

# JCC Planning



## **Planning Statement for**

**9 Oxford Street  
Leamington Spa  
Warwickshire  
CV32 4RA**

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# 1 Introduction

Planning permission from Warwick District Council (WDC) is sought for the proposed conversion from a single Class C3(a) 3-bed dwellinghouse to 2no. 1-bed flats/apartments, the proposed erection of a single-storey rear extension and the proposed erection of a two-storey rear extension (to replace existing rear wing), at 9 Oxford Street, Leamington Spa CV32 4RA.

This Planning Statement sets out:

- ❖ the justification for the proposed change of use and development
- ❖ the design and access considerations
- ❖ a summary.

## 1.1 Planning history

Inspection of WDCs planning website shows one planning application for the property 9 Oxford Street CV32 4RA:

Reference	W/23/1017
Alternative Reference	PP-12287715
Application Received	Fri 07 Jul 2023
Application Validated	Thu 20 Jul 2023
Address	9 Oxford Street, Leamington Spa, CV32 4RA
Proposal	Proposed conversion from single dwelling to form 2no. 2 bedroom apartments. Proposed erection of two storey rear extension (to replace existing rear wing) including associated replacement door, landing and rear stair access. Proposed installation of roof dormer. Proposed revision to fenestration.
Status	Application Withdrawn
Decision	Withdrawn by Applicant
Decision Issued Date	Fri 01 Sep 2023

The above planning application, *W/23/1017*, was withdrawn by the applicant on advice received from WDC that, as the proposed works stood, the Local Planning Authority (LPA) was unable to support it. This Planning Statement relates to the revised proposed development and subsequent resubmitted planning application.

## **1.2 Planning considerations**

The following are deemed to be sources of material planning considerations for the proposed development.

### **WDC's Local Plan 2011-2029 Planning Policies:**

- ❖ BE1 – Layout and Design
- ❖ BE3 – Amenity
- ❖ TR3 – Parking.
- ❖ HE2 – Conservation Areas.

### **WDC Guidance Documents:**

- ❖ Residential Design Guide (Supplementary Planning Document, May 2018)
- ❖ Parking Standards (Supplementary Planning Document, June 2018)
- ❖ The 45 Degree Guideline (Supplementary Planning Guidance).

### **Royal Leamington Spa Neighbourhood Development Plan 2020-2029 (June 2020):**

- ❖ RLS3 – Conservation Areas

## **2 Justification**

This section sets out the following:

- ❖ the background to the property
- ❖ the reasons for the proposed conversion and development
- ❖ conservation area and heritage considerations
- ❖ other planning considerations
- ❖ an assessment of the proposed development using the requirements as specified in various planning policies and guidance documents.

### **2.1 Background**

9 Oxford Street is the second in a row of eight Edwardian terraced houses (numbered 7 to 21) located just south of Oxford Place in Oxford Street, built in around 1910. It is a slim, four-storey building, with one window on each front storey elevation, an extension on the rear elevation, together with four further windows (see *Photograph 1: Front elevation of 9 Oxford Street* and *Photograph 2: Rear elevation of 9 Oxford Street overleaf*).

The property currently consists of: two cellars (basement rooms, accessible via a lightwell from Oxford Street, as well as from stairs off the middle room); a front room, a middle room and a kitchen on the ground floor; two bedrooms on the first floor; and, one bedroom on the second floor.

***Photograph 1: Front elevation of 9 Oxford Street***





***Photograph 2: Rear elevation of 9 Oxford Street***



The owner/applicant purchased 9 Oxford Street on 24 September 2021, since when the owner/applicant has made no alterations to it whatsoever. Today it is in the same state as it was when purchased, i.e. very dilapidated and run down. An elderly couple had lived there previously for many years and who had not modernised the property in that time. Walking into the property today is like stepping back to the 1960s (see *Photograph 3: The kitchen as left by the previous owners*, *Photograph 4: The middle room ground floor* and *Photograph 5: The hall and stairs to the first floor below and overleaf*).

***Photograph 3: The kitchen as left by the previous owners***





***Photograph 4: The middle room ground floor***



***Photograph 5: The hall and stairs to the first floor***



## **2.2 Proposed conversion and development**

Having purchased the property, the applicant/owner considered how it could be renovated so as to maximise its full potential. Whatever decision was made a considerable amount of work and cost would be required to make the property habitable again and fit for the 21<sup>st</sup> Century.

