

Planning Committee: 28 April 2015

Item Number: **10**

Application No: W 15 / 0258

Town/Parish Council: Warwick
Case Officer: Anne Denby

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Registration Date: 25/02/15

Expiry Date: 27/05/15

Park View Residential Home, Priory Road, Warwick, CV34 4ND

Variation of Condition 2 of planning application ref: W/13/0941 (Erection of 62 bedroom care home following demolition of existing, with new car parking and servicing) to allow for a minor material amendment to the approved drawings for the inclusion of a 3 storey extension to the rear elevation. FOR Runwood Homes Plc

This application is referred to Planning Committee due to the number of objections received and following a request from Cllr Bromley.

RECOMMENDATION

Planning Committee are recommended to GRANT approval of the application, subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for an minor material amendment to the 62 bedroom care home development approved in 2013 and currently under construction.

The amendment consists of the addition of a 3-storey extension to the rear of the approved building. The extension will provide additional floorspace for the cafe at ground floor and bedrooms to the 1st and 2nd floors. The extension will measure 4.75m in width and have a maximum depth of 2.3m from the existing rear wall.

The extension will have a pitched roof with gable end to the rear. The eaves height will be at the same level of the existing building, 7.75m and the ridge height at 9.2m.

The extension is rectangular, although the north-west corner has been removed to avoid conflicts with the 45-degree sightline. Windows are only proposed to the rear (north) elevation of the extension.

The purpose of the extension is to increase the internal floor area of the bedrooms proposed. On construction it was considered by the applicants that the rooms were too small as the floor area created included an unusable corridor section.

THE SITE AND ITS LOCATION

The application site is located on the northern side of Priory Road, backing onto Priory Park, an Ecosite containing a Scheduled Ancient Monument (but this does not adjoin the application site). It is surrounded by residential properties including elderly persons dwellings in Garden Court to the west, Greville House to the east, and a care home on Yeomanry Close to the north-east. The Conservation Area extends down Priory Road but excludes Park View and the dwellings at either side.

Park View is a three storey 62 bed care home which is currently in the later stages of construction following planning approval granted in 2013. The building is an 'L' shaped, 3-storey structure with car parking and servicing areas being provided to the front of the building. There is an area of private gardens for residents to the rear of the building with incidental open space and landscaping to the front of the building.

PLANNING HISTORY

W/13/0941 - Erection of 62 bedroom care home following demolition of existing, with new car parking and servicing - Granted, 2nd October 2013.

W/93/0647 - Ground floor lounge extension, bay windows and a conservatory - Granted, 20th July 1993

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (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)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H5 - Specialist Housing for Older People (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Comments awaited

Cllr Bromley - Requested that the application be referred to Planning Committee for determination.

Cllr Higgins - Commented on the application and stated that the developers have kept local Councillors and people informed of the building work and it has been constructed quickly. The small amendment proposed would not cause concern.

Public Response:

- A letter signed by 9no. residents of Yeomanry Close has been submitted. The letter states that the residents object to the application as it would affect their quality of life.
- An objection has been received from the occupants of no.29 Yeomanry Close on grounds of: Building work has caused noise and disturbance to local residents, sometimes it has been impossible to gain access safely and to open windows because of the noise, the building is already far too large for the site with hardly any provision for outside space and is very overpowering in relation to Yeomanry Close with many residents losing light and privacy and it has a detrimental impact, concerned with provision for workers and visitors when the property is opened.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The principle of the development
- The impact on the character and appearance of the area
- The impact on the living conditions of nearby dwellings
- Car parking and highway safety
- Other matters

The Principle of Development

The principle of the development has already been established under the previous planning approval. This current application does not seek to increase the number of bedrooms proposed and therefore the principle of the development is still considered to be acceptable.

The impact on the Character and Appearance of the Area

Policy DP1 only permits development which contributes positively to the character and quality of its environment through good layout and design. Policy DAP8 of the Local Plan requires development to respect the setting of Conservation Areas and important views in and out of them, and to preserve or enhance their special architectural and historic interest and appearance.

The proposed 3-storey extension to the rear will be in keeping with the style, scale and design of the care home currently under construction. The extension will form a projecting gable to the rear, breaking up the mass of the building and roof scape. The building contains a variety of ridge lines and although the corner of the proposed extension has been angled to accommodate the 45-degree sightline, the finished design does not appear overly contrived when read in the context of the wider development due to the variation within the building design.

The detailing to the extension reflects that of the main building and utilises the same palette of materials. The extension would be visible from Priory Park to the north although it will not be a dominant feature and will be viewed against the existing building. The extension is therefore considered appropriate in terms of design and massing and it would have a neutral impact on the setting of the Conservation Area and comply with Policies DAP8 and DP1.

The impact on the living conditions of nearby dwellings

Policy DP2 requires development not to lead to an unacceptable adverse impact on the amenity of nearby users or residents, and to provide acceptable standards of amenity for future users/occupiers of the development. The Residential Design Guide SPG also requires development to take account of the impact on neighbouring properties, and in particular sets out the 45 Degree Guideline for assessing over-development, loss of privacy and dominance over adjoining dwellings, and to secure reasonable standards of outlook and amenity.

The proposed extension has been designed to comply with the 45 degree guidelines taken from the nearest flats in Garden Court (nos. 15 and 16). These flats have rear windows which would be affected but the design of the proposed extension takes account of this. The proposals have taken a 45-degree sightline from the edge of the window, rather than the 1/4 point required by the SPG to ensure there is no infringement and reduce any impact to existing residents. Furthermore the north-west corner of the extension has been angled to reduce the bulk and visibility of the extension from the adjacent properties.

