

PRINCIPAL ITEM NO. 5

TOWN: LEAMINGTON SPA

APPLICATION NO. W20031096/1282CA

DATE OF RECEIPT: 7.7. 2003

CASE OFFICER: MR J BEAUMONT

**56, RUSSELL TERRACE, LEAMINGTON SPA**

Erection of a two storey building (with additional accommodation in basement and roof space) incorporating 16 two bedroomed flats after demolition of existing dwelling and garage for Newbold Design Ltd.

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**THE SITE AND ITS LOCATION**

The application site fronts onto Russell Terrace and is presently occupied by a detached 20<sup>th</sup> Century dwelling and garage, (probably "interwar" in construction), within an extensive open garden. It is adjoined to the west by the blank gable of No 54 Russell Terrace and to the east by the gable of No 58 which contains two obscure glazed windows. To the south is a block of garages fronting Plymouth Place; these garages are not within the application site.

There are dwellings on the north side of Plymouth Place which overlook the application site, as does the terrace of residential properties to the south side of Plymouth Place.

The garden to the rear of the No 56 Russell Terrace is largely laid out as a lawn and contains no significant trees. There are some Leylandii trees on the southern and eastern boundaries and a shed to the rear of the trees adjoining the southern boundary.

The site is within the Conservation Area; No 55 Russell Terrace to the north is a "listed" building.

**THE DETAILS OF THE DEVELOPMENT**

This is an amended application which entails the demolition of the existing dwelling and its garage and the erection of a single building containing 16, 2 bedroom flats; it is not proposed to provide any off-street car parking for the proposed flats.

The building as amended in its design would have the following main features:-

- It would have the appearance from Russell Terrace of two, two storey detached pitched roof buildings linked by a recessed, glazed entrance lobby. The ridge height of the building is shown to be similar to its neighbours and it would be set some 1.2 m off each side boundary.
- The building would incorporate accommodation at a basement level with lightwells to the front and rear together with accommodation in the roofspace; it is proposed that the scheme would incorporate rooflights on the front elevation together with balconies, dormers and rooflights on the rear elevation.
- At the rear, it is proposed to construct a projecting central rear wing, two stories in height; this is shown on the applicants site plan to meet the Councils adopted 45° Code.
- It is proposed that the front elevation would be rendered with render details, the rear/side elevations would be facing brick and the whole building would have a slate roof.

**PLANNING HISTORY**

There is no relevant planning history on this site.

## **RELEVANT POLICIES**

Relevant Government advice is contained in PPG3 Housing, PPG 13, Transport and PPG15 “Planning and the Historic Environment.” With regard to car parking:-

One of the principal objectives of PPG13 is to reduce the need to travel, especially by car and the guidance sets out the circumstances where it is appropriate to change the emphasis and priorities in provision between different transport modes, in pursuit of wider Government objectives (para 5).

At paragraph 6, it advises that in considering planning applications, local authorities should, inter alia, accommodate housing principally within existing urban areas, planning for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling, and to use parking policies, alongside other planning and transport measures, to promote sustainable transport choices and reduce reliance on the car for work and other journeys.

In relation to implementing policies on car parking, local authorities are advised not to require developers to provide more spaces than they themselves wish, other than in exceptional circumstances (para 51).

PPG3: Housing also promotes the re-use of previously developed land for housing, including the conversion of existing buildings. In order to promote such conversions, local authorities are advised to take a more flexible approach to development plan standards with regard to densities, car parking, amenity space and overlooking (para.41). More specific advice is given at para. 60-62:

60. Car parking standards for housing have become increasingly demanding and have been applied too rigidly, often as minimum standards. Developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street parking when there is no need, particularly in urban areas where public transport is available or where there is a demand for car-free housing. Parking policies should be framed with good design in mind, recognising that car ownership varies with income, age, household type, and the type of housing and its location. They should not be expressed as minimum standards.
61. Local authorities should revise their parking standards to allow for significantly lower levels of off-street parking provision, particularly for developments:-
  - In locations, such as town centres, where services are readily accessible by walking, cycling or public transport.
  - Which provide housing for elderly people, students and single people where the demand for car parking is likely to be less than for family housing; and
  - Involving the conversion of housing or non-residential buildings where off-street parking is less likely to be successfully designed into the scheme.
62. Car parking standards that result, on average, in development with more than 1.5 off-street car parking spaces per dwelling are unlikely to reflect the Government's emphasis on securing sustainable residential environments. Policies which would result in higher levels of off-street parking, especially in urban areas, should not be adopted.

In the Warwick District Local Plan, 1995, the following policies are considered of particular relevance:- District Wide Policies ENV3 (Development Principles); ENV6, 7 and 8 (Conservation Areas), ENV12 (setting of Listed Buildings) and H5 (Infilling).

## **CONSULTATIONS**

### **Town Council**

No objection but concern expressed at parking provision in view of potential number of vehicles using the site. Demolition of existing building should only be determined in conjunction with the parallel application for new flats.

### **Neighbours**

12 letters of objection received raising the following issues:-

Absence of off-street car parking likely to increase congestion for existing residents (i.e. possible 32 cars and servicing demands); existing house and green setting should be retained; design wholly inadequate, unacceptable quality (i.e. not designed as two separate villas or as a truly single building) and unacceptable design features, such that will harm streetscene and Conservation Area; density out of keeping with Russell Terrace; likely increase in noise/disturbance/litter and possible road accidents, overload drains/sewers; undermine sense of community, loss of light and privacy to neighbours; contrived design to meet 45° code; site visit requested.

A petition of 43 signatures relating to the above objections has been received from residents in Russell Terrace/Plymouth Place.

