

Planning Committee: 20 October 2020

Item Number: 4

Application No: [W 20 / 0439](#)

Town/Parish Council: Warwick

Case Officer: Helena Obremski

01926 456531 Helena.Obremski@warwickdc.gov.uk

Warwick Boat Club, 33 Mill Street, Warwick, CV34 4HB

Proposed alterations and improvements to the Warwick Boat Club, to include: demolition of 1no. squash court and part of existing club house, and replace with two storey extension; redevelopment of the Court 11 to create two synthetic clay courts with floodlights; replacement boathouse on the site of the existing boathouse to include a small stores extension; replacement of existing bowls green with an enlarged synthetic bowls green with floodlights; removal of some trees together with replacement planting; remodelling of the Banbury Road access to provide improved access arrangements. **for** Warwick Boat Club

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 the conditions listed in the report.

Details of the Development

Planning permission is sought for the following development:

- Demolition of 1no. squash court and part of existing club house, and replacement with a two storey extension - this would provide improved changing facilities, additional office, social space, storage and gym area.
- Redevelopment of tennis Court 11 to create two synthetic clay courts with floodlights - this is to the north of the site and would result in a total of 12 courts, with 10 additional floodlight columns to be 6m in height.
- Replacement of the existing boathouse with a small store extension - this would be a building which in the main is one storey, with a small section being two storey.

- Replacement of existing bowls green with an enlarged synthetic bowls green with floodlights, increasing the number of bowls rinks from 4 to 6, with upgrading of floodlighting.
- Removal of 6 trees, plus two which would be replanted on site, with replacement planting.
- Remodelling of the Banbury Road access to provide improved access arrangements.

The proposal is required to improve existing facilities and in order to increase membership numbers, which currently stand at approximately 1200 people.

The proposed development includes demolishing a section of the rear garden wall of 17 Mill Street and rebuilding it using the same materials as far as practicable to form an amended boundary, to provide an extra 90sqm of land for the club. A separate change of use planning permission and Listed Building Consent has been obtained for these works (W/19/0470 & W/19/0472/LB), the land formally transferred to the Warwick Boat Club, and the works have been largely completed.

The Site and its Location

The application relates to an established boating, tennis and bowls club within the Warwick town boundary to the south of the town and is located within the Conservation Area. To the north of the site are the rear gardens of 15, 18 & 20 Mill Lane which are Grade II listed buildings, to the east is Banbury Road and running along the western boundary is the River Avon. The site is positioned immediately adjacent to Castle Bridge which is a Grade II* listed building. The site is also located within the setting of Warwick Castle, a scheduled ancient monument and Grade I listed building within a registered park and garden, which is located to the south west of the site. St Nicholas Park is located on the opposite side of Banbury Road to the north east of the site. The site is also situated within Flood Zone 3.

Access into the site is restricted with the principal access to the car park from Mill Lane through a narrow single vehicle undercroft access under number 22 Mill Lane. There is a secondary entrance into the site directly from Banbury Road which is principally used as a pedestrian access. The site is surrounded by trees and shrubs, so is largely screened from the Banbury Road.

Planning History

There are numerous applications relating to the site, however the most relevant applications are:-

W/00/0665 - planning permission granted for construction of vehicular access from Banbury Road, formation of 8 staff car parking spaces and new car park replacing existing tennis court.

W/02/0918 - planning permission granted for relocation of 4 floodlight columns and alteration of light fittings and erection of 1 new floodlight column.

W/04/1495 - planning permission granted for installation of 6 metre high flood lighting to Tennis Courts 3, 4, 7, & 8.

W/05/0710 - planning permission granted for widening of Banbury Road access.

W/05/0781 - planning permission granted for installation of 8 low level lamps to illuminate pathway to tennis courts and boathouse fronting River Avon.

W/07/0721 - planning permission granted for extension to bar lounge and store and installation of roof lights to pavilion building.

W/10/1441 - planning permission granted for extensions to bar lounge & store. Insertion of rooflight to pavilion building.

W/13/1544 - planning permission granted for installation of floodlighting to three tennis courts.

W/19/1526 - application withdrawn for proposed alterations and improvements to the Warwick Boat Club, to include: demolition of 1no. squash court and part of existing club house, and replace with two storey extension; provision of an additional tennis court with floodlighting; demolition of existing boathouse sheds and replacement with enlarged boathouse; construction of 2no. additional squash courts; replacement of 4no. rink bowls green with 6no. rink synthetic bowls green with floodlights; removal of trees and proposed replacement planting along Banbury Road frontage; remodelling of Banbury Road access, turning and parking area; installation of solar PV panels to roof of clubhouse extension.

