

Planning Committee: 27 November 2012

Item Number: 10

Application No: W 12 / 1026

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

Registration Date: 28/08/12
Expiry Date: 27/11/12

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Kingsway Community Centre, Edinburgh Crescent, Leamington Spa, CV31 3LL

Demolition of former Kingsway Community Centre and erection of affordable housing comprising 2no. three bedroomed houses, 2no. two bedroomed houses, 5no. two bedroomed apartments and associated car parking (resubmission of W/11/0942) FOR Waterloo Housing Association

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The purpose of this report is to consider the above application which proposes to demolish the existing vacant community centre and construct 4 houses comprising 2 x 2 bed houses and 2 x 3 bed houses together with a three storey apartment block containing 5 flats and ground floor community area, together with associated car parking and bin storage.

THE SITE AND ITS LOCATION

The site relates to a vacant single storey community centre located within a predominantly residential area. It is situated on a semi-circular plot which is 'sandwiched' between Edinburgh Crescent and Kingsway. Adjacent to the centre is a four storey block of flats known as Philip Court. The car park associated with the community centre is accessed off Edinburgh Crescent. Within the vicinity of Lee Road which is opposite the site (to the north) there is a mini supermarket and Leamington Railway Station is within walking distance. The site is outside the designated Conservation Area.

PLANNING HISTORY

A previous application (ref: W/11/0942) for a similar scheme was withdrawn. There have been no other recent planning applications for this site.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- Distance Separation (Supplementary Planning Guidance)
- Open Space (Supplementary Planning Document - June 2009)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Leamington Spa Town Council: No objection.

Cllr Jane Knight: Support.

Cllr Balvinder Gill: Support.

WDC Green Space: Recommend public open space contributions.

WDC Housing Strategy: Support.

WDC Contract Services: No objection.

WDC Environmental Health: No objection.

Warwickshire Police: No objection.

WCC Ecology: Recommend bat notes.

WCC Highways: Object (original scheme) as no parking available for plots 1 & 2 within the curtilage of the property.

WCC Sustainable Communities: Recommend £1194.00 for Library Service Contributions.

Severn Trent Water: No objection subject to a condition in relation to drainage plans.

Public response(s): 12 letters of objection have been received raising concerns that the development is out of keeping with the area; loss of privacy; increase in traffic and parking; noise and disturbance; loss of sunlight to properties in Edinburgh Crescent; danger to children crossing road, and social aspect as the tenants aren't vetted so this will increase fear of crime and impact on security issues.

ASSESSMENT

It is considered that the main issues relating to this application to be as follows:

- Principle of development
- Impact on streetscene
- Impact on neighbours
- Other matters

Principle of development

Policy SC8 of the Local Plan seeks to resist the loss of community facilities, except where there are other similar facilities accessible and where there is no need or no other user willing to acquire the facility. The community centre has been vacant since February 2009 due to falling memberships. At that time no marketing took place to assess whether there was a need for the facility; however in 2011 and 2012 meetings with local people took place together with a survey being sent out to approximately one thousand households asking their opinion on the need for the community facility. Seventy seven responses were received with less than half of respondents indicating they would be interested in volunteering to run the centre.

In light of this indication of need and willingness to run a community facility, the scheme has been amended since the 2011 application to include a ground floor area which could lend itself to a self contained community facility to satisfy the local need identified. The applicant has also submitted a statement setting out all the nearby similar community facilities and local services within 800m radius of the site. It is considered therefore that in light of the evidence of other community facilities nearby, there not being a new user ready to acquire and manage the entire site, and the ability to satisfy the need identified through public consultation with the inclusion of a small community facility within the proposal, that the proposed development is considered to be in accordance with Policy SC8 of the Local Plan.

Impact on the streetscene

The immediate area is characterised largely by two storey semi-detached houses which have a mix of hipped and gabled roofs. The design of the proposed houses are such that they reflect the surrounding properties in terms of their character and style, and would thereby be in keeping with the general visual appearance of the area. With regard to the proposed three storey block of apartments, given that there is an existing four storey block of flats adjacent to the site, it is considered that this would not appear as an incongruous feature within the streetscene, and is also of appropriate design. It is therefore considered that the proposed development would be acceptable and would meet the criteria set out in Policy DP1 in the Local Plan.

