clarendon Street, is a three storey bay fronted rendered house occupied as a single family dwelling.

**PLANNING HISTORY**

W/14/1570 - Proposed first floor rear extension to existing HMO. This application was for a similar proposal to the current application, but extended 4.5 metres in depth. Refused 07/01/15, on grounds of harm to the living conditions of the occupiers of the neighbouring property by reason of its design and resultant loss

of light. An appeal has been submitted against this refusal and a decision is awaited.

### **RELEVANT POLICIES**

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

### **SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council:** Objection on grounds that the layout as shown does not appear to meet minimum size requirements for bedroom/communal space for the proposed number of residents to the detriment of the quality of life of future occupants

**Private Sector Housing:** The new bedroom should have a minimum floor area of 6.5 sqm. Comments as per previous application.

**Warwickshire Police:** No observations

**WCC Highways:** No objection

### **Assessment**

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

### The Principle of the Development

The principle of a first floor rear extension is acceptable within the residential area. The proposal will add an additional bathroom and provide a replacement bedroom within an established HMO. However, as the use is already established and no additional bedrooms are proposed, the principle of use is not an issue for this application.

### The impact on the character and appearance of the area

The proposed first floor extension is designed to extend the form of the existing rear wing at first floor with a mono pitch roof sloping to the south towards the neighbouring property at 30 Clarendon Street. The existing single storey rear extension is a flat roofed structure. The rear of this property is not seen from the street and as a result the proposal has no impact on the street scene. The Council's Conservation Officer is happy with the proposal, subject to the use of traditional materials and a timber window, which can be secured by condition.

### The impact on the living conditions of nearby dwellings

The neighbour at 30 Clarendon Street has a two storey rear extension to the original rear wing of the property. The relationship between this neighbour and the application site is such that there is no material impact by the addition of a first floor above the existing single storey structure.

The neighbour at 26 Clarendon Street has a two storey rear extension beyond the original depth of the rear wing. The building has a mono pitch roof form with the slope towards the application site. The flank wall of this neighbouring extension appears to have been built as a party wall. The rear wall of the proposed extension is flush with the rear wall of the neighbouring two storey rear wing. There is no material impact on this attached neighbouring property. There is no breach of the 45 degree line from either neighbour and the proposal is therefore considered to comply with Policy DP2 of the Local Plan.

### Car parking and highway safety

The proposed extension is designed to enable the creation of an additional bathroom at first floor, by the conversion of an existing first floor bedroom. The extension will provide a replacement bedroom rather than an additional bedroom. There is therefore no increase in parking requirement as a result of the proposal and no objection is raised by the Highway Authority.

### Renewable energy

Given the limited scale of the development proposed there is no requirement to provide renewables in this case.

### Health and Wellbeing

The size of the room being created as bedroom accommodation is indicated to be 7.0 square metres. The property is an existing licensed HMO. A new licence application will be required prior to the occupation of the property which will only

be issued if the necessary standards of accommodation are met. Private Sector Housing have confirmed that the size of the room proposed exceeds their minimum standards.

## **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority, the proposed extension is acceptable in principle and will provide an appropriate design solution that will not affect neighbouring amenity and will provide adequate living conditions. The proposal is therefore considered to comply with the policies listed.

