

Planning Committee: 22 June 2005

Item Number: 31

Application No: W 05 / 0614

Registration Date: 06/05/2005

Town/Parish Council: Leamington Spa

Expiry Date: 01/07/2005

Case Officer: John Beaumont

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**37 Gordon Street,/88 New Street and Land adjacent, Leamington Spa,
CV31 1HR**

Demolition of two dwellings (no. 88 New Street and 37 Gordon Street) and construction of 7 new dwellings (one on site of dwelling previously approved by planning permission (W20021838) FOR G & N Developments

SUMMARY OF REPRESENTATIONS

Town Council : Object. Inadequate proposals for car parking within the site and will therefore further increase parking congestion and obstruction of vehicular movement on the main highway.

Neighbours : One letter of objection has been received. Object in strongest terms due to increase in congestion with inevitable parking problems for existing residents.

RELEVANT POLICIES

Government guidance on Conservation Areas is contained in PPG15 (Planning and the Historic Environment) whilst advice on housing is in PPG3 (Housing) and in transport in PPG13 (Transport). Within the Warwick District Local Plan 1995 the following policies are of particular relevance: ENV3 (Development Principles), ENV6, 7 and 8 (Conservation Areas), ENV12 (Setting of Listed Buildings), H5 (Infill Housing). These are reflected by Policies DP1, DP2, DP5 and DP8 in the Warwick District Local Plan 1996-2011.

PLANNING HISTORY

Planning permission and Conservation Area Consent for the erection of 14 dwellings after demolition of existing buildings was granted by the Planning Committee on the 7th April 2003, reference W20021838/39CA. Existing buildings on the site have now been demolished and the construction of new dwellings fronting New Street is nearing completion.

KEY ISSUES

The Site and its Location

The application site has frontages to both Gordon Street and New Street which are residential streets characterised by predominantly 2 storey housing

without off-street car parking. The site falls within the Conservation Area which contains a number of 'listed' buildings albeit none of the buildings on-site are themselves 'listed' as being of special architectural or historic interest. The site contains a traditional terraced property with a frontage to New Street which presently is in poor state of repair, together with a property on Gordon Street with its principal elevation overlooking the present residential redevelopment site of the former Sikh Temple. The balance of the site is largely garden land but it includes one plot which previously was granted planning permission for a house as part of the aforementioned redevelopment site fronting Gordon Street.

Details of the Development

The scheme falls into two parts.

- The demolition of the existing dwelling, No. 88, fronting New Street and the erection of 3 terraced properties to infill the resulting gap between No. 86, the site of No. 88 and its side garden and the recently constructed terrace of houses on the former Sikh Temple site. The proposed houses would have the same ridge height as the aforementioned new houses but would be slightly wider and would feature ground floor bay windows similar in design to that existing on No. 86 New Street; the ridge height of the proposed new dwellings would be some 1.4m greater than that of No. 86 New Street. The new dwellings would have four bedrooms and small front gardens enclosed by a dwarf brick wall and railings.
- The demolition of the existing dwelling No. 37 Gordon Street and the erection of a terrace of 4 houses fronting Gordon Street to infill the resulting gap between No. 36, the site of No. 37 and its 'side' garden, and the site of the approved terrace of houses on the former Sikh Temple site. The proposed houses would have the same ridge height and be to the same design as the aforementioned new houses; their ridge height would be some 0.8m greater than that of No. 36 Gordon Street. The new dwellings would have four bedrooms and small front gardens enclosed by a dwarf brick wall.

No off-street car parking is proposed for the proposed new dwellings, the subject of this application. The dwellings fronting New Street would follow the alignment of that street, lining up with the frontage of No. 86 New Street and the front elevation of the new properties erected on the former Sikh Temple site. The dwellings proposed on Gordon Street would follow the alignment of the new houses permitted on the former Sikh Temple site but would be 'staggered', set 1m forward of those dwellings and aligning with the front elevation of No. 36 Gordon Street. The rear first floor elevation of the proposed terrace properties fronting New Street and Gordon Street would be set a minimum of some 16m apart, similar to the distance separation of existing terraced properties on these streets and that permitted for the new terrace properties on the former Sikh Temple site.