Relevant Policies

- National Planning Policy Framework
- **Warwick District Local Plan 2011-2029**
- HE2 - Protection of Conservation Areas
- FW1 - Development in Areas at Risk of Flooding
- HE4 - Archaeology
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- HE1 - Protection of Statutory Heritage Assets
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR3 - Parking
- HS4 - Improvements to Open Space, Sport and Recreation Facilities

- CC1 - Planning for Climate Change Adaptation
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- FW2 - Sustainable Urban Drainage
- **Guidance Documents**
- Parking Standards (Supplementary Planning Document)
- Air Quality & Planning Supplementary Planning Document (January 2019)

Summary of Representations

Warwick Town Council: Neutral, note comments made by the Conservation Officer and are in support of them. Share concerns raised by Historic England regarding light and heritage grounds. Parking raised as an issue.

Historic England: No objection, following submission of additional information and revision to plans, subject to control of materials.

Conservation Officer: No objection, subject to conditions to secure details of sample materials and large scale details.

WCC Landscape: No objection, subject to a condition to control landscaping proposals.

WCC Highways: No objection, subject to condition.

WCC LLFA: No objection, subject to conditions.

WCC Ecology: No objection, subject to conditions and notes.

WCC Archaeology: No objection, subject to condition.

Environmental Health: No objection, subject to conditions.

Tree Officer: No objection, subject to condition ensuring that the tree protection measures are put in place.

Sport England: No objection.

Environment Agency: No objection.

Gardens Trust: Objection, the enlargement of the squash court building still produces an overbearing mass. Concerns about the damaging impact of light, recommend lighting ban after 9pm to mitigate the significant adverse effect of illumination visible from the bridge at night. Additional windows to any of the buildings should be conditioned so that as soon as internal lighting is required, blinds must be lowered in these rooms to prevent light spill. The design of the new extension to the squash courts is an improvement on the existing building.

Public Responses: 32 Objections:

- *Character of the area:* the scale of the proposed extensions is harmful and the site is being overdeveloped; the proposed boat shed is out of character; there is no aesthetic link between new and old development.
- *Impact on Heritage Assets:* the proposed extensions have a harmful impact on the setting of the castle and nearby listed buildings; the original squash courts were reduced in scale to mitigate the impact on heritage assets; the iconic view from Banbury Road of listed buildings nestling at the foot of the Castle will be totally dominated by industrial scale units, out of character when set in a Conservation area and built next to the classic pavilion; the Heritage Statement is out of date; the visualisations within the Heritage Impact Assessment are inaccurate and there are no winter illustrations.
- *Impact on Amenity:* loss of privacy; increased light, odour and noise pollution.
- *Car Parking:* the proposals will increase visitor numbers which will put increased pressure on St Nicholas Car Park and unrestricted parking in Bridge End; there has been no transport assessment made; Mill Street cannot cope with the existing traffic from the Boat Club parking within the residents parking which will be impacted on.
- *Highway Safety:* concern regarding pedestrian safety; the existing access is inadequate to cope with additional traffic and impacts on the traffic congestion along Mill Street; the Boat Club doesn't manage the access road; the mitigation steps in the traffic management plan do not include measures to reduce traffic.
- *Air Quality:* the proposal will be harmful to the environment by increased pollution from traffic; there is no accurate transport assessment or proposal to cut noise and pollution.
- *Trees:* no mention is made of the retention of the tree/hedge screen which at present exists on the river side of the boathouse; loss of trees (impacts on amenity, screening, pollution control, traffic noise).
- *Ecology:* detrimental impact on wildlife.
- *Flood Risk:* concern regarding increased flooding of residential properties.
- *Other Matters:* the proposals do not benefit the community; the proposed landscaping along the Mill Street boundary cannot be achieved as land is not within the ownership of the applicant; concern regarding the impact of the development in structural terms; there is no need for additional gym facilities within the area; the LVIA is biased so lacks credibility; comments from people who do not live in the area should not be considered, whilst club members' opinions should be listened to.

1 Neutral: concern regarding the new court which will run closely to neighbouring boundaries and damage to existing hedgerow which provides screening and privacy.

6 Support:

- the plans improve accessibility and sporting capacity for club members and local area;
- the development will allow more people to participate in outdoor exercise, having benefits for physical and mental health;
- the plans are sensitive to neighbouring properties and designed to be in keeping with area;
- the impact to the rowing and water aspects are minimal as the capacity of the rowing section is limited by the number of boats;
- the replacement boat house is to provide a waterproof and weatherproof building rather than to increase capacity;
- 90% of members park at St Nicholas Car Park and this would not change.

Assessment

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

- Principle of the Development
- Design and Layout
- Impact on Heritage Assets
- Impact of the proposal on the living conditions of neighbouring occupiers and whether the proposal would provide adequate living conditions for future occupiers
- Flood Risk
- Impact on Trees
- Impact on Ecology
- Archaeological Impact
- Parking and Highway Safety
- Other Matters

Principle of the Development

The site lies within the town centre boundary and is part of the established boat club. Policy CT1 of the Warwick District Local Plan seeks to direct new leisure facilities to town centre locations. The principle of improving existing facilities on the site is therefore acceptable.

