

Application No: W 12 / 0358

Town/Parish Council: Warwick

Registration Date: 02/04/12

Case Officer:

Liam D'Onofrio

Expiry Date: 28/05/12

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20-24 High Street, and 2-8 Swan Street, Warwick, CV34 4AP

Change of use of first and second floors from office use to 9 residential flats, alteration to windows to first and second floors, construction of wall and gate across vehicular access. Construction of garage and 3-bay carport FOR Gidney Holdings Ltd

This application has been requested to be presented to Committee by Councillor Illingworth.

SUMMARY OF REPRESENTATIONS

WCC (Highways): Comments awaited

English Heritage: No objection, the application should be determined in accordance with national and local guidance and on the basis of WDC's specialist conservation advice.

Warwick Town Council: Comments awaited

CAAF: Objection to design and access issues identified within the previous application

Public response: Two objections received raising concern with the proposed new first and second floor windows within the northeast elevation overlooking windows and terrace/garden areas to No.14 and 16 High Street, the side elevation to parking bay 8 being higher than the existing garden wall which is unacceptable and not well designed for a conservation area, and that there will be insufficient parking provision for the scheme.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP6 - Upper Floors within Listed Buildings and Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

PLANNING HISTORY

The site was redeveloped for shops and offices in 1973 and there have been a number of subsequent applications relating to shop front changes, a microwave antenna, and roof alterations for air conditioning equipment. The most recent and relevant application relates to:

W/11/1339 Change of use of first and second floors from office to 9 residential flats, alteration to windows and second floors, construction of wall and gate across vehicular access, construction of garage and 3-bay car port: Refused 27th March 2012

The application was refused for the reason that the layout of the parking was considered to result in an unacceptable impact upon the safe and satisfactory access by vehicles and pedestrians (principally commercial vehicles) to the site, with particular concern regarding the impact upon pedestrian safety. The current scheme must therefore seek to successfully overcome this reason.

KEY ISSUES

The Site and its Location

The application site relates to a prominent corner plot located on the northwest side of High Street and northeast side of Swan Street within the Warwick Conservation Area. The building forms a three-storey block that wraps around the corner with the third storey located within a mansard roof with dormer windows (to the road fronts). There is an open car park and service yard accessed from Swan Street to the rear of the building, which also provides access route to other properties.

Details of the Development

Planning permission is sought to change the use of the two upper floors from offices to nine residential flats (5 No. two bedroom flats, 1 No. one bedroom flat and 3 No. three bedroom flats). The ground floor will remain within existing retail use class. Alterations will be made to the building to facilitate the conversion, including the linking of existing dormer windows into groups to create more usable floor space and glazed balustrades located to the existing parapets and existing rear balconies and external stairways. All windows to front and rear elevations will be replaced with aluminium frames. The building's flat roof will be partially covered with rack mounted solar panels set at 45-degrees. The existing brickwork to elevations will be retained and existing

render will be repaired and repainted white, while grey terracotta cladding will be used to dormer fronts and the ground floor entrance.

The existing access onto Swan Street is formed by an open gap and will be in-filled with a dedicated, brick built bin storage area with pedestrian access gate and separate 2.2 metre high hardwood gates for vehicle access, set back 9 metres from the highway. The rear yard will accommodate seven parking spaces, three of which will be within a covered carport and one garage space (there is no existing formal arrangement). A vehicle and pedestrian clearway will be provided for access through the yard to adjoining properties and a loading/unloading area will be located to the rear of the building to serve the ground floor commercial properties. Six cycle stands are also shown.

The applicant confirms that the apartments will be laid out where possible to meet the needs of wheelchair users and ambulant disabled users.

The application was accompanied by a Design and Access Statement, a Vehicle Parking Statement, a Sustainable Buildings Statement, a Renewable Energy Statement, and a Planning Statement.

Assessment

The main factors relevant to the consideration of this application are as follows:

- The principle for development;
- Design and setting within Conservation Area;
- Neighbours' amenity;
- Highway safety;
- Sustainability.

Principle

The relevant town centre policy for the use of the upper floors (TCP9) states that "Redevelopment or change of use of existing employment land and buildings for other uses will be permitted except within the Town Centre Employment Areas, as defined on the Proposals Map". The application site is not located within the 'defined area', and there is therefore a general presumption in favour of the proposal in accordance with Policy UAP1, unless material considerations indicate otherwise. These "other considerations" are generally the impact the proposal would have on other planning interests.

The proposed scheme is considered to provide a good quality residential environment. The available parking and outside amenity space is limited, however the site benefits from being in a sustainable urban location, with easy access to the Town Centre's services, facilities and public transport links. It is understood that the office use has been vacant for approximately two years and the positive re-use of the upper floors of the building for a residential use will contribute to the aims of creating a diverse and active town centre. No issues were raised with the principle of the scheme under the previous scheme W/11/1339 and the proposed development is considered to remain acceptable.