After much consideration, it was decided to convert the existing 3-bed house into two, 1-bed flats/apartments, each with a kitchen, living room (lounge), bedroom and bathroom (for further design details see the next Section, *3. Design and access*). In this way the property could home two families as opposed to just one. The applicant has, previously, converted properties into more than one home and has a reputation for providing high-quality and sympathetic conversions and living accommodation. The flats/apartments would be let out at market rents.

The main proposed developments of the existing property are to:

- ❖ leave the two cellars/basement as they currently are to be used as storage space (Flat 1)
- ❖ add a single-storey rear ground-floor extension to form a dining room, remove the outdoor WC and extend the existing kitchen, replace the existing dining room with a lounge and replace the existing lounge with an ensuite bedroom (Flat 1)
- ❖ extend the first floor rear bathroom over the extended kitchen below, retain the bedroom (middle) and replace the front bedroom with a lounge/kitchen (Flat 2)
- ❖ remove the second floor bedroom and use it as loft space for storage (Flat 2).

Access to both flats will be via the existing front door off Oxford Street.

## **2.3 Conservation area and heritage considerations**

9 Oxford Street is in the general Royal Leamington Spa Conservation Area, although it isn't assigned a specific area number. As far as the proposed development is concerned, it is considered to preserve, if not enhance, the character and appearance of the Royal Leamington Spa Conservation Area (see the next Section, *3 Design and Access* for more details). There is no identified harm to the Conservation Area, as the existing look and feel of the building will not only be retained but also

enhanced, and the impact on the street scene will be neutral if not positive.

The nearest listed building to the site and property is located some distance away to the south in Oxford Row. This is Numbers 31-37 and Attached Railings, Grade II, a terrace of four houses and railings. As such it is contended that the proposed change of use and development will have no impact whatsoever on this Listed Building and, therefore, Planning Policy HE1 is not relevant in this particular case.

## **2.4 Other planning considerations**

In assessing the proposed development, it is felt that the following planning considerations should also be taken into account:

- ❖ the site is in Flood Zone 1 and is no larger than 1Ha
- ❖ the existing dwelling is dilapidated and in urgent need of renovation
- ❖ the existing dwelling lends itself to being converted into two self-contained flats/apartments with the addition of a subsidiary one-storey ground-floor extension and a two-storey rear extension
- ❖ the site is located within a Residents Parking Zone (RPZ) (Zone L2) and already has two allocated parking spaces
- ❖ cycle parking spaces will be provided in the garden area at the rear of the property
- ❖ bins/recycling storage for both flats will be located at the rear of the property with its boundary with 11 Oxford Street
- ❖ access to both flats will be from Oxford Street
- ❖ access to Flat 1 will be from the ground floor via the existing front door
- ❖ access to Flat 2 will be via the existing front door and the internal stairs
- ❖ the site is within the Royal Leamington Spa Town Centre and is less than 80 metres from a bus stop.

## 2.5 Assessment of the proposed development

The proposed development has been assessed against the following planning policies, guidance documents and Royal Leamington Spa Neighbourhood Development Plan:

- ❖ **BE1 – Layout and Design:** the layout and design, including access, of the proposed development is discussed in detail in the next Section, *3. Design and access*. With regard to Policy BE1, new development will be permitted where it positively contributes to the character and quality of the environment through good layout and design. In particular, to demonstrate that: it will harmonise with, or enhance, the existing settlement in terms of physical form; reinforces or enhances the established urban character of streets; reflect, respect and reinforce local architectural distinctiveness; enhance and incorporate important existing features into the development; respect surrounding buildings in terms of scale, height, form and massing; adopt appropriate materials and details; integrate with existing paths and streets; provide adequate open space for the development in terms of both quantity and quality; make sufficient provision for sustainable waste management without adverse impact on the street scene, the local landscape or the amenities of neighbours; and, to ensure that the layout and design address the need for the development to be resilient to climate change. Whilst details of how the proposed development meets the above criteria will be provided in the next Section, *3. Design and access*, it is considered that the proposed development is in accordance with these relevant parts of Policy BE1.
- ❖ **BE3 – Amenity:** this Local Plan Policy requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of loss of privacy, loss of sun/daylight, visual intrusion, noise disturbance and light pollution, as well acceptable standards of amenity for future users and occupiers of the development. As far as the amenity of neighbouring residents is concerned, as there will be no changes made to the existing front elevation of the existing dwelling there will be no impact. There will be only minimal changes made to the existing rear elevation in terms of: a subsidiary single-storey ground floor extension; the removal of the outdoor WC; and, extending the existing rear wing, i.e. ground-floor kitchen and, likewise, with the existing bathroom on the first floor, so the impact on amenity will be acceptable. Whilst further details of these changes are provided and discussed in the next Section, *3. Design and access*, it is considered that the proposed development is in accordance with Policy BE3.