Design and layout

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Local Plan policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

Objectors state that the scale of the proposed extensions is harmful and the site is being overdeveloped. They consider that the proposed boat shed is out of character and there is no aesthetic link between the new and old development.

Supporters of the proposals state that the plans are sensitive to neighbouring properties and designed to be in keeping with area.

The visualisations of the proposed squash courts show that the two storey element would clearly be a modern addition to the pavilion building, with the main section being stepped away from the traditional pavilion. The glass link between the old and new development provides a lightweight link which shows clear differentiation between the traditional and contemporary parts of the development. The pitched roofs over the new squash courts have gable features which provide a modern take on the pitched roofs serving the pavilion building, with materials which add texture and visual interest. The large areas of glazing on the front elevation reinforce the modern character of the extension, whilst providing a lightweight frontage which reduces the overall bulk and mass when viewed from the south. This extension would replace a bland and poor quality building with a contemporary structure of much higher architectural quality, which sits comfortably within its environment.

The proposed replacement boathouse is of a simple design which would replace a building of similar design type. It is considered to be appropriate for its purpose and would not be out of keeping within the site context.

The additional tennis and bowls courts would again not appear out of keeping within the context of this established sporting club.

WCC Landscape have received the most up to date information provided by the applicant and have no objection to the proposal, subject to a condition to control landscaping proposals, which has been added.

The proposed development would affect limited views from public vantage points owing to site's well screened location, but notwithstanding this, the development is considered to be of good architectural quality which is considered to respect the site context and surroundings. The development is therefore considered to be in accordance with the NPPF and Local Plan policy BE1.

Impact on Heritage Assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Local Plan states that development will not be permitted if it would lead to substantial harm to the significance of a designated heritage asset. Where the development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal. The explanatory text for HE1 clarifies that in considering applications relating to Conservation Areas, the Council will require that proposals do not have a detrimental effect upon the integrity and character of the building or its setting, or the Conservation Area. Local Plan policy HE2 supports this and states that it is important that development both within and outside a conservation area, including to unlisted buildings, should not adversely affect its setting by impacting on important views and groups of buildings within and beyond the boundary.

The Town Council support the comments of the Conservation Officer and have raised some concerns regarding the impact of light spill identified by Historic England.

Objectors state that the proposed extensions have a harmful impact on the setting of the castle and nearby listed buildings; they note that the original squash courts were reduced in scale to mitigate the impact on heritage assets. Members of the public consider that the iconic view from Banbury Road of listed buildings will be totally dominated by industrial scale units, out of character when set in a Conservation Area and built next to the classic pavilion. It is stated that the Heritage Statement is out of date, that the visualisations within the Heritage Impact Assessment are inaccurate and there are no winter illustrations.

The Gardens Trust have maintained an objection to the proposal, stating that the enlargement of the squash court building still produces an overbearing mass. They express concerns about the damaging impact of light, recommending a lighting ban after 9pm to mitigate the significant adverse effect of illumination visible from the bridge at night. They consider that additional windows to any of the buildings should be conditioned so that as soon as internal lighting is required the blinds must be lowered in these rooms to prevent light spill. They do however note that the design of the new extension to the squash courts is an improvement on the existing building.

The application site is located in a sensitive location, in the setting of a number of Grade II listed buildings which front onto Mill Street and adjacent to Castle Bridge

which is a Grade II* listed building. The site is also located within the setting of Warwick Castle, a scheduled ancient monument and Grade I listed building within a registered park and garden. The site is within a Conservation Area. There are therefore a number of heritage assets which must be considered.

Initially, the Conservation Officer and Historic England raised concerns regarding a lack of visualisations of the proposed development and inadequate information in order to assess the application. 3D visualisations of the proposed squash courts have been provided, along with photomontages of a view from Warwick Castle. The Conservation Officer considers that the information provided shows that the proposal would sit well in views from Caesar's Tower and from the rear of listed buildings on Mill Street. This is a high quality scheme that improves the standard of design locally, with an appropriate level of natural screening to mitigate any visual harm to the setting of designated heritage assets. The Benefits Statement document is also useful in order to understand some of the benefits of the proposal. Finally, the Conservation Officer states that conditions should be attached to any approval to secure sample facing materials and large scale details for all windows, doors and balcony. These have been included.

A meeting was held with Historic England to discuss their concerns and an updated response has been received from them regarding this, and the additional information provided by the applicant. They consider that the existing squash court is a large and poorly designed box, and although the proposal offers a larger footprint than the existing, it is a much more elegant architectural treatment. This part of the club's site is less visible from high vantage points such as Warwick Castle than much of the rest of the premises. It also cannot be easily viewed from outside the site. Inevitably there will be a greater presence behind the Mill Street gardens, but that is also obscured by planting and their boundary walls.