The extension therefore complies with the relevant guidance and it is not considered that the proposals would result in any unacceptable loss of light or outlook to the occupants of the nearest flats in Garden Court. No windows are proposed to the side elevation facing Garden Court and therefore no undue overlooking will occur.

The proposed extension will be obscured from the view of residents of Yeomanry Close by the existing building under construction. The extension is sited to the western boundary of the site well in excess of 30m from the site boundary to Yeomanry Close. The extension will have a lower ridge line than the main building and therefore is unlikely to be viewed from Yeomanry Close and is considered to have little impact on the existing residents through visual impact, overlooking or overshadowing.

The extension will be wholly obscured from the existing properties to Greville House and therefore is not considered to impact upon these existing residents.

The extension will result in a reduction to the outdoor garden area to the rear but it is considered that a reasonable area will be retained. The site is within reasonable walking distance of Priory Park which provides amenity value and the reduction to the private garden area is not considered to result in such harm to the amenities of future occupants that it would warrant refusal of this current application.

Car Parking and Highway Safety

The proposed parking remains as previously approved and the proposals do not result in any increase in the number of bedrooms and therefore no additional parking provision is considered necessary.

Health and Wellbeing

The scheme raises no health and well-being issues.

Other Matters

The original development was approved subject to conditions which addressed aspects such as Green Travel, Ecology and Sustainability. It is proposed to carry across these conditions with an amendment made to the 'Renewable energy' condition. This amendment will provide an option for the applicants to be able to undertake a 'fabric first' approach to sustainability, in line with current standard practices.

Concerns have been raised in relation to noise and disturbance. These concerns are primarily related to the construction work being carried out. The conditions require a Construction and Environmental Management Plan which relates to the access to the site and to ensure that the highway is not blocked, there is no mud on the road etc. Concerns in relation to construction noise, however, fall outside of the remit of Planning and is a matter more appropriately dealt with under Environmental Law to ascertain if a statutory noise nuisance is occurring.

SUMMARY/CONCLUSION

The proposed extension would have a neutral impact on the character of the surrounding area and would not adversely impact on the amenities of existing or future residents and therefore complies with the Policies listed and the NPPF.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the 2nd October 2013. **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 site location plan and approved drawings WD05 REV C; WD04A; PA02; PA03; PA04; WD01 REV G; WD02 REV B; WD03 REV D submitted on 13th March 2015 and specification contained therein, except as required by other conditions below. **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 approved shall only proceed in accordance with samples of all external facing materials to be used for the construction of the development hereby permitted which shall be submitted to and approved in writing by the District Planning Authority. thereafter the 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 Notwithstanding the details included in the application, 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 2m high 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 building 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. The soft landscaping scheme must include all aspects of landscaping including details of native species to be planted and the tree species to be planted in compensation of lost trees. 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, DAP8 and DP3 of the Warwick District Local Plan 1996-2011.

- 5 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work unless otherwise agreed in writing by the local planning authority. In addition 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 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:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 6 The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building and associated structures to be demolished. All roofing material is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or

building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works will be implemented within the time scales agreed between the bat worker and the Local Authority Ecologist/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings. In order to discharge this condition above a brief report from the bat worker must be submitted to and approved by the local Planning Authority (with advice from WCC Ecological Services). **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.

- 7 Arboricultural works on the two cherry trees shall be carried out in accordance with the submitted Protected Species Survey report and under the supervision of a suitably qualified bat worker. No trees shall be cross cut in close proximity to cavities or hollows. Any sections containing cavities or hollows shall be carefully lowered to the ground and left with openings exposed for a minimum of 24 hours after felling to allow any bats that could be present to leave of their own accord. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 8 The development hereby permitted shall not be occupied until the public highway A445 Priory Road has been improved so as to provide for a widened section of footway within the vicinity of the junction of A445 Priory Road/Smith Street in accordance with a scheme submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. The footway at its narrowest point is 0.8 metres which in accordance guidance would not accommodate a mobility scooter. The widening is minor, providing an addition 200mm to enable these vehicles to access local services within this area. **REASON:** In the interests of highway safety in accordance with Policies DP6 and SC4 of the Warwick District Local Plan 1996-2011.
- 9 Prior to commencement on site and following completion of the development, a joint survey shall be undertaken with the County's Area Surveyor/Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Area Surveyor/Locality Officer (Area Team – County Highways). **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 10 The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the local planning authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the local planning authority expects lighting to be restricted on the north west side of the new building (by boundary of Priory Park) and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:
- low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
 - the brightness of lights should be as low as legally possible;
 - lighting should be timed to provide some dark periods;
 - connections to areas important for foraging should contain unlit stretches
- REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 11 The development (including any works of demolition) shall proceed only in strict accordance with a Traffic and Construction Management Plan which has been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.
- 12 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied

until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 13 Notwithstanding the information already submitted, the applicant shall submit an amended Green Travel Plan to promote sustainable transport choices to the site, the measures proposed to be carried out within the plan to be approved by the Planning Authority in writing, in consultation with the County Council as Highway Authority. The measures (and any variations) so approved shall continue to be implemented in full at all time. The plan shall:
- (i) specify targets for the proportion of employees and visitors travelling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non-renewable fuels;
 - (ii) set out measures designed to achieve those targets together with time scales and arrangements for their monitoring, review and continuous improvement;
 - (iii) identify a senior manager of the business using the site with overall responsibility for the plan and a scheme for involving employees of the business in its implementation and development.

REASON: In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC12 & SC4 of the Warwick District Local Plan 1996-2011.















