

Planning Committee: 19 August 2014

Item Number: **13**

Application No: W 14 / 0959 LB

Town/Parish Council: Kenilworth

Registration Date: 19/06/14

Case Officer: Emma Spandley

Expiry Date: 14/08/14

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Abbotsford School, Bridge Street, Kenilworth, CV8 1BP

Demolition of part of rear wing of existing main building; change of use of existing two storey building to a single dwelling house (Use Class C3); change of use of existing rear outbuilding to 2no. dwelling houses (Use Class C3) and the erection of 6no. dwelling houses (Use Class C3) and associated landscaping. FOR Newbury Land (Developments) Ltd

This application is being presented to Committee due to an objection from the Town Council having been received and a request from Councillor Blacklock.

RECOMMENDATION

Planning Committee are recommended to grant listed building consent subject to the conditions listed below.

DETAILS OF THE DEVELOPMENT

Permission is sought for the demolition of some of the existing buildings and the change of use of the existing main school building into one residential dwelling. Following the removal of the existing two storey class room wing, the proposal includes the erection of five dwelling houses. The scheme also includes the removal of the later additions to the original barn building and front extensions to convert this building into two dwelling houses.

The original access for the school onto New Street is to be utilised. A small part of the existing wall will be removed and a link archway with a flat above will be built.

Plots 1 - 3 will form a terrace with the rear of the buildings facing onto New Street; plots 4 - 5 will be located within the former stable building; plot 6 will be attached to plot 5 and be located within the archway above the entrance, fronting onto New Street. A bin store will be located along the shared boundary with No.2 New Street, towards the north - east side of the site; plots 7 & 8 will be located with the rear elevations facing onto No.2 New Street and siding onto the rear boundary of No.1 Pears Close.

The buildings proposed and the extension to the barn building will be of a modern design and three storeys in height.

This application is a resubmission of a previous application refused by Planning Committee on 27th May 2014 for the following reason:-

"The proposed development by reason of its density and design would provide an unsympathetic design solution within this location which is detrimental to the visual amenities and character of the surrounding area contrary to the National Planning Policy Framework and to policy DP1 of the Warwick District Local Plan 1996-2011."

The current application includes revisions which seek to address the above reason for refusal which are summarised in the Design and Access Statement submitted with the application as follows:-

"The revisions include the reduction in the height of Units 1-3 together with a reduction in the overall heights of units 7 & 8 and the inclusion of a landscape strip along the boundary between unit 8 and the properties in Pears Close. These revisions have been incorporated to ensure that the new buildings remain subservient to the Listed Building and to reduce the impact upon neighbouring properties. In addition the proposed parking provision has been increased to provide additional parking spaces for the main house. These revisions reduce the overall density of the development and aim to minimise the impact on the neighbouring properties and compliment the Grade II Listed Building whilst retaining a mews type courtyard development inward looking that will blend in with the urban character of the area."*

The reduction in height of units 1-3 and 7 & 8 is from 8.2 metres to 7.4 metres.

THE SITE AND ITS LOCATION

The application site relates to a former school site called Abbotsford School. The site contains a Grade II* Listed Building which is located on the corner of New Street and High Street. Several extensions to the property have occurred over the years which run along the shared boundary with New Street and include a two storey class room extension, a link extension to the original barn. The original barn has benefited from further extensions to the elevation facing into the site.

There is a wall which runs along New Street and is adjoined to the main building. The original stable building's rear wall forms part of this wall. The wall is also Grade II* Listed.

PLANNING HISTORY

There have been a number of planning permissions and Listed Building consents granted in relation to the use of the site as a school.

W/14/0416 & 0417/LB - Demolition of part of rear wing of existing main building; change of use of existing two storey building to a single dwelling house (Use Class C3); change of use of existing rear outbuilding to 2no. dwelling houses

(Use Class C3) and the erection of 6no. dwelling houses (Use Class C3) and associated landscaping, refused 29th May 2014.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- HE1: Protection of Statutory Heritage Assets
- HE2: Protection of Conservation Areas

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council- Having sought guidance from WDC, Members considered that there did not seem to be any material difference to the previous application, nor were they able to identify changes that addressed the several matters upon which they had objected to W/14/0416. They therefore maintained their OBJECTION in respect of this application.