Historic England continue to say that in terms of the front elevation of the pavilion and the squash courts, there will be a separation of the two built forms through the single storey link with a cast glass front. There will be a terrace in front of the squash courts at first floor level, but the large windows will face away from the Castle, reducing their impact. They suggest that any light spillage from this elevation is kept to minimum. They also recommended that the materials of the single storey front wall of the squash courts were amended to provide a greater sense of separation between the new and old development. This has been amended to brick. Officers have liaised with Historic England on this matter who have confirmed that brick would be supported.

Another element of the scheme that was of some concern was the new boathouse. However, the revisions of the scheme have reduced the impact of the large windows that concerned Historic England at the outset. At the same time, careful attention has been taken with respect to the selection of materials, which should fit well in the landscape, and can be secured by condition.

Historic England noted that the whole site is more enclosed than they recalled by the perimeter planting towards the Banbury Road. It is largely screened from the listed bridge over the Avon and the Banbury Road. The main location where the site can be viewed from across the river is the back gardens of the Bridge End houses. The squash courts will only be distantly visible from that location and

although the boathouse will display a larger elevation in this direction, the impact will not be great.

Overall Historic England conclude that they are content with the scheme following the various revisions and the fuller understanding that they have been able to achieve. Subject to careful control of the materials by appropriate conditions, and consideration of conditions with regard to light spillage from the whole site, Historic England are content from a heritage perspective to see the scheme proceed. A condition will be added for sample materials and also a detailed lighting scheme which addresses lighting spillage in order to address these concerns.

The additional floodlighting would be the same height and design as that which has been previously approved at the site (eg. W/13/1544). This was previously considered to be of a height and design which would have an acceptable impact on heritage assets, and the additional floodlighting is therefore considered to have been appropriately designed for this setting.

The additional tennis court and bowls green are considered to be appropriate development in the context of this existing site, which would not cause harm to the heritage assets.

A member of the public has raised that the proposed landscaping along the Mill Street boundary cannot be achieved as land is not within the ownership of the applicant. However, the visualisations show the landscaping as existing and it is unlikely that the owners of the properties along Mill Street would remove the established vegetation leading to exposure of the rear elevation of the squash courts, as this would potentially reduce their visual amenity.

Taking the advice from the Council's Conservation Officer and Historic England into consideration, Officers have concluded that the proposal would not have a harmful impact on heritage assets. Whilst the comments from the Gardens Trust and members of the public are noted, the expert advice provided by the consultees is considered to have adequately justified that the development would not be harmful. Furthermore, it is also considered that the development would preserve the character of the Conservation Area. The development is therefore considered to be in accordance with the NPPF and Local Plan policies HE1 and HE2.

Impact of the proposal on the living conditions of neighbouring occupiers and whether the proposal would provide adequate living conditions for future occupiers

Warwick District Local Plan policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide provides a framework for policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

Members of the public have raised concerns regarding a loss of privacy, and increased light, odour and noise pollution.

The nearest residential properties to the site are to the north whose rear gardens back onto the existing tennis courts, squash courts and club house buildings. The siting of the two storey squash court building would be immediately to the rear of number 18 Mill Lane. The proposed two squash courts would be over 30 metres from the very rear of 18 Mill Street and further from other properties. This far exceeds the required distance separation for this scale of development, and no windows are proposed which would overlook private amenity areas serving the properties along Mill Street.

A noise impact assessment was provided in support of the application to address the noise impacts of the additional squash courts on nearby residential properties. The report concludes with recommendations for the construction of the courts outer structure, however, the sound reduction performance of the proposed mitigation has not been stated, so Environmental Health Officers state that it is difficult to determine whether the proposed mitigation scheme would be effective in achieving the report's design criteria. They therefore recommend that this matter is addressed by a condition which requires the submission of a noise mitigation scheme for the squash courts, which has been added.

The proposed replacement boathouse would be larger in scale than the existing, and would have a first floor balcony, however, this faces inwards towards the site and there are no close neighbours which would be impacted by the increase in size of the building.

Environmental Health Officers note that the proposed lighting could impact on neighbouring amenity. They do not object to the additional floodlighting in principle, but recommend that a condition is attached for the provision of a lighting scheme, which has been added.

Environmental Health Officers also recommend a condition to restrict noise levels from plant and equipment and request the inclusion of a condition for the provision of a construction management plan to protect neighbouring amenity. These conditions are considered to be reasonable and necessary for the purposes of the development so have been added.

Officers have no reason to conclude that there would be increased odour pollution as a result of the development.

In summary on this issue, it has been concluded that the measures secured by condition would adequately address any impacts on neighbouring amenity and the development is therefore considered to be in accordance with Local Plan policy BE3.

Flood Risk

Members of the public have raised concerns regarding the proposed development and increased risk of flooding of residential properties.

The site lies within Flood Zone 3 and the Local Plan states that there will be a presumption against development in Flood Zone 3, and no built development will be allowed in the functional floodplain. New development must be resilient to surface water, fluvial and pluvial flooding. Where new development lies in an area of flood risk it must be designed to be flood resilient with safe dry access for vehicles and pedestrians. A Flood Risk Assessment and Drainage Strategy (FRA) has been provided in support of the application which has been assessed by the Environment Agency (EA) and Local Lead Flood Authority (LLFA).

