

Planning Committee: 03 May 2005

Principal Item Number: 12

Application No: W 04 / 2088

Registration Date: 24/11/2004

Town/Parish Council: Leamington Spa

Expiry Date: 19/01/2005

Case Officer: Alan Coleman

01926 456535 planning_east@warwickdc.gov.uk

10-12 Adelaide Road, Leamington Spa, CV31 3PW

Change of use of 10 Adelaide Road to form additional hotel accommodation for the Victoria Park Hotel (12 Adelaide Road), closure of existing driveway opening to 10 Adelaide Road, erection of new rear boundary wall to 10 Adelaide Road and erection of access ramp to front elevation of 12 Adelaide Road FOR Mr R Wan

SUMMARY OF REPRESENTATIONS

The Town Council: *"Resolved that an objection be raised for the following reasons:-*

- 1. The application is considered detrimental to the character and appearance of the Conservation Area and as such is contrary to Policies DW ENV3 and DW ENV6 of the District Local Plan;*
- 2. The Council regrets the loss of residential accommodation in this area of the Town. It questions whether the case for additional hotel accommodation to meet the demands of visitors has been sufficiently proven;*
- 3. The development is considered to be unacceptable in terms of the adverse impact it will have on the amenity of nearby uses and residents, contrary to Policy DP2 of the emerging Local Plan, by virtue of the loss of privacy and visual intrusion. In particular, concern is expressed at the degree of light pollution that will occur from the proposed hotel use;*
- 4. Provision for access and parking within the site are considered unsatisfactory and inadequate and do not conform to Policies DP6 and DP8 of the Local Plan;*
- 5. The unauthorized removal of trees from the site should be rectified immediately with the restoration of appropriate species in the same locations as the originals."*

CAAF: *"The introduction of an access ramp "as proposed" to the front No. 12 Adelaide Road was considered to be particularly inappropriate. It was felt that inadequate information as to the type of materials was supplied. The design was completely out of character with this attractive Victorian villa and a much more suitable form of access ramp in a traditional design could be installed. Significant concern was expressed at the removal of the boundary wall between the two gardens and the loss of the garden. It was felt that the wall should be reinstated and that ideally the property at No. 10 should remain as a single dwelling. Significant concerns were expressed at the sub division of the pair of semi-detached houses one of which remains as a single dwelling. Incorporation as part of the hotel complex was destroying the unity of the villas. Concern was expressed at the treatment of the access point and the new front wall and the formation of wider drive between the villas. It was generally felt that this approach of combining additional houses into an existing hotel was not one to be*

welcomed in the Conservation Area as it did not enhance the Conservation Area."

Highway Authority: No objection, subject to the following conditions:

1. Southern vehicular access to be permanently closed.
2. Northern vehicular access to be 5.0 metres wide.
3. All parts of the existing accesses within the public highway not included in the permitted means of access to be closed and the kerb and footway reinstated in accordance with the standard specification of the Highway Authority.

WCC (Ecology): "It would appear that there will be little of ecological concern with the proposed development unless the conversion (sic) of the existing building will be affecting the roof space or cavities in existing garden walls. If this is likely to be the case then I would advise that a note is attached to any decision notice making the applicant aware of the possible effect on this European protected species." i.e. bats.

WDC (Leisure & Amenities): No objection, subject to protection of pine trees at rear of site and details of surface treatment in this area.

Neighbours: 11 letters of objection on grounds relating to:

- inappropriate development of site by reason of: a) loss of family dwelling from predominantly residential area to the detriment of the character of the Conservation Area; b) unproven need/demand for proposed accommodation c) increase in size of hotel in comparison with neighbouring guest houses/hotels in vicinity of site that are all contained within original single buildings d) pressure for conversion of adjoining dwelling to further detriment of Conservation Area e) potential for future development/expansion of hotel;
- harm to character and appearance of street scene and Conservation Area by assimilation of two properties of different architectural styles and size;
- harm to the ecological and environmental character and appearance of the site and surrounding area by the loss of established trees;
- harm to neighbouring residents' amenities from: a) loss of privacy and security from overlooking caused by loss of garden trees and use of garden area by staff and guests in proximity to adjoining garden and first floor balcony b) loss of visual amenity caused by loss of garden trees and outlook onto existing hotel building c) loss of day and sunlight to neighbouring garden by siting of proposed replacement trees d) exposure to noise and disturbance from intensified use and layout of premises as an hotel in closer proximity to adjoining dwelling e) inadequate sound insulation of hall way and stairwell, and;

harm to highway safety from a) increase in traffic movements onto a busy main road in the vicinity of a school, particularly at peak times, and b) inadequate car parking leading to an increase in demand for roadside parking on a busy main road and surrounding streets that currently experience problems of congestion.

