

**Planning Committee:** 11 January 2006

**Item Number:** 15

**Application No:** W 05 / 1865

**Registration Date:** 23/11/05

**Town/Parish Council:** Leamington Spa

**Expiry Date:** 18/01/06

**Case Officer:** Alan Coleman

01926 456535 planning\_east@warwickdc.gov.uk

**65 Willes Road, Leamington Spa, CV31 1BW**

Change of use from dwelling to 8-bed house-in-multi-occupation, for a temporary period expiring on 30th June 2006. FOR Mr Satsavia

-----

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

**SUMMARY OF REPRESENTATIONS**

**Town Council:** Object:-

1. *The applicant has not demonstrated that the use of the building as a dwelling place is no longer viable. Policy DAP7 of the Local Plan requires that the changes to the use of Listed Buildings from their original use will only be permitted where the original use has been demonstrated to be no longer appropriate or viable.*
2. *The proposal to change use to multi-occupation is contrary to the Supplementary Planning Document "Managing Housing Supply" paragraphs 5.15 and 5.16 of which states that the conversion of a listed building will only be considered where it can be demonstrated that a conversion is necessary to secure the future of the building in the short term. It is considered that no justification has been submitted in this case.*
3. *There is insufficient provision of sanitary accommodation within the dwelling to adequately meet the demands arising from the proposed sub-division to 8 units.*
4. *The dwelling provides for inadequate levels of off-street car parking which will result in parking on Willes Road, a busy main route in and out of the Town.*

**The Leamington Society:** The Leamington Society opposes this application because

1. *This application contravenes*
  - *The Local Plan. DAP7 Changes of use of Listed Buildings states "Changes of use of Listed Buildings from their original use will only be permitted where the original use has been demonstrated to be no longer appropriate or viable."*

*This is manifestly not the case for 65 Willes Road which until recently was a house in single occupancy. It is a classic Victorian house that would be much sought after as a single residence.*
  - *The Managing Housing Supply SPD. In Paras 5.15 and 5.16 this SPD reaffirms that "the conversion of a Listed Building will only be considered where it can be demonstrated by the applicant that a conversion is necessary in order to secure the future of the building in the short term". Moreover in Para. 5.18 it explicitly specifies that "a conversion scheme includes proposals for ... the intensification of an existing residential use (ie a conversion to a greater number of residential units)."*

2. *Parking. There is barely enough off street parking for a single vehicle, and certainly not remotely sufficient for 8 cars. The existing garage will be converted to living accommodation. Any on-street parking would be on the busy Willes Road which is a busy main road in and out of the Leamington.*
3. *Insufficient bathrooms. There is completely inadequate number of bathrooms for a six-bedrooms household.*

**CLARA:** Object on the grounds of inappropriate development for this Listed Building contrary to the provisions of paragraphs 5.15 and 5.16 the Council's adopted Supplementary Planning Document "Managing Housing Supply."

**CAAF:** No comments at the time of preparing this report.

**Environmental Health:** *"(The submitted) plan does not fully represent what is being provided. The first floor rear room is a kitchen (not particularly suitable location considering access if food to be consumed elsewhere) and the second floor rear room is a bathroom. Rooms marked study and dining room will inevitably be bedrooms. That said the property generally has adequate facilities and the only major outstanding issue is the need for 30 minutes fire resistance to doors and floors.*

*The property will need to be licensed from April as a HMO."*

**Neighbours:** The residents of 4 Innage Close, 1 Mill Road, 55 and 67 Willes Road and the owner of 63 Willes Road object on grounds of harm to residential amenity from the intensified occupation of the premises, loss of the property as a family dwelling, inadequate car parking provision leading to further congestion on Willes Road and Innage Close and contravention of the Council's adopted Supplementary Planning Document "Managing Housing Supply."