It should be noted that outdoor sports and recreation and essential facilities such as changing rooms are classed as water compatible uses under the Environment Agency's Standing Advice. Furthermore, this is an existing established use, which would not result in a significant increase in built form on the site, as much of the development would replace existing buildings on roughly the same footprint. All of the site is within Flood Zone 3 and therefore there is no option to locate development in association with this use outside of the flood zone.

The FRA confirms that the extension to the clubhouse forming the new squash courts would not be constructed within the functional floodplain and would be built using flood resilience construction techniques.

The extended bowling green, tennis courts and refurbished boathouse are appropriate in all flood zones but must not result in a net loss of floodplain storage, nor impede flood flows. The earthworks required to create the extended flat surfaces (bowling green and tennis courts) must also provide compensation for any loss of floodplain storage arising from the extended clubhouse. The impact and increased impermeability of the site as a result of the development would be mitigated through a combination of SuDS components and attenuation storage tanks.

The proposed development is in an area benefiting from the EA's Flood Warning Service which provides users with advanced warning of flood events and allows the timely evacuation of the site and the implementation of protection measures to reduce damage. Due to their permeable surface and engineered sub-bases, the extended bowling green and tennis courts are not expected to generate any additional runoff, most likely providing additional attenuation within the engineered sub-bases mimicking the current situation. The extended features will not benefit from a formal drainage system and runoff will either infiltrate in the more frequent storm events or flow overland towards the River Avon in the more extreme storm events. Informal attenuation will continue to be provided north of the raised platform blocking the direct passage of overland flows towards the River Avon.

The EA and LLFA have assessed the application and information provided and have no objection to the proposed development. The LLFA have requested conditions requiring the provision of a detailed surface water drainage scheme for the site, with an associated management plan. These conditions are considered to be necessary and reasonable and have been added.

The development is therefore considered to be in accordance with Local Plan policies FW1 and FW2.

Impact on Trees

Policies BE1 and NE4 of the Local Plan seek to ensure that development blends into the landscape and that proposed developments are designed around a landscaping scheme. Objectors state that no mention is made of the retention of the tree/hedge screen which at present exists on the river side of the boathouse. They also raise concerns regarding loss of trees and the associated impacts on amenity, screening, pollution control, and traffic noise.

The site is well screened and surrounded by vegetation and trees, most of which would not be impacted as a result of the proposed development. However, 6 trees would be removed from the site to facilitate the development, mainly where the new tennis and squash courts would be located to the north of the site. Half are category C trees, with one being a category U tree, and two being category B trees. Two trees will be replanted elsewhere on site and the rest will be protected during the construction works. There would also be some tree thinning where required to facilitate the development. Officers can confirm that there are no proposed works to trees / hedge which is positioned adjacent to the river to the south of the boathouse.

The Council's Tree Officer has been consulted on the proposal and has not raised any objections, provided that the control measures described and illustrated in the Tree Report are fully implemented in a timely fashion and properly maintained and monitored throughout the duration of the development. This can be secured by condition.

The trees which would be removed to facilitate the development are of low amenity value and quality, and cannot be readily be viewed externally from public vantage points. Only two category B trees would be removed which are of a quality which may suggest retention, however, owing to the lack of amenity value which they provide and the health and wellbeing benefits which the proposed development would deliver, this is considered to tip the balance in favour of their removal.

A report by the Forestry Commission, "Delivery of ecosystem services by urban forests" (2017) suggests that decaying or rotting trees will become a source of CO₂, rather than absorbing it. Further, the Report also informs that the amount of CO₂ absorbed per tree is influenced by the area of the existing tree canopy cover, and larger trees will absorb more CO₂ than smaller trees. Further, carbon storage and sequestration depends also on a tree's growth rate and age class, with rates increasing to middle age and then diminishing towards post-maturity.

Regarding air quality, the report informs that urban tree canopies are more effective in capturing particles than other vegetation types due to their greater surface roughness. However, trees can also emit biogenic volatile organic compounds that can contribute to ozone and particulate matter formation. Air purification is primarily delivered by trees through a 'line of trees' (specifically street trees) and woodland – the latter due to the higher tree cover. Key delivery indicators of this ecosystem service are total canopy cover, a high leaf area/density, a high proportion of deciduous trees and the presence of trees near to pollution sources.

Noise mitigation is primarily delivered by woodlands, though linear tree belts can also be effective if they are wide and densely planted. Other delivery indicators include trees with large stems, a high leaf area/density and multiple low-level branches, and close proximity to the noise source.