- ❖ **TR3 – Parking:** development will only be permitted that makes provision for parking by: having regard to the location and accessibility of the site by means other than private car; and not resulting in on-street parking detrimental to highway safety. Whilst the site does not benefit from any off-street parking provision, being sited in the town centre access to shops and other facilities are all on hand. There are also good links to public transport, with the site being in close proximity to local bus routes and within walking distance of Leamington Spa railway station, thereby offering occupiers of the flats/apartments a choice of sustainable transport modes other than the private car. As 9 Oxford Street is located within a RPZ (Zone L2), with two existing allocated parking spaces, future occupants would be entitled to resident parking permits by transferring the existing two spaces. If more parking permits are required by tenants, then the applicant/owner could undertake a Section 106 Unilateral Undertaking (Covenant) with WDC and WCC to entitle more occupants resident parking permits. It is also assumed that future occupants of the proposed flats/apartments will make use of the available local facilities, amenities and sustainable modes of transport within the vicinity of the site. Two cycle parking spaces are already included in the proposed development. Given the above it is considered that the proposed development is in accordance with Policy TR3.
- ❖ **HE2 – Conservation Areas:** conservation areas are defined as designated historic assets and this Policy states the importance of retaining unlisted buildings that make a positive contribution to the character and appearance of a Conservation Area. In this regard, the proposed sympathetic restoration and conversion of 9 Oxford Street by the applicant is certainly in accordance with this Policy.
- ❖ **Residential Design Guide (Supplementary Planning Document, May 2018):** Please see the next Section, *3. Design and access*, where the design and layout criteria are discussed in detail so as to justify how the proposed development meets the requirements of this SPD. Accordingly, and as far as it can be ascertained, it is concluded that no relevant aspect of the Residential Design Guide will be contravened by the proposed development.
- ❖ **Parking Standards (Supplementary Planning Document, June 2018):** the issue of parking for the proposed two flats/apartments has been covered in Local Plan Policy TR3 above. By having two existing allocated parking spaces together with the provision of two cycle parking spaces, the proposed development is in accord with the Parking Standards.

- ❖ **The 45 Degree Guideline (Supplementary Planning Guidance):** given the nature of the proposed development and the building line of the other, closest buildings in the same terrace, it is concluded that at no point will the 45 Degree line be breached by the proposed rear extensions.
- ❖ **Royal Leamington Spa Neighbourhood Development Plan 2020-2029 (June 2020), RLS3 – Conservation Areas:** the relevant criteria in Policy RLS3, such as 'a', 'b', 'd', 'f' and 'i' have all been addressed and, where applicable, complied with.

Based on the above assessment, it is felt that the proposed development conforms to the relevant planning policies, or parts therein, and relevant supplementary planning and guidance documents.



## **3 Design and access**

This section addresses the design and access considerations of the proposed development.

### **3.1 Design considerations**

Having decided not to renovate 9 Oxford Street as a Class C3 dwelling house but, instead, to convert it into two, 1-bed flats/apartments, the main design considerations were to provide two, spaciouly laid-out self-contained flats that not only used the existing dimensions of the building but which accommodated any extensions in such a way so as not to conflict with relevant WDC's Planning Policies and Supplementary Design Guidelines.

