

Planning Committee: 03 August 2005

Item Number: 26

Application No: W 05 / 1004 LB

Registration Date: 20/06/05

Town/Parish Council: Leamington Spa

Expiry Date: 15/08/05

Case Officer: Alan Coleman

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Internal and external alterations comprising loft conversion to form bedroom, installation of 3 no. rooflights, new partition walls, repairs to existing staircase, lining of staircase partition walls, erection of stud partition walls to form new bedroom at first floor, closure of opening between ground floor rooms and garage door opening, insulation and re-roofing of garage, 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 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:

- "1. Concern is expressed that the building is in the flood plain*
- 2. The proposal is considered to be an inappropriate development of a listed building*
- 3. Concern is expressed about works to the listed building currently being undertaken."*

Neighbours: Two letters of objection on grounds that unauthorised works have commenced, including the removal of ceilings and loss of plasterwork, to the detriment of the building's historic fabric; loss of property as a family dwelling which would be detrimental to its character and the character of the Conservation Area, and; its proposed use as student accommodation would be unneighbourly, over-development of the site and would result in traffic problems from increased numbers of vehicles accessing the property via Innage Close.

CAAF: "Concern was expressed that the integrity and character of the house would be lost if the second floor accommodation is provided. Concern was expressed at the installation of rooflights on each slope of the roof. It was generally felt that this should remain as a family home rather than student accommodation."

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)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

Application W05/0845LB was withdrawn to enable consideration of the current application, which includes details of both works undertaken to date and proposed works, together with a schedule of works and a structural engineers report.

No objection to the previous application was raised by the Town Council. However, an objection was raised by The Leamington Society in relation to concerns regarding use of the property as a hostel and the impact of the conversion works on its character as a Victorian villa.

The applicant has confirmed his intention to let the property out as student accommodation for no more than 6 residents. The authorised planning use of the property is as a dwellinghouse within the meaning of Class C3 of the Town and Country (Use Classes) Order 1987 (as amended), which includes properties occupied by not more than 6 residents living together as a single household. On this basis, I do not consider that a planning application for a change of use of the property is required.

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 in a deteriorating state of repair, with evidence of dry rot and a misaligned front elevation. Vehicular access to the property is from Innage Close, which is a private road, and is served by a single flat-roofed garage.

Details of the Works

Work on the property commenced in March 2005 and has principally comprised treating the building for dry rot, including the removal of the original existing staircase, wall plaster, skirting boards, architraves and floor boards, the installation of structural steel work to restrain the front wall and to facilitate conversion of the loft space, including removal of ceilings from the first floor and re-roofing works, installation of timber stud partitions at ground floor to close an existing opening between principal rooms and to enlarge an existing 'corridor' bedroom at first floor, re-wiring and plumbing works and insulating the garage. The application is therefore retrospective in respect of these works, none of which have been sanctioned by the District Planning Authority and which have continued despite verbal and written warnings to the applicant. Building Regulations approval has, however, been obtained. Nevertheless, the applicant remains potentially liable to listed building enforcement action should consent for this application be refused.

The remaining works proposed principally relate to the installation of a replacement staircase between the ground and first floor and a new staircase between the first floor and loft. New and replacement joinery items are also proposed, together with re-plastering works to walls and ceilings, insulation works, repairs to doors, walls, windows, rainwater goods, railings and ornamental ironwork, installation of rooflights and repainting. A number of original fire places have also been stolen from the property, which the application proposes to replace.

A detailed schedule of all internal and external works, together with a structural engineers report, has been submitted in support of the scheme, which has been amended to satisfy certain concerns of the Principal Conservation Officer regarding the treatment of the building, methodology and materials.

Assessment

I consider the main issue is whether the proposed works are acceptable in terms of their impact on the fabric, character and appearance of this listed building, particularly in relation to the introduction of steelwork, the enlargement of the first floor 'corridor' bedroom and installation of new loft staircase.

It is accepted that the front wall of the building was misaligned and in danger of further deterioration and collapse without remedial work being undertaken. The use of steelwork for structural alterations and/or repairs is generally discouraged in favour of traditional methods and materials in order to preserve the historic fabric, character and integrity of listed buildings. The alternative options available in this case are identified in the structural engineers' report and include either: removing and rebuilding the front wall to a true line and level, or; restraining the wall using internal buttress piers.