The Tree Report identifies that one of the trees to be removed has fungi in its base and crown, so therefore in line with the information obtained from the Forestry Commission Report, this could well be an air pollutant, rather than CO2 absorber. The remaining trees to be removed are of either good or fair condition, of middle or mature age. Further, they do not form part of a woodland or street trees which have the most effective impact in terms of noise and air quality. On this basis, considering the age and condition of the small number of trees to be removed as a result of the development, it is not considered likely that these would have a material impact in terms of pollution control and noise mitigation.

Impact on Ecology

Policy NE3 of the Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly. Members of the public consider that the development would result in a detrimental impact on wildlife.

WCC Ecology have assessed the application and their main concerns focused around the impact of the proposed floodlighting on protected species. Further information was provided by the applicant on this matter which has now been addressed to a satisfactory degree and WCC Ecology have no objection to the proposal, subject to a condition for the provision of a detailed lighting scheme and a condition to ensure that works are carried out outside of the nesting bird season, or do not commence until a qualified ecologist has been appointed by the applicant to inspect the building or vegetation affected. They also recommend notes relating to protected species.

Subject to the inclusion of the recommended conditions and notes by WCC Ecology which have been added, the development is considered to be in accordance with Local Plan policy NE3.

Archaeological Impact

WCC Archaeology have assessed the application and note that the application site lies within an area of significant archaeological potential, adjacent to the known extent of Warwick's Eastern Medieval Suburb and overlooking the Medieval Suburb of Bridge End which is located on the opposing bank of the River Avon. Recent archaeological fieldwork undertaken approximately 450 metres to the south of the proposed development at Warwick School has identified evidence for prehistoric and Roman occupation, including Iron Age Ditches and gullies and a large aisled barn constructed of local sandstone. There is a potential for the site to contain within it archaeological remains dating from the pre-medieval, Anglo-Saxon and medieval periods.

Therefore, WCC Archaeology recommend that a condition is imposed which requires that a written scheme of investigation for a programme of archaeological evaluative work is submitted prior to commencement of works, which would be

followed by a programme of archaeological evaluative field work and post-excavation analysis report. An archaeological mitigation strategy would also be required as part of this condition.

Subject to the inclusion of the above condition which has been added, it is considered that the proposed development would be in accordance with Local Plan policy HE4.

Parking and Highway Safety

Policies TR1 and TR3 of the Warwick District Local Plan (2011-2029) seek to ensure that there is adequate car parking provided to serve new development proposals based on the adopted Car Parking Standards SPD and that there is a safe and convenient access.

The Town Council have concerns regarding the parking provision. Members of the public state that the proposals will increase visitor numbers which will put increased pressure on St Nicholas Car Park, and on street parking in Bridge End and Mill Street. Objectors express concern there has been no transport assessment made and that Mill Street cannot cope with the existing traffic from the Boat Club parking within the residents parking areas, which would be worsened as a result of the development. However, supporters of the proposals state that 90% of members park at St Nicholas Car Park and this would not change.

Members of the public also raise concern regarding the impact of the development on pedestrian safety, stating that the existing access is inadequate to cope with additional traffic and impacts on the traffic congestion along Mill Street. Objectors state that the Boat Club does not manage the access road well at the moment and the mitigation steps in the traffic management plan do not include measures to reduce traffic.

The only car parking area to serve the site is off Mill Street and this provides for approximately 30 spaces. The access into this car park involves driving through a very restricted single car undercroft for which the applicant has right of access, but not ownership, from Mill Street. Access is gained to this car parking area using a permit from the club. The number of car parking spaces provided in the car park and the restricted access into it means that the current arrangement is insufficient to serve the size of the club and overflow parking is accommodated in the nearby St Nicholas car park. Due to the restricted nature of the site it is not possible to provide additional spaces to meet the needs of the proposed development, which is a significant concern for local residents.

The Highway Authority objected to a previous application of a similar nature (W/19/1526) due to concerns over vehicle movements and parking arrangements. The current application includes a Parking Management Plan which has been prepared following their original objection. The Highways Authority has advised that the Plan covers their previous concerns and therefore this element of objection can be removed. The Highways Authority therefore have no objection to the proposal, subject to a condition which ensures that the Parking Management Plan is adhered to and monitored in accordance with a scheme which must be submitted to the Council prior to the development being brought into use. By

ensuring that the applicant provides a scheme to show how the Parking Management Plan will be implemented and monitored, this will allow the Council to have control over how this is managed, providing a sufficient level of certainty that the measures in the Plan can be achieved.

Officers consider that it would be reasonable, like with all other town centre leisure uses, to rely on local car parking provision when visiting the site, especially when there is a Council owned car park located directly opposite to the site. There have been no concerns raised regarding the capacity of St Nicholas Car Park to accommodate an increase in visits and vehicles. The Plan proposes the following measures to alleviate parking concerns:

- Repositioning the red "stop" light at the entrance to the driveway along Mill Street to the top of Mill Street and providing a second red light outside the Banbury Road entrance to alert visitors that the car park is full (thus reducing the congestion issues along Mill Street when the car park is at capacity);
- Change the club address from 33 Mill Street to Banbury Road with a new post code (to encourage access to the site from Banbury Road, ensuring that visitors and delivery vehicles do not unnecessarily use Mill Street);
- Reducing the capacity of the club car park from 32 spaces to 30 spaces (this has already been implemented, reducing the number of available spaces on site);
- Potential for allocated spaces for the club within St Nicholas Park Car Park (WCC Highways have indicated that this could be possible, which would encourage use of the Council car park rather than on site car park).