Impact on neighbours

In terms of the impact on residential amenity of the proposed three storey block of apartments, the third floor windows have been omitted and replaced by roof lights which would be situated above head level, and the secondary windows at third floor level on the side (east) elevation have been omitted thereby avoiding any overlooking of neighbouring properties private amenity space. It is considered therefore that whilst the Distance Separation Standards for three

storey to two storey of 27 metres is not achieved (there would only be a distance of 22 metres between the rear of the apartments and the frontages of properties in Edinburgh Close), as there would be no overlooking from the third floor, it is considered in this instance that this would be acceptable and would meet the Distance Separation standards for two storey to two storey (which is 22 metres). With regard to the relationship between the proposed two storey properties and the existing properties on Edinburgh Crescent, this would be at a minimum 18 metres which is below the Council's standards. However, as these properties are at an angle to the proposed properties, it is considered that in this instance this is acceptable and would not result in unacceptable adverse impact to occupiers of these properties through loss of privacy. It is therefore considered that the proposal is in accordance with Policy DP2 in the Local Plan.

Other matters

As part of the submission, the applicants have provided information to demonstrate that the use of solar thermal panels would provide 10% of the predicted energy requirement of the development in order to meet the requirements of Policy DP13 and the Council's adopted Supplementary Planning Document on Sustainable Buildings.

In relation to parking, the scheme proposes 16 spaces which exceeds the Council's Vehicle Parking Standards of 14.5 spaces and therefore complies with Policy DP8 in the Local Plan. The plans have been amended to overcome the original concerns of the Highway Authority by providing two off street parking spaces in front of and to the side of plots 1 and 2 rather than relying on parking within a parking court to the rear of the property. As now amended it is considered that the revised parking layout addresses the original highway comments and therefore is acceptable.

Within the site, bin storage would be provided for the flats, and in line with the advice received from Waste Management, the store would be secured with a code fitted lock so as to deter nearby residents from using these bins. The houses would have sufficient capacity within their curtilage for the storage of wheelie bins and recycling boxes. It is therefore considered that adequate provision is made for refuse storage and recycling and meets the criteria set out in Policy DP1 in the Local Plan.

The requirement for contributions to public open space (£12560) and libraries (£1194) are considered appropriate and can be secured through condition. It is considered that both Local Plan Policies SC13 and SC14, and the Council's adopted Supplementary Planning Document on Public Open Space have been addressed.

CONCLUSION/SUMMARY OF DECISION

In the opinion of the Local Planning Authority, the proposed development is of an acceptable standard of design which would harmonise with the design and appearance of its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing numbers 9091.02; 9091.03; 9091.04 and 9091.05, and specification contained therein, submitted on 29 October 2012. **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 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 construction 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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 No development shall commence on site until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details before the development is first brought into use. **REASON:** To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies DP9 and DP11 in the Warwick District Local Plan 1996-2012.
- 5 Prior to the commencement of the development hereby permitted, a soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority and 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. **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.
- 6 The dwellings hereby permitted shall not be occupied unless and until:
 - (a) a scheme and appropriate details have been submitted and approved in writing by the local planning authority to provide for the provision of and or improvement of and/or maintenance of public open space within the catchment area of the site, in accordance with Policy SC13 of the Warwick District Local Plan 1996 - 2011;
 - (b) a scheme and appropriate details have been submitted and

approved in writing by the local planning authority to provide for the provision of and or improvement of and/or maintenance of libraries within the catchment area of the site in accordance with Policy SC14 of the Warwick District Local Plan 1996-2011; and

(c) the facilities approved under (a and b) have been implemented in accordance with the approved details, unless otherwise agreed in writing by the District Planning Authority.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 and Policy SC14 of the Warwick District Local Plan 1996 – 2011.

- 7 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. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **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.

- 8 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

- 9 The hard surfaces hereby permitted shall be constructed in porous materials and shall be managed and maintained as thereafter. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.