Assessment

Members will recall from the planning history section of this report that, following the relocation of the Sikh Temple to Queensway, planning permission was granted for the residential redevelopment of that site by two terraces of housing, fronting New Street and Gordon Street. The present application relates to the adjacent frontages on those streets and seeks to demolish an existing house on each street, erecting new houses on the sites of these houses and their gardens. I consider the key issues raised by this proposal are as follows:-

- Demolition of existing buildings : The dwellings proposed to be demolished are not 'listed' as being of special architectural or historic character and I do not consider their demolition would cause such harm to the character or appearance of the established street scene as to justify the raising of objection. I am also conscious that No. 88 New Street is presently in a very poor state or repair.
- Principle of residential redevelopment : The site lies within a predominantly residential area within the town and I consider that, in principle, further residential development would be acceptable and in accordance with the aims of the Development Plan of concentrating development in the urban areas.
- Impact on character/appearance of Conservation Area and setting of nearby 'listed' buildings : This scheme follows closely the design and appearance of new housing already granted planning permission on the adjacent former Sikh Temple site. The elevation to New Street has been largely completed and I consider that this has resulted in a successful addition to the street scene. I am conscious that this proposal will result in the loss of existing gardens fronting New Street and Gordon Street but I do not consider these make significant contribution to the street scene such as to justify their retention; the character of both of these streets is of continuous frontage development and this proposal will complete that appearance in these sections of New Street and Gordon Street. Consequently, I consider that this proposal will not cause harm to either the character/appearance of the Conservation Area or the setting of nearby 'listed' buildings.
- Amenity for future residents and impact on existing residents : This scheme continues the form of development previously granted planning permission on the former Sikh Temple site and in my opinion will similarly result in an acceptable environment for future residents. With regard to immediate neighbours, I note No 88 New Street presently has a major rear 2 storey wing which will be removed to enable the new development and I consider that the proposed siting of the new dwelling adjacent to No 86 New Street would be acceptable. With regard to the siting of the new dwelling adjacent to No 36, Gordon Street, this will sit further back into the site than the existing dwelling. This will improve the outlook from the front of the property, No 36 albeit clearly at the rear, the flank wall of the new dwelling will project behind the main rear wall of No 36. I note No 36,

however, has a large single storey rear extension running the depth of the rear garden and I consider that the relationship would be acceptable. The presence of rear facing windows on the proposed new dwellings will increase overlooking of the rear of the existing dwellings in New Street and Gordon Street but given the fact that this is an urban location with existing overlooking, I do not consider this would be unacceptable.

- Highway/Car Parking : Clearly I am concerned that this scheme will result in a net increase of 5 new dwellings (7 in total) which will not have off-street car parking. The majority of existing properties in New Street/Gordon Street, however, do rely on on-street car parking and given the proximity of the site to the town centre, then in the light of current Government advice, I do not consider a refusal on car parking grounds could be sustained.

In summary therefore, I consider that this is an acceptable redevelopment which together with the housing under construction on the site of the former Sikh Temple will secure an enhancement to the character and appearance of this part of the Conservation Area.

REASON FOR RECOMMENDATION

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

RECOMMENDATION

GRANT 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 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 04.5475.110C, 04.5444, 118/A, 119/A, 121/A and 122A and specification contained therein, deposited with the District Planning Authority on 6th May 2005. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of chimneys, roof parapets, dormer windows, 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.
- 4 The window and door details required by the preceding condition shall be

constructed of timber, painted not stained, and shall incorporate a reveal of not less than 75 mm from the front face of the adjoining brick work.

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 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. 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 ENV3 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.
- 8 No dwelling hereby permitted shall be first occupied until satisfactory details of boundary treatment to the New Street and Gordon Street frontages and to the rear garden of each property hereby permitted has been submitted to and approved in writing by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 9 Before any development hereby permitted and first commenced, all existing buildings within the site shall be demolished and the resulting demolition materials removed off the site unless otherwise agreed in writing by the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 10 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary

for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety.

- 11 Surface water shall not be connected into the public foul sewer system and shall be separated within the site prior to discharge to a soakaway (subject to tests) or other suitable outfall. If the property is presently served by a soakaway the applicant must then ensure that it has sufficient capacity to accept the additional flows generated by the proposals. **REASON** : The site is not presently served by surface water sewers and to prevent the overloading of the public foul water system.
 - 12 The development hereby permitted shall not be brought into use until all parts of existing accesses to New Street and Gordon Street, have been permanently closed and reinstated in accordance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
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