It must be highlighted that this planning application can only assess the impact of the proposed development, rather than whether the existing access and parking arrangements are sufficient. The proposal would result in approximately an additional 470sqm of floorspace, 2 additional bowls rinks and 1 additional tennis court. In accordance with the Vehicle Parking Standards guidance, this would demand 47 spaces for the additional floorspace created. There is no standard for tennis courts or bowls greens. A playing pitch requires 12 spaces per pitch, therefore scaling this down to a tennis court, there would likely be a maximum of 4 people playing at a time, it would seem reasonable that 2 vehicles per court would be appropriate, and 3 vehicles per bowls rink. This generates an overall total increased requirement of 52 car parking spaces. Evidently, this would be unlikely to be required all at the same time, and would spread across the day and during peak periods.

The concerns from residents focus on when car parking is at capacity within the car park on site, and impacts this is likely to have on roads such as Mill Street and Bridge End. However, if the red "stop" light is moved to the end of Mill Street so that those visiting the club are aware that the car park is full before even entering Mill Street, this is likely to deter visitors from accessing Mill Street.

Based on the response from WCC Highways, the proposed Traffic Management Plan and fact that there is a nearby public car park within close proximity of the application site, it is considered that adequate parking arrangements can be made.

The proposal is therefore considered to be in accordance with Local Plan policies TR1 and TR3.

Other Matters

Members of the public consider that the proposal will be harmful to the environment by increased pollution from traffic and that there is no accurate transport assessment or proposal to cut noise and pollution.

The anticipated vehicle use by residents of the new development is likely to cause an incremental increase in traffic in areas of poor air quality within the district. The Environmental Health Officer has confirmed that the scheme would be considered as a minor scheme in accordance with Warwick District Council's air quality supplementary planning document. On this basis, a full air quality assessment would not be necessary. As a minor scheme, Type 1 mitigation is normally required and provided by way of electric vehicle recharging facilities for additional car parking created by a development. In this instance, no additional car parking is proposed as the club will be relying on the nearby public car park for any parking shortfall. Nonetheless the development would have some adverse contribution to local air quality albeit minor in isolation. On this basis, Environmental Health Officers recommend that a planning condition is included with any approval which requires the provision of an air quality mitigation scheme. This could take the form of electric charging provision at the existing club car park or a travel plan to encourage club members to use sustainable transport options. The club could consider whether parking permits should be granted for members that live within a certain radius of the site to minimise unnecessary short distance private vehicle trips. This condition has been added.

Members of the public state that the proposals do not benefit the community and that there is no need for additional gym facilities within the area. Officers consider that the proposals would be of benefit to the community by providing enhanced sporting facilities, which would have health and wellbeing benefits.

Concern has been expressed by members of the public regarding the impact of the development in structural terms. However, this is a private matter and cannot be considered as part of the planning application.

Objectors also state that the LVIA is biased so lacks credibility. However, this was not raised as an issue by either Historic England, the Conservation Officer or WCC Landscape, therefore Officers have no reason to query its validity.

Members of the public have stated that comments from people who do not live in the area should not be considered, whilst club members' opinions should be listened to. This is a personal opinion and all comments received in relation to a planning application must be considered equally.

Supporters of the proposal state that the plans improve accessibility and sporting capacity for club members and local area. They also consider that the development will allow more people to participate in outdoor exercise, having benefits for physical and mental health. Further, members of the public consider that the

impact to the rowing and water aspects are minimal as the capacity of the rowing section is limited by the number of boats. Finally, supporters state that the replacement boat house is to provide a waterproof and weatherproof building rather than to increase capacity. These benefits are acknowledged.

The applicant has provided a benefits statement which outlines the following benefits as a result of the proposed development which Officers consider to be relevant considerations:

- aiding the long term sustainability of the club as a leading multi-sport club, securing financial stability;
- protection and enhancements to the club setting;
- health and well-being - encouragement of healthy lifestyles and increased opportunities for local residents to participate in activities which would be beneficial to their health;
- additional capacity to enable the club to extend its schools outreach programme;
- improvements will enable the club to be legally compliant having regard to toilets and changing room requirements for young people and those with disabilities. It will also enable the Club to provide young people with their own social space within the Clubhouse. The two new tennis courts will have a synthetic clay surface which will enable the Club to encourage those with disabilities to participate, and for the Club to organise appropriate coaching programmes;
- reduction in traffic entering the site from Mill Street.

These matters should all be considered in the planning balance as clear benefits derived from the proposals.