Whilst re-building the front wall would be the preferred option in this case, nevertheless the amount of re-building work would be extensive and potentially result in the loss of some of the original fabric of the building. The level of restraint and support would also be less than the steel frame installed with the implication that the front wall could, over time, become misaligned again. Large internal buttresses would also be required to restrain the wall which would be visible internally to the detriment of the layout of the property.

Both options would also require the removal of the steel frame that has been installed, which I consider would also be potentially damaging to the fabric of the building. Nevertheless, the frame could not be constructed in timber as the length of the support member would far exceed the size of timbers which would be readily available. Even if the timbers were available, the size of the sections would be such that they could not be incorporated into the existing floor and wall structure without being obtrusive. The timber would also have to endure bi-axial bending from the vertical loads and the lateral movement.

For these reasons, I consider the retention of the steel frame that has been installed represents a reasonable solution given the particular circumstances of the age and condition of this building.

Similarly, whilst my preference would be for the original size and configuration of rooms to be maintained, nevertheless I do not consider the proposed enlargement of the 'corridor' bedroom on the first floor would, in itself, undermine the intrinsic character and layout of this listed building.

I am also satisfied that the conversion of the loft and proposed staircase arrangement could be satisfactorily achieved without detriment to the character, fabric or layout of the building, subject to large scale details of the staircases and rooflights to ensure a satisfactory standard of design.

Whilst I note the objections of the Town Council these are largely unqualified in relation to the works undertaken and proposed and, like the neighbours' objections, appear to relate to the intended use of the property for student accommodation. However, this is not a matter for consideration under the terms of this application and, for the reasons given in the preceding section, does not in itself require a planning application.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The works hereby permitted must be begun not later than the expiration of five years from the date of this consent.
REASON : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 Except as required by conditions 3 and 4 below and unless first agreed otherwise in writing by the District Planning Authority the works hereby permitted shall be carried out strictly in accordance with:-
1. the details shown on the approved drawings 2523/1 Revision D and 2523/2 Revision D, and specification contained therein, submitted in July 2005;
 2. the corresponding schedule of works submitted in July 2005; and;
 3. the 'dampco' report, and specification contained therein, received by the District Planning Authority on 13 June 2005.

REASON : For the avoidance of doubt and to ensure a high standard of design and appearance for this Listed Building, in accordance with Policy ENV11 of the Warwick District Local Plan 1995.

- 3 Notwithstanding the reference to 'dormer sides' contained in the specification to approved plan 2523/2 Revision D, the permission hereby granted shall not infer any acceptance or approval of the construction of a dormer window to any slope of any roof of this building.

REASON : No details were submitted for this matter to be given full and proper consideration under the terms of this application and does not thereby form part of the approval hereby granted. The carrying out of such works to this Grade II listed building will affect its character and appearance as a listed building and will thereby also require the submission of a separate application for Listed Building Consent and a separate application for Planning Permission in accordance with the provisions of Part 1, Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

- 4 Notwithstanding the reference to 'double glazing' contained in the specification to approved plan 2523/2 Revision B , no glazing works shall be carried out on the site which is the subject of this permission, until amended details of secondary glazing have been submitted to and approved by the District Planning Authority. These works shall not be carried out otherwise than in full accordance with such approved details.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

- 5 Large scale details of the following matters at a scale of 1:5 shall be submitted to and approved by the District Planning Authority before these items are installed:-

1. all new and/or replacement doors;
2. windows;
3. rooflights;
4. staircase joinery items;
5. architraves;
6. skirting boards;
7. ceiling cornices and roses, and;
8. fireplace surrounds.

These works shall not be carried out otherwise than in full accordance with

such approved details.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

- 6 Details of the proposed extraction fans and flues shall be submitted to and approved by the District Planning Authority before these items are installed. These works shall not be carried out otherwise than in full accordance with such approved details.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

- 7 Details of the external colour finishes shall be submitted to and approved by the District Planning Authority before any painting is undertaken. These works shall not be carried out otherwise than in full accordance with such approved details.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

- 8 All rainwater goods for the installed as part of the works hereby permitted shall be metal and no rainwater goods shall be installed until a sample has been submitted to and approved by the District Planning Authority.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

- 9 All window frames shall be constructed in timber, painted and not stained, and be of a sliding sash type set in reveals of 75mm from the face of the building.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.