

Planning Committee: 13 December 2023

Observations received following the publication of the agenda.

Item 5: W/23/0364 – Euro Garages, Stratford Road, Warwick

Vehicle tracking

The applicant has not provided any additional tracking plans to show right turn movements into the site, however, they have drawn attention to the fact that the Local Highway Authority has not raised any objection to the proposed access arrangements, including the internal turning arrangements (which account for large vehicles such as fuel tankers). They have also commented as follows:

"In brief, vehicles can enter the site from both sides of Stratford Road, without issue, given that the proposals only intend to modify the existing access point to formalise an ingress/egress point with clear marking to allow for a one-way system. At present, the site is poorly laid out, with cars parked in an area without any formal marking, directly next to the access point which allows for vehicles to enter and leave next to the parked cars.

The Swept Path Analysis provided shows vehicles entering from the south of Stratford Road as the articulation would be more difficult versus approaching from the north of Stratford Road. The turning area for vehicles approaching from the south is 'tighter'; hence, the 'worst case' is shown, i.e. the largest possible vehicles entering from the south. As such, it is considered that there will be no issues regarding access, as confirmed by the County Council's Highways Team, with the Swept Path Analysis showing the tightest manoeuvre for the largest possible vehicle."

Amendment to condition 7 (noise mitigation)

Officers have become aware that the technical data sheet submitted for the proposed acoustic fencing and explicitly referenced in condition 7 has been superseded by a new version on the manufacturer's website. To ensure that the condition can reasonably be complied with, it is recommended that the condition is amended to reference the most up to date product specification available from the manufacturer.

Officers have noted that there is a minor change between the previous and current specifications of the fencing in terms of its superficial mass, with the previous specification having a superficial mass of 28 kg/m² and the latest specification having a superficial mass of 25 kg/m². Nevertheless, both specifications achieve the same laboratory sound reduction (28 dB) and the latest specification remains well above the minimum superficial density of 10 kg/m² which is generally required for acoustic fences.

Condition 7 is therefore updated as follows:

7. Prior to the development hereby permitted first being brought into use, a 2.7-metre-high acoustic barrier shall be installed in accordance with the details

shown on the Proposed Layout (drawing number 220131 - 102 (E)), the details set out in the Noise Impact Assessment: Report DC4265-NR1v2' produced by Dragonfly Consulting and dated 7th July 2023 and the specification detailed within the Jacksons Fencing 'Jakoustic Reflective' specification sheet (reference: JSW 30 Issue 02). The fence shall be imperforate and sealed at the base. The fence shall thereafter be retained as such.

Reason: To protect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011- 2029 and guidance in the NPPF.

Item 6: W/23/1048 – Stoneleigh Arms, 31 Clemens Street, Leamington Spa

Additional conditions (final wording confirmed by Environmental Health)

New cond.11 – remaining conditions re-numbered accordingly

No development hereby permitted shall be carried out above slab level unless and until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall identify practicable measures for the control of noise associated with the normal activity at the proposed development and should include the use of sound limiting devices to ensure that prescribed noise limits for amplified music and voice are not exceeded. **Reason:** To ensure that the level of noise emanating from the development is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

Updated cond.12 to reflect impacts on neighbour amenity

No development hereby permitted shall be carried out above slab level unless and until details have been submitted to and approved in writing by the Local Planning Authority which demonstrate how the development will minimise the potential for crime and anti-social behaviour. Such details should include provision for appropriate security measures, including lighting, landscaping and fencing, as well as details regarding the long-term management and maintenance of such features. The development shall thereafter be implemented in accordance with the approved details and maintained as such in perpetuity. **Reason:** In the interests of minimising the potential for crime and anti-social behaviour, to improve community safety **and to safeguard neighbouring amenity** in accordance with Policies HS7 **and BE3** of the Warwick District Local Plan 2011-2029.

New cond.19 restricting particular types of events

Notwithstanding the information contained within the application, the use of any building of the development hereby permitted (in particular The Old School) and the use of the area of outside space referred to as the Pocket Park, shall not, at any time, be used for holding functions or events involving the use of amplified music and/or voice. Reason: To ensure that the level of noise emanating from the building(s) is confined to levels which would not cause unacceptable disturbance

to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

Update to cond.2 to reflect corrected revision numbers to final drawings

The drawings themselves have not changed but have been re-submitted to correct some discrepancies in the revision numbers of the proposed plans.

Additional information received from the applicant, summarised below:

1) In relation to sustainability (social/economic, design and construction):

Design includes:

- Renewable technologies (air source heat pumps, PV panels);
- Flexible and accessible layouts to enable easy adaptation for future proofing
- Maximising natural light and ventilation;
- Surface water management system designed to manage 1 in 100 annual probability plus 40% climate change rainfall event; and
- Designed to take into account increasing annual temperatures set out in UK Climate Projections.

Construction includes:

- High performance materials and finishes; fabric-first approach to minimise building's energy consumption;
- Use of sustainable materials; prioritising use of local materials and construction methods which reduce resource use;
- Measures through construction/operation of the site to reduce pollution, minimise waste and encourage recycling;
- Ecological mitigation and enhancement measures; and
- Proposed planting in Pocket Park designed to attract a range of pollinators to the area.

2) In relation to noise:

Addendum to Noise Report submitted, confirming the information set out within the Planning Statement Addendum, confirming the removal from the proposals of any events incorporating amplified music/voice

Question from Councillor Richard Dickson

Councillor Dickson has sought clarification regarding the amount of cycle parking (10no. proposed spaces)

Officer response: While the proposed uses do not fit comfortably within the defined categories in the Parking Standards SPD, multiple scenarios based on a mix of uses have been calculated which result in an overall requirement for approximately double the amount of cycle spaces shown. The site is in a highly accessible town centre location however and no objections to the cycle parking were raised during the assessment of the proposals. It is noted there is space within the site to provide a further cycle storage area should Members feel this is necessary.

Item 7: W/23/1108 – 41 Portland Street, Leamington Spa

This application has been withdrawn from the agenda to enable further on site discussions between the Applicant and Officers.

Item 8: W/23/1109/LB – 41 Portland Street, Leamington Spa

This application has been withdrawn from the agenda to enable further on site discussions between the Applicant and Officers.

Item 9: W/23/1411 – Town Hall, Parade, Leamington Spa

No updates

Item 10: W/23/1460 – Abbey Fields, Swimming Pool, Bridge Street, Kenilworth

Amended soft landscaping plan received:

An updated soft landscaping layout plan has been submitted which incorporates some native bulbs (*Hyacinthoides non-scripta* - Bluebells) into the planting scheme. Additionally, the plan shows increased density of hedge planting around the sub-station.

Officers consider that the updated soft landscaping plan addresses the comments made by WCC Ecology and WCC Landscape team and is acceptable. Condition 7 (hard and soft landscaping) is to be updated to reference the amended plan.

Question from Councillor Richard Dickson

Councillor Dickson has sought confirmation that, with the exception of the proposed changes in conditions 7, 8, 9 and 11, all other conditions from the original planning permission (ref W/21/0170) remain unchanged.

Officer response: Officers can confirm that all other conditions either remain unchanged or have been updated to reflect the fact that certain details have subsequently been approved as part of the discharge of conditions process.

Councillor Dickson has also commented that "references to the swimming facilities in Abbey Fields should be 'pools' in the plural not singular. The second smaller pool is of great importance in the facilities and referring to 'pool' in the singular risks this important feature being forgotten."