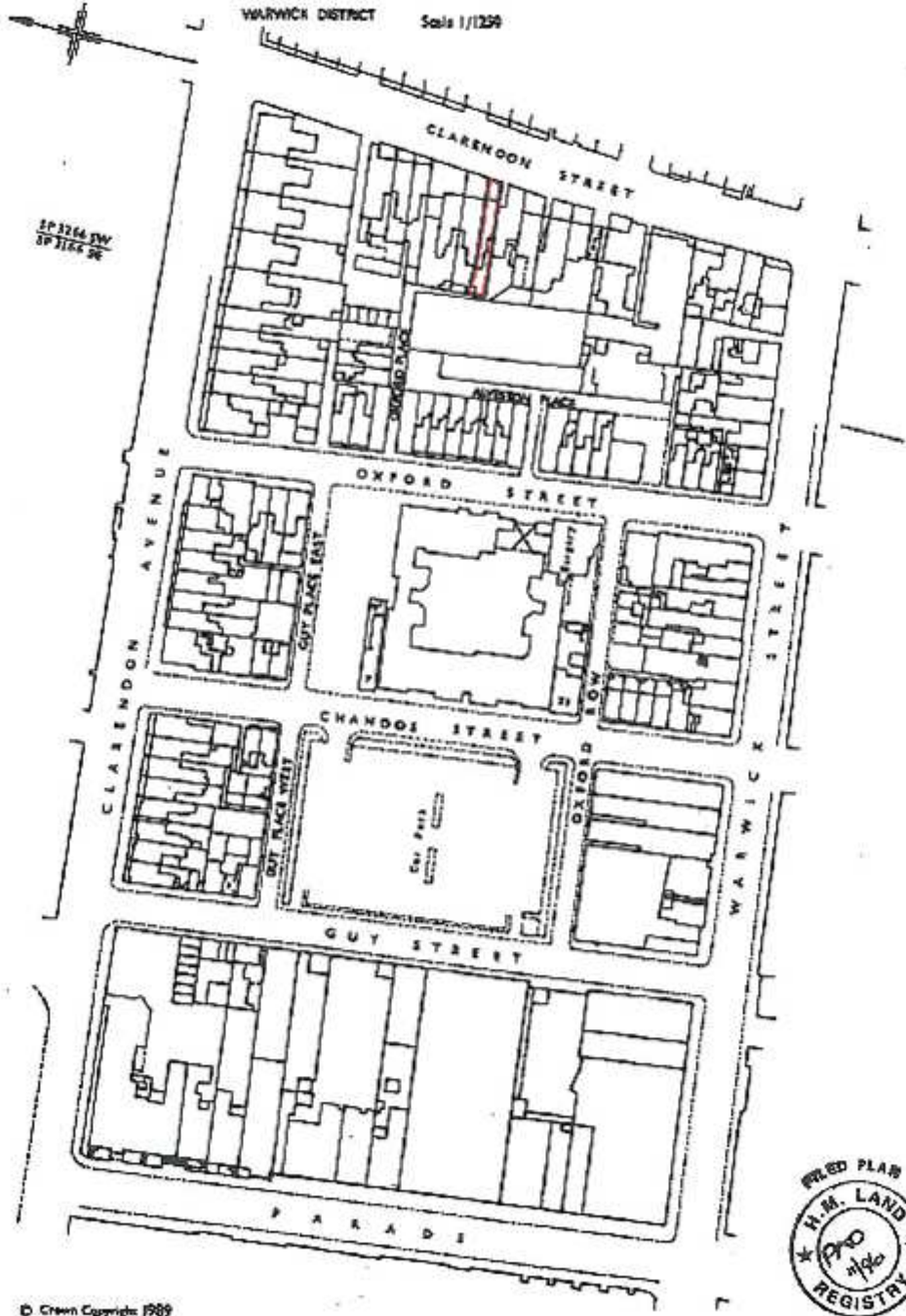
## **CONDITIONS**

- 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 and approved drawings 4425-01A submitted on 6th March 2015 and 4425-02 and 4425-03 submitted on 23rd January 2015, and specification contained therein. **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 All external facing materials for the development hereby permitted shall be 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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 All window frames 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.