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) H13 - Loss of Existing Residential Accommodation and Development within Existing Residential Areas (Warwick District Local Plan 1995)

(DW) TO4 - Change of Use to Hotels or Guest Houses (Warwick District Local Plan 1995)
(DW) TO5 - Extension of Existing Hotels and Guest Houses (Warwick District Local Plan 1995)
(DW) IMP2 - Meeting the Needs of People with Disabilities (Warwick District Local Plan 1995)
Policy (LTC) H2 (General Housing Policies)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)

UAP8 - Directing New Visitor Accommodation (Warwick District 1996 - 2011 First Deposit Version)
TCP1 - Protecting and Enhancing the Town Centres (Warwick District 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

The authorised planning use of the premises is as a dwellinghouse within the meaning of Class C3 of The Town and Country (Use Classes) Order 1987 (as amended). Planning application W04/1584 for the conversion of the premises to hotel use was withdrawn on 2004 to allow consideration of the current revised application.

KEY ISSUES

The Site and its Location

The premises comprise the existing Victoria Park Hotel that is housed in a 2/3 storey detached villa at 12 Adelaide Road and one of a pair of 3 storey semi-detached houses at No 10. The properties stand on the western side of Adelaide Road within a predominantly residential part of the Conservation Area, that also includes residential care homes at No's 6 and 14/16 Adelaide Road. Residential properties adjoin the site to the north and west at 8 Adelaide Road and dwellings in Victoria Street. The site is also currently visible across rear gardens of No's 6 and 8 from dwellings in Archery Road.

Both properties are set back from the road frontage on a common building line. Both properties differ in original design and appearance but are similar to other properties of a similar nature in Adelaide Road. The frontage of No 12 is laid out as a hard surfaced parking area with a further parking area at the rear adjoining the western boundary with residences in Victoria Street. No 12 has also been

extended by the addition of a rear wing (W981416) to provide a total of 2, guest bedrooms and dining/bar facilities.

In contrast, No 10 originally had enclosed front and rear gardens that are now largely open plan as the result of the removal of dividing garden boundary walls and hedges. Trees within the original rear garden have also been felled without consent. A new lawn has been laid to the rear of No 10 with some shrub planting and a timber trellis that denotes the end of the lawn. The remaining area adjoining the Victoria Street properties is left as waste ground. A basement lightwell has also been formed to the rear of No 10 within the patio area.

Details of the Development

The proposals seek to convert No.10 to provide 8 no. additional guest bedrooms for the Victoria Park Hotel and include alterations to the site access arrangements, provision of an external access ramp to the front entrance of the hotel, enlargement of the forecourt parking area by the inclusion of the former front garden area of No. 10, reinstatement of the rear garden boundary wall of No. 10 and replacement tree planting. The basement would also be converted to provide living accommodation for staff.

The application has now been amended by the omission of car parking spaces from outside No.10 in order to reinstate the front garden area, including the boundary hedge and retention of the original access and hardstanding parking space.

Assessment

I consider the principal consideration is whether the proposal is acceptable in principle having regard to the relevant policies of the Development Plan listed above, which raise the following issues:

1. Character and Appearance

In terms of land use, the development would result in the loss of a dwelling from a predominantly residential part of the Conservation Area, albeit with staff accommodation provided in the basement. This would result in 5 of the 12 properties on this side of Adelaide Road being in non-residential use. As such, I consider the balance of uses would remain predominantly residential.

