

**Planning Committee:** 05 July 2011

**Item Number:**

**Application No:** W 11 / 0032

**Town/Parish Council:** Warwick  
**Case Officer:** Penny Butler

**Registration Date:** 09/06/11

**Expiry Date:** 04/08/11

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**Car Park, IBM Marketing Centre, Birmingham Road, Warwick, CV34 5JL**

Construction of replacement carpark (103 spaces) FOR Mourant & Co  
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This application is being presented to Committee due to an objection from the Town Council having been received.

**SUMMARY OF REPRESENTATIONS**

**Warwick Town Council:** Object. "Policies DP1 & DP2 state that development will only be permitted which will positively contribute to the character and quality of the environment and prevailing policies for the development of the land required that in order to achieve a good layout and design the landscaped area to the frontage with Wedgnoek Lane was essential to ensure that the development did not have an unacceptable impact on the amenity of the area. The proposal which will entirely remove the banked landscaped area intended to protect the amenity, which was considered essential by the Planning Committee, and the Town Council therefore anticipate that the Planning Committee will refuse the application which will result in the loss of landscaping which would be detrimental to the amenity of the area."

**Cultural Services (Arboricultural Officer):** Concept and proposed new trees acceptable. No objection to revised tree pit detail.

**WCC Ecology:** The requested bat survey has been carried out to an acceptable standard, found no evidence of bats within the trees and little bat activity. On this basis no further activity work is necessary and a bat note is recommended. Also recommend conditions for a planting scheme for replacement trees and tree protection, and also bird, native planting and lighting notes.

**RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

This land has always formed the screening to the IBM site, from Wedgnoek Lane. Whilst there are permissions on the wider site, this specific part of it has no history aside from an identical proposal that was given consent in 2007 (W07/1468). This consent has recently expired.

## **KEY ISSUES**

### **The Site and its Location**

The site forms part of the very wide landscape buffer to Wedgnoek Lane, which consists of mounding (up to 4m high) and tree/shrub planting. Having been laid out some years ago, this is now semi-mature and forms a pleasant feature in the streetscape. The site adjoins existing IBM parking to the west. Surrounding levels are highest slightly to the north of the application site where Wedgnoek Lane joins the inclined road up to the bridge over the A46.

### **Details of the Development**

The land would be levelled, to about the level of the adjoining car parks, surfaced, and used as replacement car parking. IBM have lost parking on the other side of the site, now that they have relinquished half of the complex. A total of 103 spaces would be provided, no increase over those lost elsewhere.

The work would involve the loss of one 13m high Oak tree, but the landscaped frontage to Wedgnoek Lane would be retained as a continuous feature (although now shallower). Replacement planting would consist of a considerable number of extra heavy standard trees. Sections to show the regrading have been submitted, along with a tree survey, landscaping scheme and bat survey.

### **Assessment**

Clearly, the loss of mounding and trees is regrettable in landscaping terms. However, the proposals do allow more intensive use to be made of existing land, which is to be welcomed. Furthermore, no additional spaces are proposed, so sustainable transport targets are not harmed.

The proposals would maintain an unbroken line of trees to the Wedgnoek Lane frontage and additional planting is proposed to strengthen this. This replacement planting consists of 12 Oak and Ash trees 4.5m to 5.5m high, which will grow to significantly enhance this landscape feature. 9 London Plane trees are also proposed within the new parking area. Although some loss of mounding would be visible from Wedgnoek Lane, I do not consider this to be too serious, especially in a commercial area. Viewed from within the site, the parking would simply be seen as a continuation of the existing large IBM parking area.

## **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (0068A submitted on 6 January 2011; 01C and 02A submitted on 14 March 2011; 03B submitted on 15 March 2011; 04 submitted on 10 May 2011), and specification contained therein, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 3 Prior to commencement of the development hereby approved, details of a porous surface treatment for the car park or where a non-porous surface treatment is proposed, details of the provision to be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the premises, shall have been submitted to and approved by the District Planning Authority. The drive shall be constructed and surfaced, in full accordance with the approved details. **REASON** : To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan.
  
- 4 The landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted. 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 5837:2005. 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 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 Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

### **INFORMATIVES**

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of impact on the frontage to Wedgnock Lane which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.

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