

Planning Committee: 03 August 2005

Item Number: 04

Application No: W 05 / 0475

Registration Date: 23/03/05

Town/Parish Council: Leamington Spa

Expiry Date: 18/05/05

Case Officer: John Beaumont

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106 Regent Street, Leamington Spa, CV32 4NR

Part demolition of existing building, internal alterations and new extension to create 3 flats and installation of a new shop front FOR Kigass Ltd

This application is being presented to Committee due to an objection from the Town Council having been received.

SUMMARY OF REPRESENTATIONS

Town Council: Development makes inadequate provision for off-street car parking and refuse storage.

Neighbours: One neighbour has expressed concern regarding disruption etc during building work. A letter objecting to the extent of demolition and rebuild which it is considered would be unacceptable has been received.

C.A.A.F: Alterations to the rear of the building quite radical and would no longer relate well to frontage. Drawings should show relationship to Site E.

Head of Environmental Health: No objection subject to sound insulation condition.

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) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

There is no relevant planning history.

KEY ISSUES

The Site and its Location

The site comprises a non-"listed" building in the Conservation Area. It is two storey in height and forms part of a terrace of properties on the south side of Regent Street. Presently, there is a shop fronting Regent Street with residential accommodation above and a two storey rear extension to the rear which runs at right-angles behind other Regent Street frontages. There is pedestrian access through the Regent Street frontages to access the rear of these properties and first floor flats above the shops. To the rear of the site is the new development under construction to the rear of the Regent Hotel (key site "E").

Details of the Development

This is an amended scheme which proposes:-

- Alterations to the existing shop to install a new shop frontage of traditional design and to provide a level ground floor trading area (at present there are steps down within the building to a lower rear area);
- alterations to the first floor of the existing shop to form a two bedroomed flat;
- the substantial demolition and rebuilding and extension of the existing rear two storey extension and its sub-division to form two, two bedroomed flats.

The submitted plans indicate the provision of refuse storage areas for the proposed flats which would have pedestrian access only via the existing side access to the rear of No.106 Regent Street, no off street parking is proposed in association with this development.

Assessment

I consider that this application raises issues of impact on the Conservation Area, amenity of residential properties and car parking.

With regard to the impact on the Conservation Area, I consider that the new shop front will be wholly acceptable and will be an enhancement to the present appearance of the building. The refurbishment/alterations to the existing frontage building will in my opinion enable the shop to have an improved trading area with an "updated" flat above, which similarly will be acceptable.

Clearly the works to the existing extension to the rear of the building are more substantial. However, as amended, I consider the proposal will now sit comfortably on this site without harm to the character or appearance of the Conservation Area. The present building is in poor condition and in my opinion is not of an attractive design. As amended, I consider the new extension would secure an improved appearance which would not detract

from the setting of the building fronting Regent Street or the adjoining new building under construction on "Key Site E".

In respect of residential amenity, I consider the first floor flat above the existing shop would be an acceptable residential unit which is similar in layout to other flats on Regent Street. I am conscious that the two flats proposed to the rear will be "backland" in location but as amended, I consider that their layout and design will secure an acceptable standard of amenity for their future occupants and residents in other nearby flats. The "fall-back" position is that the existing extension could be refurbished and used for residential purposes which in my opinion would be a less desirable outcome than the scheme of development now proposed.

Finally, whilst noting the Town Council's objections on car parking grounds, given this is a town centre site with a history of residential use, I do not consider an objection on car parking grounds could be sustained in the light of current Government advice contained in PPG3 (Housing) and PPG13 (Transport). The amended scheme also includes provision for refuse storage on site.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 1146/05F, 06e, 07 and 09 and specification contained therein, 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 All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning

Authority. **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.

- 5 The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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.
- 6 No development shall be carried out on the site which is the subject of this permission, until large scale details of bin storage facilities, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods 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.
- 7 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In the interests of the amenities of future occupiers of the building.