

Planning Committee: 23 August 2005

Item Number: 02

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Town/Parish Council: Warwick

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St Mary's Land, Hampton Street, Warwick, CV34 6HN

Improvements to existing car park; creation of a public pay & display car park.
FOR Warwick District Council

At the request of the Planning Committee at the meeting of the 22nd June 2005 to deal with each parking area separately, proposed parking area (A) has been withdrawn from the application and the report now only deals with parking area (B) to the rear of the existing Sainsbury's car park. The scheme for area (B) has been revised so that most of the trees and other vegetation are retained and protected and a landscaping scheme has been submitted which includes planting within the car park. The number of parking spaces in this area has been reduced.

SUMMARY OF REPRESENTATIONS

Warwick Town Council has no objections.

Comments on amendment(2) recommend that in view of the recent concern regarding the provision of car parking that the District council hold a public meeting in order to satisfy concerns regarding the possible conflict between motorists, pedestrians and cyclists having recourse to the access road and the possible deletion of those car parking spaces on the western side of the access road.

Neighbours - Fourteen letters have been received from neighbours and interested persons objecting to the scheme on the grounds of loss of a valuable and historic green wildlife and recreation area, possible exacerbation of flooding problems, no need for this type of parking, the area will not be easy to police and that the proposed lighting is inappropriate. A plan showing trees to be felled and a landscaping scheme is required. Concern has also been raised that the proposal seems to have been prejudged since the new car park is listed on an existing car parks leaflet issued by the Council.

Comments on amendment(2): Eleven further letters have been received objecting to the revised scheme on the same grounds as those mentioned above and :-

- The revised scheme which now only deals with the Vittle Drive car park should have been a new application as it is still described as St Mary's Land, Hampton Street, Warwick.
- The original consultation procedure on St Mary's Lands was flawed.
- Contravention of ENV2 (areas of restraint.)
- It would harm the open character of the area.
- It would compromise the safety of school children walking or cycling to school.
- Insufficient public consultation.
- Concern about width of diverted footpath

Warwick Chamber of Trade and Commerce supports the scheme on the grounds of:-

- The application only seeks to reinstate parking which previously took place in the area.
- The chamber estimates a realistic need for 2500 spaces if further decay of the retail base to restaurant use is to be avoided.
- In addition the major office and industrial development at Saltisford will generate additional needs from visitors and deliveries plus the introduction of residents only parking in the adjacent residential area.

Warwick Golf Centre supports the scheme on the grounds of:-

- Informal parking has taken place on the racecourse over many years and this has been vital for the Golf centre as it allows golfers to park within a reasonable walking distance of the golf course.
- It serves to replace the number of parking spaces which were previously being used.
- It will provide for the needs of visitors to Hill Close Gardens, the golf course, residents by offering alternative parking to residential areas and the business community whom we rely on for our livelihood.

Hill Close Gardens Trust supports the scheme on the grounds of:-

- Well maintained car parking close to the gardens entrance and improved coach access are important to cater for an expected increase in visitor numbers.
- Car parks nearer the town centre are already close to capacity.
- Revenue from this car park will enable the right balance to be struck between enhancement of the local environment and provision of the much needed car park.

Warwick Racecourse supports the scheme as the additional car parking facilities will be beneficial, and ease the problems of visitor parking in the town centre.

WCC Footpaths object to the original scheme on the grounds that it would mean that cars would be parking on the legal line of the public footpath. It would also create an unacceptable risk to school children, other pedestrians and cyclists from vehicles reversing and emerging from bays from both directions. They suggest an amended scheme which would divert the public footpath and cycle way track around the northern edge of the proposed new car park.

Comments on amendment (1): The 2 metre path around northern edge of the proposed new parking bays at the eastern end of the site is an improvement, although a 3 metre width would be required for use by cyclists. Proposed bays at the west end still obstruct line of footpath and a diversion is required.

Comments on amendment(2): objection to the new proposal as the realignment of the footpath is now more angular and abrupt

WCC Highways have no objections subject to conditions.

Comments on amendment(2): have no objections subject to conditions.

WCC Ecology has no objection subject to conditions covering a landscaping ,management and maintenance scheme, protection of the ridge and furrow feature and the trees to be retained and no contamination of the brook and the ditch course to be left open.

Comments on amendment(2):To protect the autumn crocus a further condition needs to be imposed

WCC Archaeology has no objection subject to a condition requiring a watching brief.

English Heritage do not wish to make any representations

Comments on amendment (2):do not wish to make any representations

The Ramblers Association suggests that the original scheme would have a significant affect on pedestrians and that it would be safer if there were a separate footpath. Concern is also expressed that the proposal could have an unacceptable urbanising affect.