Design and setting

In design terms the proposed alterations to group dormer windows is considered to be acceptable and the dormers will remain unobtrusive, set back from the front main walls. The replacement aluminium windows are considered

acceptable; however a condition is suggested to agree the colour. The existing building already provides a relatively modern design compared to adjoining buildings, including listed buildings within this conservation area setting. In this context the restrained use of contemporary materials, such as the grey terracotta cladding, aluminium frames and glazed screens is considered appropriate. The grey terracotta will provide an emphasis to the location of the apartment entrance at ground floor and incorporates stainless steel letter plates for the nine apartments.

The building's windows will retain their vertical emphasis and rhythm, which respects fenestration on surrounding buildings. The unacceptable Juliette balconies, with associated railings, to the first floor front elevation were removed from the original scheme and have not been included within current plans. Photo voltaic panels will be mounted on 45-degree racks on the building's flat roof and will be unobtrusive and largely screened from view at street level.

The bin store and access gates will fill an existing gap within the Swan Street streetscene to provide an acceptable continuous frontage.

The design remains the same as the previous scheme considered under W/11/1339, which raised no design concerns as part of the refusal reason. In this respect the scheme is considered to remain an appropriate design solution that will preserve the character and setting of the Conservation Area and surrounding Listed Buildings, while creating a beneficial use for the upper floors of the building.

Neighbours' amenity

Other than alterations to dormer windows on the High Street and Swan Street elevations, the bulk and mass of the existing building will remain unaltered. Windows and the rear external stairwell access and balconies are existing and there is no additional opportunity for overlooking. Four windows are proposed within the northeast elevation to serve a kitchen and bedroom at first floor and a kitchen and utility at second floor. Neighbours' concerns regarding overlooking are noted, however these will be small window units (three of which have a 600mm worktop in front, placing the occupier back from the window) set some 10 metres from the boundary with No.16 High Street, which is separated from the application site by a single storey rear extension belonging to No.18 High Street. The opportunity for overlooking or the perception of overlooking from the proposed windows to properties on High Street to the northeast is therefore considered to be extremely low, and no greater than that of other surrounding windows in the rear elevations of properties on High Street within this built up area. The scheme is not therefore considered to result in any significant loss of light, outlook, privacy or amenity to the occupiers of surrounding properties.

Comings and goings should not be any greater than those associated with the existing office use and the residential use is considered to be compatible with surrounding uses.

Highway safety

The previous refusal reason related solely to concerns regarding the parking layout and concerns that the proposed scheme would result in an adverse impact upon highway and pedestrian safety.

The applicant has discussed the scheme with the adjoining occupier, who has a right of way across the yard area, and significant improvements have been made to the layout of the parking area to ensure a vehicular access route through the site is maintained. A dedicated pedestrian route has also been provided, improving the safe passage of pedestrians through the site, thus avoiding unacceptable pinch points between vehicles and boundary treatments, which pedestrians would have had to negotiate in the previous layout scheme.

These amendments are considered to have overcome the previous refusal reason regarding safety and the formal layout will be an improvement overall.

In terms of parking provision the scheme will provide seven parking spaces and a garage space, tandem to one of the parking bays. The adopted SPD would normally require 14.5 spaces, due to the number and type of residential units, although this is less than the 18 parking spaces that would usually be required for the existing office use and the change of use could be seen as an 'improvement' to the existing parking situation. The current parking area has no formal layout and the proposed scheme will provide allocated parking bays and also storage for wheelie bins, which are currently positioned around the yard area. It is noted that the application site is also located within a sustainable town centre location with good public transport links and future occupiers will not be reliant on the private motor car for transport.

Sustainability

In terms of the use of renewable energy, this is being provided by the installation of a significant number of roof mounted solar panels, which should provide substantially in excess of the 10% renewable energy requirement.

Other matters

In terms of the Open Space SPD, the applicant considers that no contribution to off-site provision needs to be made. This is based on a study which shows that the employment density for general offices, such as this, is normally 19 sq. m. per employee, which means that typically 39 employees could be accommodated in these offices. The proposed apartments would typically have a total of some 21 occupiers and would therefore generate significantly less demand for open space than the existing office use.

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 in accordance with the details shown on the application form, site location plan and

approved drawings No.1816-16;
1816-10 Rev M; 1816-11 Rev D; 1816-13 Rev J; 1816-14 Rev B; 1816-15 Rev D, and specification contained therein, except as required by condition No.3 below and 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 3 The development hereby permitted shall not commence unless and until details of all new external facing materials and window/door frames and access gate colours have been submitted to and approved in writing by the District Planning Authority. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 4 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 5 The proposed car parking, manoeuvring and access areas for the development hereby permitted shall be laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan No.1816-10 Revision M and these areas shall be kept available for use thereafter. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
- 6 The cycle provision shown on the approved plan 1816-10 revision M shall be completed before residential development is first occupied and thereafter shall be kept free of obstruction and be available at all times for the parking of cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority. **REASON** : To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
- 7 The residential apartments hereby permitted shall not be occupied until the bin store has been constructed in full accordance with the details shown on approved drawing no. 1816-10 revision M and 1816-13 revision J. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of impact on the Conservation Area, parking, or other impacts which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.
