

Planning Committee: 20 September 2006

Item Number: 18

Application No: W 06 / 1145

Registration Date: 07/07/06

Town/Parish Council: Leamington Spa

Expiry Date: 01/09/06

Case Officer: Rob Young
01926 456535 planning_east@warwickdc.gov.uk

Car Park, Russell Street, Leamington Spa

Extension to existing multi storey car park FOR Warwick District Council

This application is being presented to Committee as it is a District Council application that is not a minor matter.

SUMMARY OF REPRESENTATIONS

Town Council: The Town Council welcomes the opportunity presented by the application to improve facilities associated with the car park, including the provision of public conveniences.

Local commercial bodies: The Chamber of Trade and Regent Court Shopping Centre have submitted letters of support.

Conservation Area Advisory Forum: This was generally not liked. Considerable concern was expressed over the loss of the tree line to the front. It was felt that the effect of new building to the back of the footpath would be disastrous. Any new build should be set further back which, it was felt, would be less oppressive. Visually the new building was not particularly liked, and was felt to be an 'inappropriate' overdevelopment of the site. Not enough imagination.

English Heritage: No comment.

WCC (Highways): have no objections in principle but detailed issues related to the transport assessment remain to be resolved.

WCC (Ecology): From the aerial photography there appears to be a number of trees or hedgerows that could be potentially impacted upon through this proposal. These features should be preserved if possible with an adequate buffer zone (2-3 metres). I also recommend a nesting bird note being attached to any approval granted as nesting season is now underway and care should be taken if it is essential to fell/lop any trees or hedgerow.

Leisure and Amenities (Trees): Object on grounds of significant loss of highways trees which make a positive contribution to the street scene on Russell Street and to the Leamington Spa Conservation Area. The 18 trees in the area of

highway verge to the front of the car park are all early-to-mid mature specimens, most of which are in good condition. They provide a breath of greenery in an area of town that has limited tree cover. Taken together with the surface car park, one of the few areas on Russell Street where there are not buildings up to the back edge of pavement, they give the impression of space in an area with a generally highly built up feel. Given their relatively young age these trees have the potential to contribute positively to the amenity of the area for several decades to come. If the scheme is to be granted planning permission some mitigation for the loss of landscape features should be sought. Possible mitigation measures are suggested, including providing planters on the face of the building, setting the building back, and providing tree planting off-site.

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) TR6 - Provision of On-Street and Off-Street Parking within Town Centres (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

Planning permission was granted for the existing multi-storey and surface car parks in 1968 (Ref. 12256).

KEY ISSUES

The Site and its Location

The application site comprises a surface car park in front of the existing multi-storey car park on the eastern side of Russell Street. The site is within the Leamington Spa Conservation Area. There is a line of established trees along

the Russell Street frontage of the site. The existing car park has in and out vehicular accesses from Russell Street.

The site is bounded by the existing multi-storey car park to the east and by Russell Street to the west. Commercial properties, some with flats on the upper floors, are situated to the south of the site in Russell Street and Warwick Street. Offices and the White Horse Public House are situated to the north of the site in Russell Street and Clarendon Avenue, with residential properties further along Clarendon Avenue. Commercial properties face the site from the opposite side of Russell Street, including offices, a car sales garage and the Moo Bar Public House.

Details of the Development

The proposed car park extension would comprise a 9 level multi-storey car park in place of the existing surface car park. The proposal would include a motorcycle and cycle parking area. The proposal would use the existing in and out accesses from Russell Street.

The proposal would measure 63m wide by 32m deep. The main bulk of the proposal would be between 9.5m high (at the front) and 12m high (at the back), with the maximum height to the top of the tower feature being 16.5m high. The proposal uses traditional materials, with a combination of brick and rendered sections, together with some contemporary materials.

Assessment

I consider that the main issues relevant to the consideration of the current proposal are as follows:

- the impact of the proposals on the character and appearance of the Conservation Area;
- loss of trees;
- the impact of the proposals on the living conditions of nearby residents; and
- the impact of the proposals on highway safety.

Impact on Character and Appearance of Conservation Area

Amendments have been made to the design to improve the appearance of the proposed extension. As amended, I am of the opinion that the proposals would have an acceptable impact on the character and appearance of the Conservation Area.

In my view, the site presently makes little contribution to the character of Russell Street, being an open surface car park allowing views across to the existing multi-storey car park. The existing multi-storey car park has a utilitarian appearance that detracts from the character and appearance of the Conservation Area. The proposed extension would largely obscure views of the existing multi-storey car park from Russell Street, which would be a significant benefit.

With regard to scale, whilst the proposed extension would be a substantial structure, I consider that the design and detailing proposed would ensure that it can be successfully integrated into this traditional street scene. The extension would be similar in scale to adjacent buildings, being 3 storeys high at the front, and stepping up at the rear to meet the height of the existing car park. Furthermore, the elevations include openings that pick up on the fenestration patterns of traditional buildings in the street.

With regard to the proximity to the back of the pavement, the proposal would be no nearer to the pavement than the traditional development within the street, in fact it would be set slightly further back than most of the existing development in the street.

Loss of Trees

The comments of the Leisure and Amenities Tree Officer are noted, but I am of the opinion that the loss of trees would be acceptable in this case. The trees were planted at the time the existing car park was developed, and it is likely that their purpose was to screen the surface car park. The situation has now changed in that the current proposal is for a high quality piece of architecture that does not need to be screened, rather I consider that it should be allowed to stand alone as a key part of the street scene.

The existing trees are something of an anomaly in this location. Russell Street was not designed as a tree lined avenue like some streets in the Conservation Area, but forms part of the commercial core of the town centre that is characterised by buildings positioned close to the street without significant tree planting. Therefore I do not consider it necessary to require compensatory planting to be provided.

Impact on Living Conditions of Nearby Residents

Russell Street is almost exclusively commercial. There are no residential properties facing the site from the opposite side of Russell Street. The nearest

residential properties are the flats above shops to the south of the site in Russell Street and Warwick Street. The extension would also be visible from residential properties to the north in Clarendon Avenue, although that would be at more of an oblique angle. I do not consider that the proposal would have a significant impact on the living conditions of nearby dwellings due to the distance away from those properties. The proposed extension would be at least 24m from the nearest dwelling.

Impact on Highway Safety

A transport assessment has been submitted in support of the application. Detailed issues relating to the assessment are being discussed with the Highway Authority and any further comments will be reported at the meeting.

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 strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 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 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.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of ironwork, recessed panels, canopies and openings in the facades of the building 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.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development is of an acceptable standard of design which is in keeping with the architectural and historic character of the Conservation Area within which the site is located. Furthermore the proposal would have an acceptable impact on the living conditions of nearby dwellings and would be acceptable in terms of highway safety. The proposal is therefore considered to comply with the policies listed.
