

Planning Committee: 01 February 2006

Item Number: 06

Application No: W 05 / 1875

Registration Date: 16/11/05

Town/Parish Council: Leamington Spa

Expiry Date: 11/01/06

Case Officer: Joanne Fitzsimons

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185 Tachbrook Road, Leamington Spa, CV31 3EN

Erection of single storey rear extensions to form additional student accommodation together with two lightwells FOR Mr H Singh

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

Furthermore, this application was deferred at Planning Committee on the 11 January 2006, to enable a site visit to take place on 28 January 2006. The report which follows includes items previously in the addendum.

SUMMARY OF REPRESENTATIONS

Town Council: objection on the following grounds:

1. "The proposal represents an over intensive use of the site, by reason of its scale and impact on the existing dwelling"
- 2." The Council is concerned at the unacceptable adverse impact on the amenity of the neighbourhood arising from yet another application for student accommodation. It is considered that unless limited, such development can have an adverse impact on the extent to which neighbours are able to enjoy their own dwellings."
- 3."The dwelling provides for inadequate levels of off-street parking which will result in parking on the highway. The area currently experiences significant levels of parking on the highway, a problem that will be exacerbated."

Environmental Health: Request sections through lightwells as they may be inadequately lit. The main house will be a licensable HIMO from April 2006 and in theory they could be closed as a licence condition.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (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).
- The 45 Degree Guideline (Supplementary Planning Guidance)

PLANNING HISTORY

There is no relevant planning history for this site.

KEY ISSUES

The Site and its Location

The site relates to a three storey property forming one half of a pair of semi-detached dwellings accessed by a driveway from Tachbrook Road. The adjoining half of the property has been split into 5 flats. The site currently provides student accommodation for 12 people and to the rear of the site are derelict garages which are not used in conjunction with the student accommodation. The site lies outside of the Conservation Area.

Details of the Development

The proposal seeks to build a first floor extension over an existing single storey projection together with a single storey extension to provide an additional 7 bedrooms, making a total number of 19 student bedrooms. The proposal also incorporates new planting and 8 parking spaces together with an enlarged lightwell.

Assessment

The adjoining half of the pair of semi's has a blank rear facing wall and therefore there is no breach of the Council's adopted 45° line. There is a 2 metre high boundary wall and the proposed single storey extension is designed such that it is low-level with its roof sloping away. I am satisfied, therefore, that there would be no harm to neighbouring amenity.

With regard to impact on the character and appearance of the property and streetscene, the new extension is of acceptable design and will not be highly visible from the road such that the character of the main house will be little altered.

I note the objection from the Town Council who raise concerns about parking and potential increase in numbers of vehicles. The property already accommodates 12 students and I am of the opinion that a further 7 will not cause such unreasonable harm to warrant refusal. The agent has responded to the Town Council's objection and has increased the number of parking spaces from 5 to 8. I consider a condition to restrict the use of the building to people enrolled in higher education to be reasonable in limiting the number of vehicles. Furthermore, Tachbrook Road is on a good bus link with a bus stop outside number 189 Tachbrook Road.

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 approved drawing numbers 1166/05a, 1166/06a, 1166/07a, 1166/08 and 1166/09 and specification contained therein, submitted on 16 November 2005 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 details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details.
REASON : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan.
- 4 No development shall be commenced the subject of the permission until details of cycle parking facilities have been submitted and approved in writing by the District Planning Authority. The development shall be carried out in strict accordance with such approved details. **REASON**: To ensure that there are adequate cycle parking facilities to serve the development.
- 5 No development shall be carried out on the site which is the subject of this permission until large scale details (including a section through) of the proposed lightwells 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 protect the amenities of future occupiers of the building.
- 6 A landscaping scheme for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 7 The proposed car parking area for the development hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 8 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 ENV3 of the Warwick District Local Plan.
- 9 The development hereby permitted shall at all times hereafter be occupied solely by individuals enrolled on a further education course. **REASON**: Having regard to the location of the site and its restricted size and configuration with limited availability of on-site car parking it is considered appropriate to restrict occupation of these premises in the interests of protecting the amenity of this locality.

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 does not adversely impact on the character and appearance of the area or the amenity of nearby residents or give rise to traffic effects which would warrant refusal. The proposal is therefore considered to comply with the policies listed.