Conclusion

It has been demonstrated above, that the proposed development would not have a harmful impact on heritage assets, subject to conditions to secure a high quality finish. The development would also not have a harmful impact on neighbouring amenity, subject to adequate mitigation measures and adequate parking arrangements have been made. The loss of 6 trees is noted as regrettable, but the identified health and wellbeing benefits are considered to far outweigh the very low level of harm which would be caused as a result of the loss of the trees. The application should therefore be granted.

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 site location plan and approved drawings 101 (site plan), 102 (ground floor plans squash courts), 103 (first floor squash courts), and drawing 105A (boat house) submitted on 2nd July 2020 and drawing 104C (squash courts) submitted on 3rd September 2020, and specification contained therein. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 No development or other operations (including demolition, site clearance or other preparatory works) shall commence on each phase of the development unless the tree protection measures identified in the approved application documentation have been put into place for all trees affected by that phase in full accordance with the approved details and thereafter shall remain in place for the full duration of any such construction work. 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 Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 4 The development hereby permitted shall either:
- a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.
- b.) Not commence on each phase of development until a qualified ecologist has been appointed by the applicant to inspect the building/vegetation to be cleared on site for each phase for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist.
- Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. **REASON:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011 - 2029.

5 No development shall take place on each phase of the development until a detailed surface water drainage scheme for that phase, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall include the following information:

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross sections of all SuDS features. This should include measures taken to prevent groundwater ingress to the attenuation and manage the risk of floatation from high groundwater levels.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 3.0 l/s.
- Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods. The calculations should be supported by a plan of the drainage network with all manholes and pipes labelled accordingly.

REASON: To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity in accordance with Policies FW1, NE3 and BE3 of the Warwick District Local Plan 2011-2029.

6 No development on each phase shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority for that phase.

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken for that phase. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has

been submitted to and approved in writing by the Local Planning Authority for that phase. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

REASON: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

- 7 Each phase of the development hereby permitted (including any works of demolition) shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority for that phase. The CMP shall provide for: details of any temporary measures required to manage traffic during construction, plans and details for the turning and unloading and loading of vehicles within the site during construction, dust suppression, noise and vibration, demolition or clearance works, details of wheel washing, site working hours and delivery times, restrictions on burning and details of all temporary contractors buildings, plant and storage of materials associated with the development process. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **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 BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.
- 8 No phase of the development shall commence unless and until a hard and soft landscaping scheme for that phase has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include 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 for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works for each phase shall be completed in full accordance with the approved details within three months of the first occupation of the development within that phase; and all planting 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 the same size and species as that originally planted. 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 BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

- 9 No development of each phase shall be carried out above slab level until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority for that phase. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 10 No development for each phase shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority for that phase. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 11 No development of each phase shall be carried out above slab level unless and until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), and the balcony at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority for that phase. The development shall not be carried out otherwise than in strict accordance with such approved details. **REASON:** To ensure an appropriate standard of design and appearance within the Conservation Area and setting of listed buildings, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.
- 12 No occupation and subsequent use of each phase of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the lifetime of the development for each phase. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan. **REASON:** To ensure the future maintenance of the sustainable drainage structures in accordance with the requirements of policy FW2 of Warwick District Local Plan 2011 - 2029.

13 There shall be no use of the development hereby approved until a scheme for the monitoring of the "Car Park and Traffic Management Strategy: 2020" submitted on 18th March 2020 has been submitted to and agreed in writing by the Local Authority. Thereafter, the development shall be monitored in accordance with the approved details. **REASON:** To ensure that adequate access arrangements to the site are provided in accordance with Policy TR1 of the Warwick District Local Plan 2011 - 2029.

14 No lighting or illumination of any part of the buildings or site shall be installed until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority for each phase of the development, which shall also include lighting spillage from the approved buildings. In discharging this condition the District Planning Authority expects lighting to be restricted around the boundary edges, along the river, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

- Lighting should be directed away from the river and vegetated areas
- Lighting should be shielded to avoid spillage onto the river and vegetated areas
- The brightness of lights should be as low as legally possible
- Lighting should be timed to provide dark periods

The use of the lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **REASON:** To ensure that protected species are not harmed by the development, so that the development would have an acceptable impact on neighbouring amenity and so that the lighting respects the sensitive nature of the site and heritage assets in accordance with Policies NE2, BE3 and HE1 of the Warwick District Local Plan 2011 - 2029.

15 Each phase of development hereby permitted shall not be used until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan 2011 - 2029.

16 Noise arising from plant or equipment hereby permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech,

hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 17 No development shall be carried out above slab level of the squash courts unless and until details of a noise mitigation scheme for the squash courts has been submitted to and approved in writing by the local planning authority. The development shall not be used until the mitigation measures have been completed in full accordance with the approved details, and shall be retained thereafter. **REASON:** To ensure that the level of noise emanating from the building 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.
-