## **RELEVANT POLICIES**

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) ENV3A - Sustainable Development and Energy Conservation (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)
- (DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)
- (DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
- (DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)
- (DW) H13 - Existing Dwelling Stock (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).
- DP8 - Parking (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP7 - Changes of Use of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

## **PLANNING HISTORY**

Listed Building Consent W05/1004 was granted by the Planning Committee at the meeting on 3 August 2005 for internal and external alterations comprising: a loft conversion to form bedroom; installation of a new staircase, 3 no. rooflights and new partition walls; repairs to an existing staircase, including lining of the partition walls; erection of stud partition walls to form a new bedroom at first floor; closure of an existing opening between ground floor rooms and a garage door opening; insulation and re-roofing of the garage to facilitate its conversion to a study; replastering works to walls and ceilings; installation of new joists, roof trusses, rafters and new floor boarding; installation of new structural steel work and re-wiring throughout.

These works have commenced and were originally proposed to restore the property to its original and authorised use as a dwellinghouse. However, the property is now occupied as a house-in-multi-occupation providing student accommodation in 8 no. bedrooms, excluding the loft conversion.

## **KEY ISSUES**

### **The Site and its Location**

The property comprises a two-storey detached Grade II Listed Building that stands on the eastern side of Willes Road adjacent to the junction with Innage Close within a predominantly residential part of the Conservation Area. The building was formerly occupied as a single dwellinghouse and is currently undergoing renovation works. Vehicular access to the property is from Innage Close, which is a private road. The building also fronts onto Willes Road, whereon there are no on-street parking restrictions in the immediate vicinity of the site.

### **Details of the Development**

The application is retrospective, seeking to retain the house in multiple occupation as student accommodation for a limited period until 30 June 2006 to coincide with the end of the Summer term. Thereafter, the property would revert back to its original use as a dwellinghouse. No internal or external architectural alterations are proposed in addition to the approved works. The accommodation would utilise the ground, first and attic floors.

### **Assessment**

In my opinion, the main issues raised by the proposals relate to:-

#### **1. The Principle of Development**

There are no Development Plan policies relating to the conversion of properties for multiple occupation. Whilst I note that Policy (DW) H13 of the adopted Local Plan introduces a presumption against the loss of residential accommodation within established residential areas, nevertheless given the nature of the proposed use, I am satisfied that the residential character of the property would remain largely unchanged.

The Town Council and The Leamington Society also contend that the proposal is contrary to the Council's Supplementary Planning Guidance: 'Managing Housing Supply'. However, this relates to development proposals for new dwellings and not to shared accommodation and is therefore not relevant to the proposals.

## 2. Character and Appearance

I note the objections of the Town Council and The Leamington Society in relation to Policy DAP7 of the emerging Local Plan. I also acknowledge the advice in PPG15 that the best use for a Listed Building is usually the use for which the building was originally designed. Whilst no evidence has been submitted to demonstrate that the original use as a dwellinghouse is no longer viable or feasible, nevertheless I consider that multiple occupation of the property would not be entirely inconsistent with its original residential use. I do not therefore consider the proposals would represent a serious erosion of the established character of the area.

In terms of the impact on the character and appearance of this Listed Building and the Conservation Area, no internal or external works are proposed to facilitate the proposed use. Thus, I am satisfied that there would be no material effect on the streetscene, thereby preserving the appearance of the Conservation Area, nor would the proposals harm the appearance or setting of the building.

## 3. Car Parking

The site is within easy walking distance of Leamington town centre and is well-served by public transport providing access to town centre services and facilities, employment areas and the railway network, as well as a dedicated regular service to both Coventry and Warwick Universities. In my opinion, it would therefore be possible to meet daily needs without recourse to a car, neither would there be an overriding need for students to have cars to get to university. This situation would be in accordance with the current government policies on sustainability and reducing reliance on private cars.

Notwithstanding the above, car ownership by the tenants cannot be discounted and I note the assertion that the proposals would place reliance for kerb-side spaces on a busy road. However, I note that there are no roadside parking restrictions in the immediate vicinity of the site and, whilst the situation may be more congested during term-time, nevertheless I do not consider the proposals would seriously overwhelm the local availability of parking spaces to make the situation so unsafe that local residents and highway safety would be unacceptably compromised.

## **RECOMMENDATION**

GRANT

## **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 proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and does not adversely impact on the character and appearance of the Conservation Area within which the property is situated. The proposal is therefore considered to comply with the policies listed.

-----