Councillor Blacklock - Objection as there has been no significant change from the previous refused application. There are too many properties squeezed into the site; the design is out of keeping with the area and the development is unneighbourly.

English Heritage - No objection

Public Response - 3 objection's has been received on the following grounds:-

The development of densely packed housing in its grounds will jeopardise any long term viable future for the main building due to the size of the garden and accessing the house through the development. Overlooking, overshadowing and loss of privacy for neighbouring properties and not in keeping with the character of the area. Noise and disturbance during construction work.

ASSESSMENT

The impact on the Listed Building and the Conservation Area

The application site is in a prominent and sensitive location within Kenilworth Conservation Area incorporating a Grade II* Listed Building which has been

vacant for some considerable time. It is acknowledged that the most appropriate way of ensuring the protection of such key historic buildings is through their being brought back into use at the earliest time such that the longer that protected buildings remain vacant the greater the level of risk in securing their retention in perpetuity.

It is considered that the key benefits of the overall scheme for this site involves the bringing back into use of that building supporting by the sensitively designed and appropriate development of the remaining site which together will ensure the protection of that building and the enhancement of the environment of the surrounding area. In particular, it is considered that the changes brought forward as part of this revised scheme including the reduction in heights and introduction of additional landscaping will have the effect of increasing the subservience of the new development both within the street scene and from neighbouring properties and insodoing address the previous reason for refusal.

The consultation response received from English Heritage who are the statutory consultee in relation to the historic environment is a material consideration in the determination of this application and is one of support for the development.

In their response they express their view that *"The new residential units are designed in a modern idiom, but in tradition materials. There is nothing to say that new buildings have to be of a traditional form, indeed elegant modern design can contribute to the character of a Conservation Area"*. They also note the concerns that have been expressed regarding the height of the buildings, but note that the new buildings will be positioned behind an existing boundary wall on New Street and therefore have not raised any objection in that respect.

On this basis and taking into account the views of English Heritage, it is considered that in overall terms the proposed scheme will be a significant benefit to the historic environment by way of the reuse of the Grade II* Listed Building and the sensitive redevelopment of its curtilage which has been further enhanced through the revisions brought forward in this application.

SUMMARY/CONCLUSION

Abbotsford House has been left vacant for a number of years, this is a Grade II* Listed Building whose retention is required. The proposed conversion of the former Abbotsford School back to a single dwelling is in accordance with English Heritages recommendations as there are original cupboards within the property and a central staircase. Any application to divide the property up will ruin the integrity of the Listed Building and the historic features. The proposal will bring the vacant building back into viable use and is considered acceptable in principle. There have been a number of unsympathetic utilitarian extensions added over the years by the school, the demolition of these modern additions to the rear will benefit the Grade II* Listed house. The design and density of the proposed new dwellings has been subject to extensive negotiations between the applicant, officers and English Heritage. The design of the buildings has been led by English Heritage who wished to see a modern style to the new dwellings. This is

a site that has many constraints and collaboratively everyone has worked together to bring the site back into use.

The proposals are considered wholly in accordance with the adopted Local Plan 1996 - 2011, the Draft Local Plan 2014- 2029 and the NPPF.

CONDITIONS

- 1 The works hereby permitted shall begin not later than three years from the date of this consent. **REASON:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 0928-A1-016-B & 928-A3-009 dated 19th June 2014; 928-0500-C & 928-0501-B dated 25th July 2014, 928-0502-B dated 24th June 2014; 0928-A1-050-C dated 19th June 2014, and specification contained therein **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 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellings hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 4 No development shall be carried out on the site which is the subject of

this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) 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 DAP8 of the Warwick District Local Plan 1996-2011.

- 5 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root structure may extend within the site and which are within the Warwick District Council Kenilworth Conservation Area. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
 - 6 All window and door frames within the Abbotsford House shall be constructed in timber and shall be painted and not stained. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011 / 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.
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