A further petition with 28 signatures from Plymouth Place residents have expressed objections to the poor design, spoiling the outlook from Plymouth Place and expressing concerns about the future of the land between the application site and Plymouth Place and the possible adverse effect on car parking in Plymouth Place.

5 letters and a petition of 15 signatures raising specific objections to the demolition of No 56 Russell Terrace have been received in particular commenting this property adds to the variety of dwellings on Russell Terrace and it is considered to be of good architectural quality.

### **C.A.A.F.**

It was felt that the present scheme did not enhance the Conservation Area as it was an unsuccessful pastiche which was not in sympathy with the rest of the streetscene. The width of the building is significantly greater than the adjacent properties. The detailing was considered to be poor. It was also felt that 16 properties was overdevelopment at the site particularly as no parking was to be provided. It was suggested that an exact replica replacement of the villas would be a more appropriate approach possibly with some small mews buildings at the back.

### **W.C.C. (Ecology)**

No objection subject to bird/bat notes.

### **Severn Trent Water**

No objection.

### **W.C.C. (Fire & Rescue)**

No objection subject to water supply/fire hydrant.

### **W.C.C. (Highways)**

"The applicant does not provide parking within the site for occupiers of the flats. There is a significant demand for 'on street' parking within the vicinity of the application. Further demand may prove frustrating to local residents, however it is unlikely to create a danger in terms of highway safety.

In view of the guidance provided within PPG13 where maximum parking standards are set in relation to developments, particularly those situated close to town centres and where services are readily accessible by walking, cycling and public transport, the Highway Authority would be unlikely to sustain an objection should it go to appeal.

In the circumstances, there are no highway objections subject to the following:

The development hereby permitted shall not be occupied until secure cycle parking has been incorporated within the scheme for residents.

The development hereby permitted shall not be occupied until all parts of existing access from Russell Terrace have been permanently closed and the public highway features, including the kerb line, have been reinstated in accordance with details approved in writing by the District Planning Authority.”

## **COMMENTS**

In my opinion, the main issues raised by this proposal relates to the demolition of the existing building, the principle of a new infill development, the design of the present proposal and its impact on the character/appearance of the Conservation Area and the setting of the nearby Listed Building, impact on neighbours amenity and car parking/highway safety.

### **Demolition**

Whilst noting the comments raised by local residents and being conscious of the provisions of District-Wide policy ENV7 in the Warwick District Local Plan, 1995 (i.e. permission will not normally be granted for the demolition of non-listed buildings which contribute to the overall character and appearance of the Conservation Area) I do not consider that the existing building is of such intrinsic merit as to warrant retention. It is a 20<sup>th</sup> century, inter-war building which, whilst not obtrusive in the streetscene, is nevertheless very much out of character with the general design and appearance of buildings in this street. I do not consider that it makes a contribution to the Conservation Area such that its retention could be sustained.

### **Principle of infill**

The existing property does not occupy the full frontage of this site and is set back behind a landscaped fore garden; the site, therefore, presently has the appearance of providing a gap in the streetscene which provides views into the rear garden with Plymouth Place beyond. Elsewhere, however, Russell Terrace, has a more developed street frontage and, in my opinion, the infilling of the present gap would not harm the character/appearance of the Conservation Area or the setting of the Listed Building. No. 55 Russell Terrace – rather I consider it could offer the opportunity to enhance the streetscene by completing the street frontage.

### **Design Issues**

This is proposed as a contemporary design which seeks to reflect the established pattern of development on Russell Terrace of detached villas but in the form of a single building containing two dominant elements on the street frontage linked by a recessed glazed entrance lobby and staircase. The scheme has been amended to scale to seek to address design concerns expressed by C.A.A.F. and local residents, but it has retained the essential design as set out above. The rear of the building is again of contemporary appearance, and albeit that too has been amended to, in particular, reduce the dominance of accommodation proposed within the roofspace, it also remains as a unique modern design. Whilst acknowledging the concerns expressed regarding this design, I am of the view that it will reflect the established rhythm of the street and in height and scale will not ‘jar’ with the present form of development in the locality. I consider, as amended, it will be an acceptable design and subject to appropriate conditions on large scale details and materials/finishes, it will not harm the character/appearance of the Conservation Area or the setting of the nearby ‘Listed’ building.

### Impact on neighbours amenity

Whilst noting the objections raised by local residents, I consider that the impact of this proposal on neighbours, and in particular the issues raised concerning loss of light and privacy to neighbours, would not be so harmful as to warrant a refusal of planning permission. The development meets the District Council's adopted Supplementary Planning Guidance in respect of the 45° code and I do not consider the design of the proposed rear wing (which has been designed to meet that code) would be unsatisfactory. Although there will be oblique views gained of neighbours and views back towards Plymouth Place, I consider that having regard to the location of this site and its surroundings within the built-up area of the town in the Conservation Area, increased overlooking would not be to a degree which would justify a refusal of planning permission.

### Car parking/highway safety

Clearly this is a matter of major concern to many local residents. Having regard to the location of this site, however, in a 'sustainable' location within easy walking distance of the town centre, to current Government advice in respect of car parking, and the absence of an objection from the Highway Authority, I do not consider that an objection on these grounds could be sustained. Furthermore, the predominant character of this area is one of continuous frontage development without vehicular accesses separating properties and leading to car parking areas. Thus, I consider that the introduction of car parking on this site would not be in accordance with the established character and appearance of the Conservation Area and hence that the 'car free' scheme as now submitted is the appropriate solution to the development of this site.

### **RECOMMENDATION**

That planning permission and Conservation Area consent be GRANTED, as amended, subject to conditions on large scale details, materials, landscaping, bin storage, external lighting, landscaping, cycle storage, access, site levels, water supply/fire hydrants, obscure glazing and bird/bat notes. Demolition of existing building only to proceed if contract in place for new replacement building.

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