With regard to the visual impact of the development, I am satisfied that, as amended, the proposals would re-create the visual boundaries that previously distinguished the properties from one another and would, in my opinion, maintain their character, appearance and layout within the street scene and Conservation Area. I am conscious that external alterations have already been undertaken to 10 Adelaide Road in the form of a basement access lightwell to the rear elevation and the installation of upvc windows and patio doors. However, these works are considered to constitute 'permitted development' under the terms of the Town and Country Planning (General Permitted Development) Order 1995 in relation to the current authorised planning use of the premises as a dwellinghouse.

I am also aware that the existing boundary wall and hedge between Nos 10 and 12 were removed prior to the submission of the earlier withdrawn application, together with all trees and shrubs within the rear garden without the benefit of Conservation Area Consent. The unauthorised removal of these trees is the subject of enforcement proceedings pending the outcome of this application. Whilst the damage to the ecological and environmental character of the site caused by these actions is irreversible, nevertheless the current proposals seek to reinstate the boundary wall and hedging, together with replacement tree planting. Whilst I note the comments of neighbouring residents regarding the position and impact of the trees shown on the submitted plans, nevertheless this is indicative only. Their precise siting, size and species would be subject to agreement with the District Planning Authority under the terms of an appropriate condition, should permission be granted.

Whilst I note neighbouring residents concerns regarding the potential precedent the proposed development would set for further development of a similar nature in the surrounding area, nevertheless it is a fundamental planning principle that each proposal should be considered on its own merits, as would any proposals to extend the premises.

2. Residential Amenity

In my opinion, the proposal would undoubtedly have an impact on the living conditions of neighbouring residents in the terms summarised above, particularly those at 8 Adelaide Road who would now be most exposed to activities within the site. By the very nature of the proposals, the amount of activity in and around the site would inevitably increase. However, in my opinion, such noise and activity would essentially be domestic in nature and equally unfettered to the extent that I do not consider it would be unacceptable.

3. Car Parking and Highway Safety

Neighbouring residents have also expressed concerns regarding the impact of the development on highway safety arising from the level of car parking provision proposed to serve the development. It is considered that this would be insufficient and would increase demand for on-street parking on Adelaide Road and the surrounding streets, which currently experience problems of congestion.

Provision for 16 parking spaces is made within the site to serve the development, together with the retention of a space within the frontage of 10 Adelaide Road, to serve a total of 28 no. bedrooms. There is also a public surface car park within 200 metres of the site on Adelaide Road, which is also within easy walking distance of the main town centre shopping, leisure and visitor attractions. The railway station is also within easy walking distance of the site which, in my opinion, is in a relatively sustainable location along a principal public transport route. I am therefore satisfied that the parking provision for the development is not unreasonable for a site of this nature. I am therefore of the opinion that there are insufficient grounds for raising an objection to the proposals on either highway safety or car parking grounds. The lack of objection from the Highway Authority reinforces my view on this issue.

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 A04.181-12B, and specification contained therein, submitted on 24 November 2004, approved drawing A04.181-15E, and specification contained therein, submitted on 11 April 2005 and approved drawings A04.181-06B, 08B, 22C and 23C, and specification contained therein, submitted on 22 April 2005 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 3 The premises at 10 Adelaide Road shall not be occupied for the purposes hereby approved until the boundary wall shown to be constructed at the rear of the premises has been completed in accordance with conditions 4 and 5 of this permission.
REASON : For the avoidance of doubt and to protect the character of the Conservation Area in accordance with policy DW 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 height, construction, the pattern of brickwork, bonding and mortar mix of the wall to be constructed at the rear of 10 Adelaide Road 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 (DW) ENV8 of the Warwick District Local Plan.
- 5 The boundary wall to be re-constructed at the rear of 10 Adelaide Road as part of the development hereby approved shall be carried out in reclaimed materials of the same type, texture and colour as the original wall, samples of which shall first be submitted to and approved by the District Planning Authority. The development shall not be carried out other than in accordance with such approved details.
REASON : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan.

- 6 Notwithstanding the landscaping details shown on the submitted layout plan, full details of the numbers, size, species and position of trees and hedges to be planted within the site 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 occupation of the premises hereby permitted, and any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees and hedges 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 (DW) ENV3 of the Warwick District Local Plan 1995.
