

Planning Committee: 08 December 2010

Item Number: 9

Application No: W 10 / 0920

Registration Date: 03/09/10

Town/Parish Council: Warwick

Expiry Date: 29/10/10

Case Officer: Steven Wallsgrove

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2 Church Street, Warwick, CV34 4AB

Conversion of office space above 2 Church Street and 1 Jury Street, into 5 self contained flats FOR The Local Shopping Reit PLC

The application, if it is to be approved, requires a S106 Agreement for public open space funding.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: The Town Council would wish to draw the Planning Authority's attention to the need to ensure that the Council's Conservation Planning Officer should ensure that the development does not effect the original features, walls and doors of the buildings and that the development would meet the requirements of LPA Policy DAP8.

English Heritage: Have no comments to make.

CAAF: It was pointed out this is an important grade II* listed corner building at the corner of Jury Street and Church Street. Some concern was expressed at the removal of a section of wall to create a larger bathroom at first floor level and also at the upper level. It was considered that this was too great a change to the interior of the building and that the bathroom spaces could be combined in some way by just creating door openings between the spaces. The other sub-division was felt to be acceptable, subject to it not breaking through existing cornices or other historic features. (Comments on plans as originally submitted).

Conservation: No objection to amended plans.

Cultural Services: Have confirmed the public open space funding figures submitted by the applicants.

Public Comment: The existing tenants of part of the premises consider that there is a need for more businesses to operate from the town centre, and that there is a surplus of flats, but acknowledge that there are vacant offices in the town. They consider that the premises should have been marketed as individual offices. One local resident objects due to lack of parking due to on-street parking problems.

RELEVANT POLICIES

- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- TCP1 - Protecting and Enhancing the Town Centres (Warwick District Local Plan 1996 - 2011)
- TCP12 - Upper Floors within Town Centres (Warwick District Local Plan 1996 - 2011)
- TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP6 - Upper Floors within Listed Buildings and Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

Planning permission for additional offices was granted in 1975, with an approval for a change of use of the ground floor from shops to offices in 1981. Consent was given for the use of the ground floor and basement as a wine bar in 1983, and as a retail shop in 1993. There have also been applications for signage and alterations to the building.

KEY ISSUES

The Site and its Location

The property lies at the centre of the Conservation Area and is a Grade II* Listed Building. The ground floor is in use as an estate agents with the upper floor as offices, only part of which are occupied.

Details of the Development

The proposal is to convert the upper floors into five flats (see W10/0921LB for the necessary alterations). The application is accompanied by a Design and Access Statement, a 10% Renewable Energy Report, an Open Space Commuted Payments Statement and a Marketing Report.

Assessment

The principal issue in this case is the loss of the offices use. The submitted report, however, shows that they have been vacant for two years, and that there have only been two enquiries. The rental sum has even been reduced by 10% but still with no interest. It is considered, therefore, that there is justification for permitting an alternative use. The creation of some flats would bring the building back into residential use (it was built as a dwelling) although some alterations would be needed to the building. These, however, have been

reduced to a minimum following negotiations, the internal wall mentioned by CAAF now having an archway detail rather than being removed entirely.

The application proposes the use of air to water heat pumps for the renewable energy, which does not require alterations to the building (other than hanging the external unit on the outside wall in the rear courtyard), while Cultural Services have agreed the figure for a committed sum for open space provision. In terms of car parking the site lies in the town centre where there is access to good public transport and a residential use could result in less parking demand than the present office use. Although the adopted Vehicle Parking SPD looks for parking to be provided, it includes a number of exceptions, one of which is that the development meets other planning objectives and would not unacceptably worsen the parking situation. It is considered that the present proposal comes within this category.

RECOMMENDATION

GRANT subject to the following conditions, after completion of a Section 106 Agreement or Obligation to pay the agreed Public Open Space Committed sum.

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) L47.5/01A, /02, /03 and /04, and specification contained therein, received on 21st July 2010 and 18th October 2010 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 and doorway, and the 'punched openings' on the first floor, and the upper cruck truss on the landing on the third floor 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 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.

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 achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of loss of amenity, parking or public open space which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.
