

Planning Committee: 03 August 2005

Item Number: 07

Application No: W 05 / 0697

Registration Date: 27/04/05

Town/Parish Council: Leamington Spa

Expiry Date: 22/06/05

Case Officer: John Beaumont

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George Hotel (53) & 55, High Street, Leamington Spa, CV31 1LN

Part demolition, alterations and extensions to create 14 dwellings (amended scheme to planning approval W20041235) FOR G.S.P. Construction Ltd

SUMMARY OF REPRESENTATIONS

Town Council: The renovation of the building is welcomed but concern regarding number of proposed dwellings in terms of density/design. Provision of parking inadequate.

Neighbours: One objection on grounds of design (roofline not in accord with George Street, no chimneys, dormer windows out of place), loss of light, traffic congestion, part of building demolished, not sympathetic to this part of the old town, regret loss of 'green lung' back garden.

CAAF: It was felt that the original scheme was more acceptable than the one which has been proposed. It was felt that the George Street elevation, in particular, was inappropriate with different types of windows which did not line through to the adjacent existing buildings. It was felt the attic windows in George Street are out of place and it may be better to have a break between the existing buildings and the new proposal with a short link block. Concern was also expressed at the loss of the chimney breast in the main part of the building and the loss of the front door to the original George Hotel building.

WCC (Ecology): No objection subject to bat survey/bird notes.

WCC (Highways): No objection subject to highway notes.

Head of Environmental Health: There are a number of issues raised by this application:-

"(a) The premises are within an Air Quality Management Area.

(b) Adjacent to the High Street elevation is a commercial premises which gives rise to potential noise transmission issues.

(c) The high volumes of traffic in High Street give rise to significant levels of noise throughout the day and at night.

(d) There is a kitchen extract system from a nearby restaurant which discharges at low level. There are potential odour nuisance problems. This is

likely to be exacerbated by the proposed development because it will enclose an area on George Street and have the effect of limiting dispersal of odours in the area.

I consider that item (a) could be dealt with by requiring a contribution to air pollution monitoring requirements within the AQMA (of £1000 as a one-off payment). Perhaps the restriction of the number of motor vehicles permitted at the development could also be considered.

Items (b) and (c) could be dealt with through the submission by the applicant of a suitable noise insulation scheme following the completion of a noise survey.

Item (d) perhaps gives more difficulty in that there is a clear potential for odour nuisance but the resolution to this lies with a third party. I am also aware, from your advice, that there is a current planning permission for this site which does not make reference to this issue.

My recommendation is that unless the kitchen extract issue is resolved permission should be refused. However, I accept that you will have to form a view of the overall planning situation and whether it is appropriate to take this point into consideration with this new application.

Should planning permission be granted, I would ask for conditions to be imposed in relation to (a), (b) and (c) above. The application might also consider entering into discussions with the restaurant owner with regard to the extract system."

Environment Agency: "The Agency has no objections, in principle, to the proposed development but wishes to make the following comments and recommends that if planning permission is granted the following planning conditions are imposed:-

The site lies partially within the floodplain of the River Leam. The modelled 1 in 100 year flood level at this location is 51.01m AOD(N) which almost surrounds the whole building to varying depths, but does appear to affect the buildings ground floor. The highest recorded flood level in the area is 50.91m AOD(N) that occurred on the 10th April 1998.

Although the development has no completely dry access, the exit route onto George Street is at a level that is acceptable to the Agency. Flood waters will be no more than 20mm deep in a 1 in 100 event allowing safe access and exit.

As the flooding does not affect the interior of the building directly and the site is not fully surrounded at an unacceptable level by floodwaters in a 1 in 100 year event, access being available via George Street, the Agency have no objections to the development subject to the following condition being imposed if planning permission is granted:-

Floor levels of any new buildings should be set at least 600mm above the modelled 1 in 100 year flood level of 51.01 metres above Ordnance Datum."

RELEVANT POLICIES

(DW) ENV3 - Development Principles (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) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

Planning permission for the part demolition, alterations and extensions of the George Hotel to form 14 dwellings was granted on 14th January 2005 following the submission of a financial contribution to WCC; it was considered by the Planning Committee on 15th November 2004.

KEY ISSUES

The Site and its Location

The George Hotel occupies a corner location at the junction of High Street and George Street. It is in the Conservation Area but it is not a 'listed' building. It is presently vacant. It has a rendered facade to the street with brick rear elevations. To the rear of the building is a pub garden and car park access off High Street. The George Street frontage is presently undeveloped with a brick boundary wall to the back of the pavement. The side gable elevation to No. 34 George Street is a blank gable.