H. M. LAND REGISTRY

NATIONAL GRID PLAN SP 3166 SECTION G

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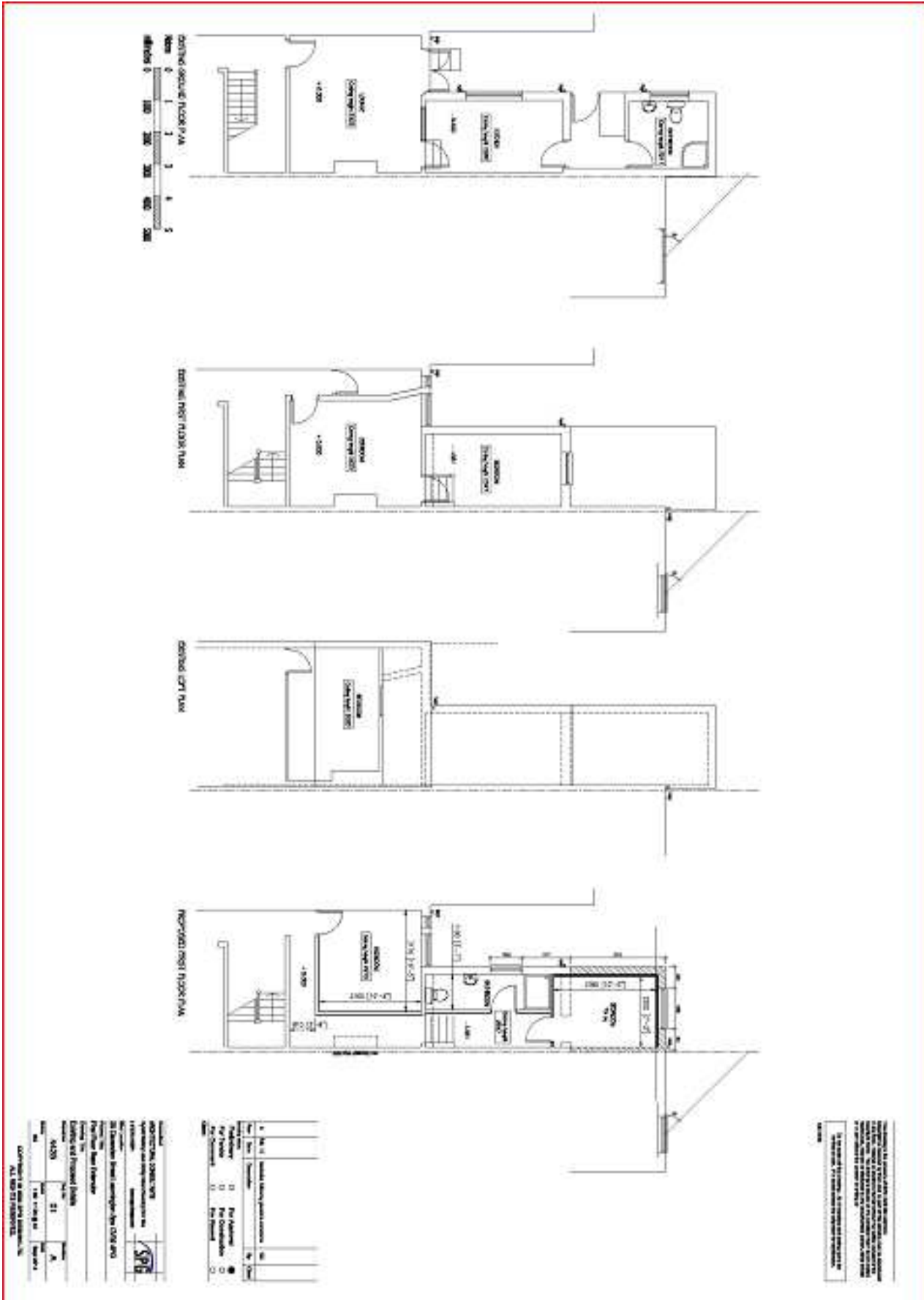
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**REVISIONS**

| NO. | DATE     | DESCRIPTION        | BY | CHKD. |
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| 1   | 06/21/20 | ISSUED FOR PERMITS | JK | JK    |

**PROJECT INFORMATION**

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