

Planning Committee: 24 May 2011

Item Number:

Application No: W 11 / 0294

Town/Parish Council: Leamington Spa
Case Officer: Jo Hogarth

Registration Date: 03/03/11

Expiry Date: 28/04/11

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Proposed change of use from place of Worship (D1) to Residential (C3) involving the conversion of the existing Chapel building to form 2no. dwellings FOR Mr R Clothier

This application has been requested to be presented to Committee by Councillor Barrott and also due to the number of objections and an objection from the Town Council having been received.

SUMMARY OF REPRESENTATIONS

Leamington Town Council: Objection as the proposal does not meet with Warwick District Council's Supplementary Planning Document regulations on car parking.

CAAF: It was pointed out that this was built by Edward Pugin as a Catholic Boys School. The conversion was welcomed and it was hoped that the restoration would be carried out to a high standard to enable the features of the building to be fully restored many of which are in a poor condition. It was felt more detail was needed in particular a section of the building so that the size of the rooms could be ascertained within the roof and also whether there is any roof detailing to be expressed within the building. It was felt that the stonework which is currently painted would be better cleaned and redressed as stone. It was also suggested that possibly the building may work better as one bedroom studio apartments rather than trying to achieve two bedrooms. Generally it was felt this scheme would preserve this interesting building within the Conservation Area.

Public response(s): 5 letters have been received objecting to the scheme on grounds that there is a lack of parking and does not meet the Council's standards. During the day it is easier to park however in the evenings it is at capacity. Over 11 years it has been necessary to report incidents of vehicle obstruction to the police. Objection in terms of the four windows and overlooking and light pollution, also the thermal panels do not appear to be safe. Over-development and the building is in need of repair.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)

PLANNING HISTORY

There have been no recent planning applications submitted for this site.

KEY ISSUES

The Site and its Location

The site relates to a redundant chapel building located on the south side of the road within the designated Conservation Area. There is no curtilage area with the building and no off street parking is available. It is a brick built building located within a predominantly residential area. It is not a Listed Building.

Details of the Development

The proposal seeks to convert the building to form 2 no. 2 bedroomed dwellings.

Assessment

I consider the key issues relating to this proposal to be the principle of conversion, impact on neighbours, parking, public open space and impact on the Conservation Area.

Principle of development

The building has remained unused for a period of approximately five years and has been unsuccessfully marketed in excess of 12 months until the applicant purchased it. I am satisfied that in applying Policy SC8 "Protecting Community Facilities" the proposal does not conflict with the criteria contained within it, in that there are other places of worship accessible to the local community by means other than the car and through the marketing process it became evident that the use was redundant with no other user willing to manage it or acquire it. I therefore consider the scheme to be acceptable in terms of it's proposed use.

Impact on neighbours

I note the objection to the proposed 4 rooflights in the rear facing roofslope together with the two proposed in the front roofslope; however I do not consider that there would be unacceptable overlooking as the rear ones would be obscure glazed and given the oblique angle due to the pitch of the roof slope I am of the opinion that they would afford limited views. As such I do not consider that a refusal based on grounds of overlooking could be sustained in this instance.

Parking

The building currently benefits from Class D1 use, and as a place of worship measuring 82.6 sq metres, the off street parking requirement would be for 8 spaces (the site lies in a low accessibility zone where the ratio is 1 space per 10 sq metres). For 2 dwellings, each with 2 bedrooms the parking space requirement (total) would be 3 off street spaces. In light of there being a

reduction in the number of parking spaces required for residential use and given that the building could be converted into a creche, health centre, clinic or church hall, each potentially attracting greater vehicular movements without the need for planning permission, I am of the opinion that it would be difficult to refuse consent on parking grounds. New Street and nearby roads such as Farley Street do not have restricted on-street parking and residents are not eligible for residents parking permits on these roads.

Public Open Space

The Council's adopted Supplementary Planning Guidance on public open space contributions has been applied and the applicant has agreed to enter into a Section 106 agreement to secure the payment of £1256.00 (calculated as 2 x 2 bed units at £628.00 each). There are several green spaces within a 500m accessibility threshold such as Crabtree Meadow and Welches Meadow. Additionally Jephson Gardens and Mill Gardens still have improvements planned.

Impact on the Conservation Area

The Council's Conservation Architect has been consulted and is of the view that generally this is a good re-use of an interesting building within the Conservation Area. Whilst it is noted that the solar panels may be visible from the neighbouring street, they will not impact detrimentally on the building. As such I do not consider the proposal would have a negative impact on the streetscene generally or the wider Conservation Area.

Other matters

As part of the scheme, it is proposed to install four solar thermal roof panels to the rear roofslope. It has been demonstrated that these will provide in excess of 10% of the energy requirement for each unit. I am satisfied that this is acceptable and would comply with the Council's Local Plan Policy DP13.

Internally, it is proposed to provide for cycle storage and bin storage thereby negating the requirement for bins to be stored on the street. I am of the view that this is acceptable.

RECOMMENDATION

GRANT, subject to the conditions listed below and a Section 106 agreement to secure the Public Open Space Contributions.

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 numbers 11/05-03 and 11/05-04, and specification contained therein, submitted on 3 March 2011 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 No development shall be carried out on the site which is the subject of this permission, until large scale details of the new door, conservation style roof lights, solar panels and section through the windows showing the first floor treatment 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** : For the avoidance of doubt, and to ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 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 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 windows or other openings other than those expressly authorised by this permission, shall be placed at any time in any elevation of the building. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected and to help meet the objectives of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 6 Prior to the occupation of the development hereby permitted, the rooflights in the rear roofslope shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and the obscured glazed rooflights shall be retained and maintained in that condition at all times. **REASON** : To protect the privacy of users and occupiers of nearby properties and or the privacy of future users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 31 of the 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 would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.
