

Application No: W 13 / 0848

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

Registration Date: 20/08/13

Expiry Date: 15/10/13

01926 456535 rob.young@warwickdc.gov.uk

5 Clarendon Square, Leamington Spa, CV32 5QJ

Erection of single storey rear extension (retrospective application - amendment to scheme approved under planning permission no. W11/1390). FOR Mr Carlo Valle

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

This is a retrospective application for the retention of the single storey rear extension that has recently been constructed. This application is necessary because the extension that has been erected is not in accordance with the approved plans for planning permission / listed building consent nos. W11/1390 and W11/1391LB. The differences from the approved scheme are as follows:

- there are two separate smaller lantern lights rather than a single large one;
- the lantern lights are plastic rather than metal;
- the rainwater goods are plastic rather than metal;
- the section of the extension that was approved with glazed walls now has rendered walls;
- the extension is taller than approved - the flat roof section is 3.25m high to the parapet compared with 2.65m as approved and the pitched roof section is 3.85m high to the ridge compared with 3.65m as approved;
- the number and design of windows in the north and west elevations has been changed; and
- design details have been omitted, including a string course detail below the parapet on the rendered part of the extension and an arched head to the rear window in the brick part of the extension.

THE SITE AND ITS LOCATION

The application relates to a Grade II Listed Building situated on the southern side of Clarendon Square. The site is within the Leamington Spa Conservation Area. The surrounding area is predominantly residential, although the basement of the

application property has historically been in commercial use and there has been no planning application to change this. A single storey extension has recently been constructed on the rear elevation of the application property (this is the subject of the current application). There is also an older 2/3 storey rear wing and an external brick staircase abutting the boundary with No. 4 Clarendon Square.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP7 - Restoration of Listed Buildings (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)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Town Council: Object. The Town Council considers that the applicant should adhere to the original planning consent proposals.

Public response: One objection has been received, raising the following concerns:

- the extension is too large and therefore not in keeping with the Listed Building and neighbouring properties;
- the design is not in keeping with the rear facade of the Listed Building or other historic properties in the area;
- loss of light to neighbouring dwellings; and
- the extension is being let out as a separate holiday apartment, without planning permission.

PLANNING HISTORY

From 1955 to 1991 a series of temporary planning permissions were granted for the use of the ground floor of the application property as a hairdressers. Prior to this the ground floor had been in residential use. The most recent temporary permission expired in 2006, and at that time an application for a further

temporary permission was refused (Ref. W06/0973). The reason for refusal related to the Council's aim of returning the whole of Clarendon Square to residential use.

Following the expiry of the last temporary permission, the lawful use of the premises will have reverted to the established use in 1955, at the time of the first temporary permission. At that time the premises were in residential use.

In 2007 planning permission and listed building consent were granted by for "Erection of single storey rear extension" (Refs. W07/0845 & W07/0846LB).

In 2012 planning permission and listed building consent were granted for "Erection of a single storey rear extension" (Refs. W11/1390 & W11/1391LB).

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

ASSESSMENT

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

- the impact on the character and appearance of the Listed Building and the Conservation Area;
- the impact on the living conditions of neighbouring dwellings; and
- parking.

Impact on the character and appearance of the Listed Building and the Conservation Area

Most of the amendments that have been made to the design of the extension are considered to be appropriate in terms of the impact on the character and appearance of the Listed Building and the Conservation Area. This includes the increase in height, which remains in keeping with the rear elevation of the application property and adjoining Listed Buildings in terms of scale. There are, however, three amendments that are not considered to be appropriate. These are the use of plastic for the lantern lights and the rainwater goods and the omission of the string course from the rendered part of the extension. Plastic is not an appropriate material for a Listed Building and the Council normally require the use of timber or metal for lantern lights and metal for rainwater goods. With regard to the omission of the string course, this has resulted in a large unrelieved expanse of blank wall between the top of the window and the top of the parapet. This adversely affects the proportions of the extension, resulting in a non-traditional design. These three amendments are considered to cause unacceptable harm to the character and appearance of the Listed Building and the Conservation Area. Nevertheless, these are considered to be matters of detail that can be addressed by suitable conditions requiring the appropriate materials

and design details to be reinstated. Therefore, subject to appropriate conditions, it is considered that the extension would preserve the character and appearance of the Listed Building and the Conservation Area.

Impact on the living conditions of neighbouring dwellings

The concerns of the neighbour regarding the increase in height of the extension are noted. However, the high boundary wall to the adjoining property at No. 6 Clarendon Square screens a large part of the extension from that property. Furthermore, the existing rear wing and external staircase on the boundary with the other adjoining property at No. 4 Clarendon Square screen a large part of the extension from that property. Therefore it is not considered that the extension has caused any significant additional loss of light or loss of outlook for those properties. It is also considered that the proposals would have an acceptable impact on the basement of the application property and on the upper floor flats.