In particular the following were given specific consideration:

- ❖ the external characteristics of 9 Oxford Street and the eight terraced houses in the same row and to make sure that the proposed development harmonises with adjacent properties
- ❖ any rear extensions to the existing dwelling must be subsidiary so as not to compromise its character
- ❖ any rear extensions must comply with the guidance as set out in the Residential Design Guide (Supplementary Planning Document, May 2018) with regard to extensions to terraced dwellings in the conservation area
- ❖ respecting or enhancing the existing area and demonstrating the local architectural character
- ❖ the effect of the proposed development on the street scene
- ❖ the 45 Degree Code and Distance Separation should not be breached if at all possible
- ❖ to ensure that the distinctive material in the area is used and that the proposed material harmonises with the local material
- ❖ to ensure that details of windows and doors are appropriate
- ❖ to incorporate appropriate boundary treatments into the proposed development
- ❖ ensuring adequate provision for waste separation and recycling facilities

- ❖ the need to use construction techniques, materials and the provision of utilities that are resilient to climate change
- ❖ the provision of amenity space as an individual or a shared outdoor community space for flat and apartments
- ❖ the separation distance that exists between the 3-storey 9 Oxford Street dwelling and the 2-storey homes opposite in Alveston Place with regard to habitable rooms, especially on the first floor as there will be no habitable rooms now on the second floor.

### **3.2 Design solution**

Please see the following plans for more details of both the existing and proposed floor plans and elevations: *044-001 A Existing Floor Plans*; *044-002 A Existing Elevations*; *044-014 D Proposed Floor Plans*; and; *044-015 C Proposed Elevations*.

The proposed development solution has the following design features:

- ❖ to maintain consistency and the external characteristics of the terraced row of which 9 Oxford Street is a part, the front of the building will be rendered in cream to match the finish of the other houses, numbered 7, 11 to 21, and the rear will be left as red brick to match existing
- ❖ the single-storey and 2-storey rear extensions come out no further than the building line of the extension of 11 Oxford Street and, therefore, in terms of the existing 9 Oxford Street building they will be subsidiary extensions
- ❖ the single-storey extension: is set-back; has a glazed roof with a largely glazed end wall to reflect the open side courtyard feature; and, has an eaves height of no more than 2m
- ❖ the two-storey extension is sympathetic to the original rear wing two-storey extension in that it maintains the original lean to roof and is not a full-width flat roof extension
- ❖ by keeping the front elevation similar to the existing elevation and by improving the visual/aesthetic impact of the rear elevation this will ensure that both the existing area and local architectural character are respected and enhanced
- ❖ by keeping the front elevation similar to the existing elevation the proposed development will not have any negative impact on the street scene

- ❖ as the single-storey and 2-storey rear extensions are subsidiary and come out no further than the rear building line of 11 Oxford Street, the proposed doors (ground floor) and the windows (ground and first floor) do not breach the 45 Degree Code
- ❖ the proposed development only uses materials which are distinctive in the area and which harmonise with the local material, e.g. white timber windows (front and rear elevations), sash-style windows (front elevation), brown timber door with fanlight (front elevation) and black iron railings (front)
- ❖ details of windows and doors will match and/or complement existing windows and doors, e.g. white timber windows (front and rear elevations), sash-style windows (front elevation) and door with fanlight (front elevation)
- ❖ existing boundary treatments, a brick wall and a wooden gate at the rear of the property are deemed to be suitable for the proposed development
- ❖ a bin store will be provided at the rear of the property, positioned along the boundary wall with 11 Oxford Street and of a size to accommodate the requisite types of waste management bins
- ❖ wherever possible, construction techniques and materials will be used that are resilient to climate change, and likewise with utilities. However, given that the existing dwelling already has both gas and electricity provision, Flat 1 will have both utilities together with a new combi A-rated gas boiler and Flat 2 will have just electricity provision
- ❖ the amount of amenity space provided is a consolidated area of 23.5sqm in the form of a mainly tarmac/paved garden area at the rear of the building, which cannot be overlooked from the public realm and which provides a reasonable level of privacy. Given the existing constraints of the site it is not possible to achieve a larger amenity space
- ❖ there is a separation distance from the proposed ground floor rear extension of 9 Oxford Street to the main elevation wall of the homes in Alveston Place of 16m. At the first floor the separation distance is 20.8m to the first habitable room, i.e. the bedroom. The homes in Alveston Place were built with a separation distance of 23m, with generally only a 16m separation from the back of the homes in Oxford Street, so achieving greater separation distances within the existing constraints is not possible.

