

**Planning Committee:** 23 April 2019

**Item Number:** 10

**Application No:** [W 19 / 0104](#)

**Town/Parish Council:** Leamington Spa

**Case Officer:** Rebecca Compton

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**Registration Date:** 23/01/19

**Expiry Date:** 20/03/19

**1 Clarendon Place, Leamington Spa, CV32 5QL**

Erection of single storey rear extension and alterations (amendment to planning permission ref: W/18/0320) FOR Mr S Hain

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This application is being presented to Committee as 5 letters of support have been received and the application is recommended for refusal.

**RECOMMENDATION**

Planning Committee is recommended to refuse planning permission for the reasons set out at the end of the report.

**DETAILS OF THE DEVELOPMENT**

The proposal is for the erection of a single storey rear extension with glazed link.

**THE SITE AND ITS LOCATION**

The application property is a three storey, terraced Regency property located towards the junction where Clarendon Place meets Clarendon Square. The property is Grade II Listed and is located within the Royal Leamington Spa Conservation Area.

**PLANNING HISTORY**

W/18/0320 - Erection of a single storey rear extension - Granted

W/18/0321/LB - Erection of a single storey rear extension - Granted

**RELEVANT POLICIES**

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)

- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document)

## **SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council:** No objection, subject to acceptable impact on neighbouring properties.

**WCC Ecology:** Recommend note relating to nesting birds.

**Public Response:** 5 letters of support have been received and 1 letter of objection has been received with concerns over loss of light.

## **ASSESSMENT**

### Design and impact on the Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Warwick District Local Plan Policy HE1 (protection of statutory heritage assets) states that permission will not be granted to alter or extend a listed building where those works will adversely affect its special architectural or historic interest, integrity, or setting.

Planning permission and Listed Building Consent were recently granted for a similar proposal for a single storey rear extension with a depth of 5m. This scheme was reduced from 7m to 5m following concerns raised by the Conservation Officer. This application therefore seeks permission for a 7m deep rear extension as was originally submitted previously.

Paragraph 130 of the NPPF makes it clear that "Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme".

The key issue regarding the proposed extension is the proposed depth. At 7m, it would almost double the depth of the built form across the site and is of similar depth to the listed building. There is no precedent for an extension on this scale to any of the adjacent neighbouring properties. Although the extension is single

storey, the length at 7m is considered to be over dominant being approximately the same as that of the main listed building.

The proposed design also includes 6 continuous bi-folding doors which is not considered to respect the character of the Listed Building. The applicant has suggested this number could be reduced, however, as proposed it is considered excessive.

The Regency style properties in this area typically benefit from large courtyards to the rear. The proposed extension would significantly reduce the size of the courtyard area which is considered to be harmful to the character of the Listed Building and its setting.

The Conservation Officer has raised a strong objection to the proposal for the above reasons. Whilst the harm identified is considered to be less than substantial, it is considered that there are no public benefits which outweigh the harm.

As a result of the scale of the proposed extension, it is considered that it would have an adverse impact on the Listed building and Conservation Area and therefore does not comply with Policy HE1 and the NPPF.

#### Impact on the amenity of neighbouring properties

The proposed extension will not breach the Council's adopted 45° guideline to the neighbouring property at No.3 Clarendon Place and is therefore considered to not present any material harm to the amenity of those properties.

The rear amenity space for No.10 Clarendon Square would face onto the side of the proposed extension. Whilst there are no published distance separation guidelines for this arrangement, the impact on this property has been assessed. It is considered that as there is an existing high boundary wall between the two properties, the bulk of the extension will not be visible over the high boundary wall. The architect has confirmed the height of the boundary and that 0.5m of the proposed extension will be visible over the boundary wall. As such, it is considered that this would not result in material harm to the amenity of the occupiers of this property.

Therefore the proposed extension is considered to not present a negative impact upon the amenity of either neighbouring property in terms of loss of light and privacy and is considered to comply with Policy BE3.

#### Parking

The proposal will retain the existing parking space for one car that is accessed via the rear of the property.

#### **Conclusion**

The proposed extension is considered to over dominate the existing Listed Building by reason of its overall depth at 7m and is therefore not considered to respect the character of this listed building.

## **REFUSAL REASONS**

- 1 Policy HE1 of the Warwick District Local Plan 2011-2029 states that consent will not be granted to alter or extend a listed building where those works will adversely affect its special character or historic interest, integrity or setting. Furthermore, Policy HE2 of the Warwick District Local Plan 2011-2029 requires that development preserves or enhances the special architectural and historic interest and appearance of the District's Conservation Areas.

The proposal relates to a Listed Building within a Conservation Area and it is considered that the proposed extension would be detrimental to the character and appearance of both the building itself and the Conservation Area as a whole, by reason of its excessive depth and design.

The development is thereby considered to be contrary to the aforementioned policies.

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