Details of the Development

This is an amended application. Works for the partial demolition of the building have been commenced with part of the rear of the building, some of the roof structure and an inglenook fireplace having been removed. The scheme as amended contained the following key elements:-

- The erection of a new building fronting George Street to include a basement and to provide 7, 3 bedroomed flats; the building would appear

two storey with dormer windows/rooflight to George Street and three storey to the rear. The building would have lightwells to the front and rear;

- The conversion/alteration of the frontage buildings to High Street to provide, 1, one bedroom flat, 2, three bedroomed flats, 3, two bedroomed flats and 1, five bedroomed flat. The scheme would have railings to the High Street frontage.
- The provision of a car park for 5 vehicles with a bin/cycle storage area with access, as existing off High Street.

Assessment

Planning permission for a scheme of residential redevelopment of this site was granted in January of this year, reference W04/1235 and must therefore be considered as the reasonable 'fall back' position in the consideration of the present application. This earlier approval was carefully negotiated to retain a number of internal features of the George Hotel; these features, however, have now been removed which is regretted albeit as this is not a 'listed' building the removal of such features and the partial demolition of the building do not require the approval of the District Planning Authority. The present application must therefore be considered on the basis of the existing site situation and I consider it raises the following issues:-

- The design of the building and its impact on the character/appearance of the Conservation Area:- This is an amended scheme and as amended I consider it would sit comfortably on this site and have an acceptable effect on both George Street and High Street. I consider further amended details of the ground floor elevation to High Street are required, but I consider these can be required by an appropriate planning condition. I note the inclusion of lightwells into the scheme on the George Street part of the scheme and railings onto High Street but again subject to appropriate detailing, I consider that these would be acceptable features in the streetscene.
- The impact on neighbours:- I am conscious of the comments raised by the Town Council and a neighbour but I consider the scheme as now proposed would have no greater impact on neighbours amenity than that scheme granted by the Planning Committee, reference W04/1235.
- Car parking/highway safety:- The previous approved scheme, W04/1235 included, 10 car parking spaces for the 14 flats; the present scheme provides more landscaping within the scheme but has reduced the number of parking spaces to 5. Whilst noting this reduction, I am conscious of the town centre location of the site and that no objection has been raised by the County Highway Authority. In these circumstances and in the light of Government advice contained in PPG3 (Housing) and PPG13 (Transport), I do not consider an objection on highway safety could be sustained.

- Flooding:- Clearly a planning permission has been recently granted for residential redevelopment on this site and the Environment Agency has raised no objections in principle. The submitted scheme, however, does include basement living space albeit all bedrooms for those flats are at ground floor level; the level of the three bedrooms is shown on the submitted plans to be above the 1:100 year flood level of 51.01m albeit not 0.6m above that level as required by the Environment Agency comments, I consider in the light of the specific details of this application and to achieve a design which will meet Conservation objectives of harmonising with existing development both within the existing building and on George Street, that the design as submitted be accepted.
- Environmental Health's Considerations:- I have noted the views now expressed by the Head of Environmental Health but again I am conscious of the reasonable 'fall-back' position that this site could be redeveloped for 14 dwellings in accordance with the planning permission W04/1235. In these circumstances, whilst noting these views, I consider it would now not be reasonable to either request a financial contribution of £1000 towards air pollution monitoring arrangements or to object on the potential for odour nuisance due to present activities on a nearby site.

REASON FOR RECOMMENDATION

The proposal is not considered to materially conflict with the objectives of the policies listed above.

RECOMMENDATION

GRANT as amended subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 Subject to Condition 3 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 1149/100L, 06D, 07B, 08A, 09A, 10, 11, 12, and specification contained therein, 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 Notwithstanding the details shown on the approved plans , further details of the George Hotel ground floor elevation to High Street shall be submitted to and approved in writing by the District Planning Authority before the development hereby permitted is first commenced. The development shall be carried out strictly in accordance with the approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of dormer windows, parapets, railings, rooflights, cycle/bin store, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 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 ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 5 The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 6 All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 7 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.
- 8 Gates/doors provided at the entrance to the site shall not open outwards towards the public highway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 9 Before any works for demolition are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly

implemented strictly as approved. **REASON:** To ensure the protection of bats and compliance with Policy ENV27 of the Warwick District Local Plan 1995.

- 10 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation/air conditioning scheme 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 :** In the interests of the amenities of future occupiers of the building.