### **3.3 Impact of design solutions**

The impact of the proposed design solutions are as follows:

- ❖ the conversion of the existing house into 2 no. flats/apartments will enhance, from both the front and the rear, both the place and purpose of the building, 9 Oxford Street, as one of eight Edwardian terraced houses
- ❖ the proposed rear single-story and two-storey extensions are subsidiary and, therefore, are compliant with planning policy
- ❖ the proposed rear extensions comply with the guidance as set out in the Residential Design Guide (Supplementary Planning Document, May 2018) with regard to extensions to terraced dwellings in the conservation area
- ❖ the proposed development will have a beneficial impact on the street scene
- ❖ the 45 Degree Code will not be breached
- ❖ as with all the applicant's conversions, the materials used will be appropriate to the area and harmonise with those used locally, as well as matching and/or complementing existing windows and doors
- ❖ materials used will also be resilient to climate change and will use both gas and electricity as utilities for the provision of heating, lighting, etc. Given the constraints and location of both the site and building, air source heat pumps and solar panels would not be viable solutions, and it would be far more expedient to use gas and electricity from renewable sources
- ❖ existing boundary treatments are suitable and fit for purpose
- ❖ a bin store to accommodate bins for both flats will be provided at the rear of the property so as to facilitate waste management
- ❖ the maximum amenity space has been provided given the existing constraints of a terraced house and the yard
- ❖ the maximum separation distance from the proposed rear extension of 9 Oxford Street to the main elevation wall of the homes in Alveston Place is 16m. Again, increasing this separation distance any further is not possible.

### **3.4 Access considerations**

**Flat 1:** The main access to Flat 1 is via the ground floor door on the front elevation of Oxford Street. Access to the rear yard/garden is also available via the double doors on the rear single-storey ground elevation. Access to the basement cellars is also available from the lightwell steps in Oxford Street.

**Flat 2:** Access to Flat 2 is via the ground floor door on the front elevation of Oxford Street and the internal flight of stairs.

Also placed at the rear of 9 Oxford Street will be two cycle parking spaces. Off-road parking spaces (RPZ allocation) are located at the front of the building.

Access to the rear of 9 Oxford Street is via Oxford Place and Alveston Place.

## **4 Summary**

The planning application for the proposed conversion from a single Class C3(a) 3-bed dwellinghouse to 2no. 1-bed flats/apartments, the proposed erection of a single-storey rear extension and the proposed erection of a two-storey rear extension (to replace existing rear wing), at 9 Oxford Street, Leamington Spa CV32 4RA, is made on the basis of the following planning considerations:

- ❖ that the proposed conversion and extensions conform to WDC's Planning Policies *BE1*, *BE3*, *TR3* and *HE2* (either in whole or in the relevant parts thereof)
- ❖ that the proposed conversion and extensions meet the requirements as set out in the following WDC Supplementary Planning Documents: *Residential Design Guide (May 2018)*, *Parking Standards (June 2018)* and *The 45 Degree Guideline (May 2018)*
- ❖ that the proposed development has addressed and complied with the relevant criteria in the *Royal Leamington Spa Neighbourhood Development Plan, Policy RLS3 – Conservation Areas*
- ❖ that the proposed conversion and extensions will permit a dilapidated home to be converted into two modern flats/apartments, with excellent access to all the facilities of the Leamington Spa town centre
- ❖ the proposed conversion requires a subsidiary single-storey and a two-storey rear extension to be added in order to achieve two flats/apartments capable of providing a good standard of amenity to future occupiers
- ❖ that due respect has been given to the relevant criteria of the Royal Leamington Spa Conservation Area that will ensure not only is the conservation area preserved but also enhanced by the proposed development
- ❖ that the proposed external developments all serve to enhance and improve the visual/aesthetic impact of the building in the street scene
- ❖ that two parking spaces are allocated already to the property, cycle storage will be provided at the rear of the property and sustainable modes of transport are plentiful within the vicinity of the property
- ❖ that given the existing site constraints, the maximum possible amenity space and separation distance have been achieved, albeit that neither meets the requirements for new residential development, however, it is understood that in such situations WDC Planning will apply a more



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objective standard against which to assess the impact of the proposed development upon the amenities of the adjoining occupiers.

On the basis of the above it is expected that the planning application will be granted for a change of use to two flats/apartments.

**.... End of the Planning Statement ....**