Comments on amendment(2):have no objection to the amended plans

The Warwick Society objects to the proposal on the grounds that the type and location of parking is not what is needed in the town and that it would result in a loss of trees and hedgerows that screen Sainsbury's Car Park from the racecourse. If permission is granted then they would ask that provision be made so that cyclists and pedestrians do not need to walk or ride in the car park but have their own dedicated route round it.

Lammas and District Residents Association are concerned that this development is not in accordance with policy, in that it would mean that 300sqm of a designated Area of Restraint would be lost. A mini-roundabout needs to be installed at the entrance in Friars Street to slow the flow of traffic and enable safe access. The lighting proposals are considered inappropriate and they would prefer the use of shorter, more discreet lighting columns. The proposed traffic calming measures are welcomed and a condition should be included to ensure that the gated vehicle access at the mid point between the two car parks should remain closed on all occasions other than race days.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV2 - Areas of Restraint (Warwick District Local Plan 1995)

(DW) TR6 - Provision of On-Street and Off-Street Parking within Town Centres (Warwick District Local Plan 1995)

DAP2 - Protecting the Areas of Restraint (Warwick District 1996 - 2011 First Deposit Version)

SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District 1996 - 2011 First Deposit Version)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)

TCP1 - Protecting and Enhancing the Town Centres (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

The proposal forms part of the Council's agreed strategy for the St. Mary's Lands re-development following the responses from the public consultation in December 2001/January 2002

KEY ISSUES

The Site and its Location

The proposed parking area would be constructed along the east side of the racecourse. Car park (B) would be located off Vittle Drive and to the rear of the existing Sainsbury's car park. The parking would be served by access off Vittle Drive.

Details of the Development

The proposal consists of a new car park (B) adjacent to Vittle Drive which would replace some of the informal parking facilities which catered for approximately 140 vehicles previously lost on creation of the new access to the housing development at Bread and Meat Close.

Parking Area B a new Long Stay car park with 81 spaces would be accessed only from Vittle Drive to the rear of Sainsbury's car park. A number of 8.00m high lighting columns with cut off reflectors and one with CCTV are also proposed for this car park.

The vehicular access gate for use on race days would be moved to a location between the two car parks A and B and traffic calming measures such as ramps, a speed control table and a chicane would be installed.

The application has been amended (1) to make provision for diversion of the public footpath WB11 and the cycle way to the west of car park B..

The application has also been amended (2) and Car Park A has been withdrawn. Now only one tree is to be lost and a comprehensive landscaping scheme including planting within the site has been submitted. The car park spaces have been reduced from 97 to 81. Full consultation has been carried out on this amended scheme.

The applicants would like to draw attention to the consequences of not implementing the parking proposals. These include:-

- significantly impacting upon the Council's income to manage and maintain the St Mary's Lands projects for the long term
- would have a negative impact upon the £1.6 million restoration of Hill Close Gardens as a tourism 'Gateway'.
- a reduction in parking would adversely affect the golf course and Common users, encouraging ad-hoc and unregulated parking
- would not fulfil the District's parking strategy, so undermining the viability of the town centre. The full supplemental statement to the application is attached as an APPENDIX.

Assessment

Justification of Car Parking Need

A parking needs survey was carried out in November 2004 within Warwick town centre which showed existing off street car parks to be full both during the day and evenings for most of the year, in addition to the abuse of on street regulations. Current on and off street parking in Warwick is insufficient to meet the demands of residents, commuters, businesses and visitors to the town.

Whilst there are aims for improvements in the provision of public transport to help town centre vitality and viability, there are few practical examples of where this is having a significant impact at the present time. The majority of visitors to our town centres, still consider the car to be their favoured method of transport.

The much higher demand over supply causes a significant amount of illegal parking. Due to the lack of enforcement of illegally parked vehicles across the town, congestion has increased and town centre residents and other users are becoming increasingly frustrated. As an answer to this, Warwickshire County Council plan to introduce Special Parking Areas into Warwick as part of the decriminalisation of on street parking in October 2006. This will significantly increase demand for off street parking by those vehicles displaced.

The District Council's car parking strategy agreed by the Executive and published in 2004 seeks to address such issues. It encourages long stay/all day parking at locations on the edge of town including this St. Mary's Land site. This would then allow for the freeing up of town centre, off street car parks for use as short stay parking. This is essential for maintaining the vitality and viability of the town.