Parking

The amendments make no difference to the impact on car parking. The size of the rear parking area remains the same as approved in 2012.

Other matters

In granting planning permission previously it was judged that it would not be appropriate to require on-site renewable energy production based on the size of the extension. There has been no increase in floor area compared with the approved scheme and therefore it would not be appropriate to require on-site renewable energy production now. The amended proposals remain in accordance with Local Plan Policy DP13.

The concerns of the neighbour regarding the use of the extension as a separate holiday let are noted. However, the current application is for an extension to the existing flat. The alleged unauthorised use is being investigated separately by the Council's Enforcement Team. For the avoidance of doubt, a condition is recommended to confirm that the any planning permission for the extension does not authorise a separate holiday let.

SUMMARY / CONCLUSION

Subject to appropriate conditions to rectify certain issues regarding materials and design details, the proposals would preserve the character and appearance of the Listed Building and the Conservation Area. Furthermore the extension has an acceptable impact on the living conditions of neighbouring dwellings and on parking. Therefore it is recommended that planning permission is granted.

CONDITIONS

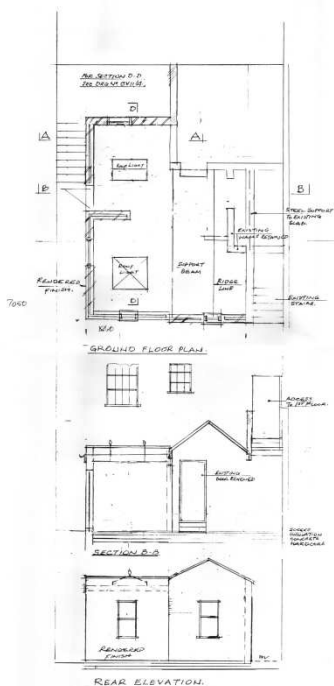
- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) CV11/1E, and specification contained therein, submitted on 19 June 2013, except as required by Conditions 2, 3 and 4 below. **REASON** : For the avoidance 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.

 - 2 Within 1 month of the date of this permission, details of metal lantern lights shall be submitted to and approved in writing by the local planning authority. Within 1 month of such approval, the existing lantern lights shall be replaced with the approved metal lantern lights in strict accordance with the approved details. **REASON:** To preserve the character and appearance of this Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan.

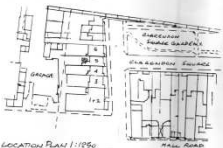
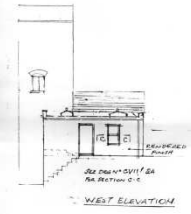
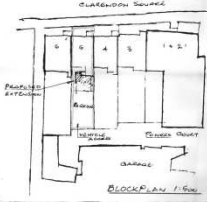
 - 3 Within 1 month of the date of this permission, details of metal rainwater goods shall be submitted to and approved in writing by the local planning authority. Within 1 month of such approval, the existing rainwater goods shall be replaced with the approved metal rainwater goods in strict accordance with the approved details. **REASON:** To preserve the character and appearance of this Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan.

 - 4 Within 1 month of the date of this permission, details of a string course within the render below the parapet shall be submitted to and approved in writing by the local planning authority. Within 1 month of such approval, the string course shall be constructed in strict accordance with the approved details. **REASON:** To preserve the character and appearance of this Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan.

 - 5 The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the ground floor flat at 5 Clarendon Square and shall not be used as a separate dwelling or separate holiday let without the prior written approval of the local planning authority. **REASON:** For the avoidance of doubt and to secure compliance with the terms of the application.
-



MATERIALS
 ALL MATERIALS, ROOF
 WALLS & WINDOWS TO
 MATCH EXISTING



PROPOSED EXTENSION 5 CLARENDON SQUARE
 LEAMINGTON SPA FOR MR G. VALLI
 SCALE 1/500

DR. E. J. JONES & SONS
 ARCHITECTS
 10, B. HAYWARD ST. LEAMINGTON SPA
 (PARTIAL) OF EXISTING PLAN
 DR. G. J. JONES & SONS LTD
 10, B. HAYWARD ST. LEAMINGTON SPA
 DR. A. J. JONES & SONS LTD
 10, B. HAYWARD ST. LEAMINGTON SPA
 DR. J. J. JONES & SONS LTD
 10, B. HAYWARD ST. LEAMINGTON SPA