The provision of secure and properly managed long stay parking spaces within the St. Mary's Lands/Saltisford car park B will help to offset the demand for more spaces. The proposal replaces the mostly adhoc arrangement of public parking at the racecourse with improved facilities and a net gain of 4 parking spaces. Furthermore, it is located on the edge of town, providing the type of car parking seen as necessary to achieve the aims of policies S1 of the Warwick District Local Plan 1995 and emerging policy TCP1 of the Warwick District Local Plan 1996-2011 First Deposit Version. Without the provision of parking in these areas, local businesses that rely on staff travelling in by car will be forced to consider moving out of the town centre. This in turn would have an adverse impact on the life of the town centre, especially lunch time trade.

In conclusion, the provision of improved parking in area B as proposed accords with the Council's agreed parking strategy. It is also in accordance with current planning policy by protecting and enhancing Warwick town centre through the provision of appropriate car parking facilities. These spaces will help provide some of the long stay parking to meet the needs of the business community, allow the expansion of short stay parking to meet the demand of shoppers and visitors to the town and reduce the conflict in residential areas.

Ecology and Landscaping

There has been objection to the proposals from neighbours on the grounds of loss of an important green wildlife area although the application area has no

known statutory or statutory nature conservation status. The proposal now only involves the removal of one tree adjacent to the boundary with Sainsbury's Car Park and it is considered, however, that this loss could be satisfactorily mitigated by the submission and implementation of a comprehensive landscaping scheme for the whole site which would include new planting of indigenous tree and shrub species and the protection of the retained trees during the construction period. The parking areas have also been designed to avoid the area of ridge and furrow.

Highway Safety

The amended scheme which proposes the diversion of the public footpath and the cycle way to the west of car park B would mean that there would be no conflict with pedestrians or cyclists at this end.

The Long Stay car parking proposals have been included in the County Highway Authorities traffic model for Warwick Town Centre and as the scheme would not create a significant number of additional traffic movements and would not be detrimental to the local highway network, the proposals are acceptable subject to access improvement conditions.

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 amended drawing L18.01.10.01,L18.01 10 02 A and specification contained therein, submitted on 20th July 2005 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 A landscaping scheme, incorporating existing trees and shrubs to be retained as shown on drawing L18.01 10 02 A submitted 20th July 2005 and new tree and shrub planting for the whole of the site and including a maintenance and management plan shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular,

before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 4 The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works shall have been given to the Warwickshire Museum as the nominated representative of the District Planning Authority. During the construction period the developer shall afford access at all reasonable times to representatives of the Museum and shall allow them to observe the excavations and record items of interest and finds. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.
- 5 The gated vehicular access between the two car parks shall remain closed at all times other than on "Race Days".**REASON**:In the interests of safety for pedestrians and cyclists.
- 6 No development shall be carried out on the site which is the subject of this permission, until details of the fence around the new car park and the hedge on the southern boundary of the new car park 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 protect the amenity of the area
- 7 No development shall take place which is the subject of this permission until a fence has been erected to protect the area of ridge and furrow. This fence shall be retained until the development has been completed. **REASON**: To protect the ridge and furrow feature throughout the development.
- 8 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound macadam material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON** :In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 9 No development, earth moving, materials or machinery shall be brought onto the site shall take place until full details of an Important Species Contingency Plan has been submitted to and approved in writing by the planning authority. The plan shall include:
 - a) Surveys at agreed periods by an agreed expert to determine the possible presence of particular important species (nesting birds and autumn crocus) previously specified by the planning authority.

b) Details of appropriate mitigation measures and contingency plans should such an important species be found to be present. This plan should contain:

- i) An appropriate scale plan showing the “Environment Protection Zones” where any construction activities are restricted and where protective measures will be installed or implemented;
- ii) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- iii) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed
- iv) Persons responsible for:
 - Compliance with legal consents relating to nature conservation;
 - Compliance with planning conditions relating to nature conservation;
 - Installation of physical protection measures during construction;
 - Implementation of sensitive working practices during construction;
 - Regular inspection and maintenance of the physical protection measures and monitoring of working practices during construction;
 - Provision of training and information about the importance of “Environment Protection Zones” to all construction personnel on site.
- v) Full details of any habitat creation/restoration scheme which shall include:
 - Purpose, aims and objectives for the scheme;
 - A review of the site’s ecological potential and any constraints;
 - Description of target habitats and range of species appropriate to the site;
 - Selection of appropriate strategies for creating/restoring target habitats or introducing/encouraging target species;
 - Selection of specific techniques and practices for establishing vegetation;
 - Method statement for site preparation and establishment of target features;
 - Extent and location of proposed works;
 - Aftercare and long term management;
 - The personnel responsible for the work.

The surveys, mitigation and contingency measures shall be implemented in accordance with the approved plans, unless otherwise approved in writing by the planning authority.

REASON: To protect the ecologically important feature on the site.
