

PRINCIPAL ITEM NO. 4

PARISH: WARWICK

APPLICATION NO. W20030529

DATE OF RECEIPT: 2.04.03

CASE OFFICER: MR. M.K.HASLETT

**LAND AT BREAD AND MEAT CLOSE, FRIARS STREET, WARWICK**

Erection of 80 dwellings with new access from Friars Street and Westgate Close, new footpath link, alterations to Friars Street/Crompton Street junction, for Laing Homes, Midlands.

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**INTRODUCTION**

Following a committee site visit, consideration of this application was deferred at the meeting of the Committee on 10 September, at the request of the applicants who wished to submit amended plans. These have now been received and have been the subject of re-consultation with the public and other interested parties. The report has been amended to take account of these changes and the most recently submitted plans are referred to as *the third submission* in this report.

**THE SITE AND ITS LOCATION**

The site falls into 2 parts. The larger part (referred to as Bread and Meat Close) lies to the west of St. Paul's Church and is presently open land associated with the racecourse. This land is generally flat and comparatively featureless aside from a small brick building in the south western corner.

The second part of the site (referred to as the Stables), to the east of the Church, currently houses the stables which would be demolished. This land adjoins existing bungalows in Westgate Close and part of this site wraps round the rear of the Seven Stars public house to give a short frontage to Friars Street.

The two sites are linked by a narrow tongue of land to the rear of the church. The church itself, although not part of the development site, is a prominent feature of the area. Apart from the dominant design and appearance of the building itself, the churchyard is on somewhat higher land and is a site with many important mature trees, which add considerably to the appearance and character of the area.

To the rear of the site lies Hill Close Gardens on a more undulating site at a different level to the application site. The Gardens are Grade II\* listed and form part of the Warwick Town Centre Conservation Area.

**DETAILS OF THE DEVELOPMENT**

On Bread and Meat Close, it is proposed to build blocks of flats to include 2-bedroomed and 1-bedroomed flats. The first block would front Friars Street, with a return around the corner, fronting the racecourse. This building would be 2 storeys high where it adjoins the churchyard stepping up to 4 storeys on the corner, adjoining the junction of Friars Street and Crompton Street. The racecourse elevation of this building would continue in a similar style as a 3-storey-plus-attic building, dropping down to 2-storey-plus-semi-attic where the building ends.

The central section of the frontage to the racecourse would be left open and landscaped, in order to give views through to the church. This break has been enlarged in the recent amended plans so that it would now be 13.8m wide. The second block, on the other side of this gap, would be a further 2-storeys-plus-semi-attic building rising to another feature block 4 storeys high, on the far corner of the elevation.

At this point an access road would be brought in to serve a parking area to the rear of the buildings and it is in this part of the scheme that the most significant changes have been made. A further small block of 2½ storeys would form an end-stop to the block fronting Hill Close Gardens and this would form a visual link between the higher blocks fronting the Racecourse and the smaller scale redesigned block fronting Hill Close Gardens. This latter building would be a 2-storey block of traditional styling also fronting the Gardens. Although appearing as houses, this block would incorporate 8 flats.

This part of the scheme has been greatly amended since the plans were previously considered by Committee, when a 2½storey block of flats was shown in a position 3 metres closer to the Garden boundary. These changes have resulted in a reduction of 3½m in the ridge height and the division of this block into 2 separate buildings (the second being the 2½ storey block mentioned previously in this paragraph) has also helped to reduce the bulk of the building.

The access road to serve these properties would be brought through the existing car park area from Friars Street. A cross roads with Crompton Street will be formed and some modifications to the existing junction at that point would be required. Between the flats and the access road, there would be a landscaped area accommodating the existing stream. This would be widened to form part of the District Council's flood alleviation works which would be separated from the flats by railings.

A footpath would be constructed along the Hill Close Gardens boundary of the site which would link Bread and Meat Close with the Stables. In the Stables, the developer intends to meet the requirement for affordable housing and the house designs reflect this. To the rear of the site four 3-bedroomed houses would be constructed in a traditional style, together with a 3-storey block of 12 2-bedroomed flats. In the central part, two additional houses would be built, together with a further block of 3 houses and four flats.

Finally, the small frontage to Friars Street, adjoining the public house, would be used to build four 2-bedroomed flats, designed to look like traditional houses from the Friars Street elevation. These properties would not form part of the affordable housing.

Access to the Stables would be obtained by extending Westgate Close and parking would be laid out in front of the new dwellings.

The application is supported by an architectural statement, landscaping statement, arboricultural report setting out the impact of the development on the trees in the churchyard and graphic images.

The proposals have been amended three times since original submission to reflect changes to the layout and design of the development on Bread and Meat Close. The first amendment reflected changes to the layout as a result of moving the access road and open space provision. The second amendment was a minor change in relation to reducing the height of the units fronting onto Friars Street adjacent to the churchyard. The third amendment has been detailed in this report, and as a result of these changes, the total number of dwellings has dropped to 80 from 84. The applicants now propose that 14 flats and 9 houses will be offered as affordable housing, making a total of 23, or 28.75%, a little short of the normal requirement of 30%. The applicants point to the additional costs of the archaeological work and decontamination of the site as extra work which would justify the figure being a little under the normal requirement. This arrangement is acceptable to the Housing Strategy Unit.

## **PLANNING HISTORY**

There is no history particularly relevant to the current application.

## **RELEVANT POLICIES**

The site is part included within the Warwick Town Centre Inset of the Warwick District Local Plan, but is not allocated. It can therefore be regarded as a 'windfall' housing site within the built-up area of Warwick, where policy DW H5 (of the Warwick District Local Plan) says that such proposals should not have a serious adverse impact upon the amenity of their surroundings. The

site also extends into the Area of Restraint (Policy ENV2) although no built development is proposed in this area.

All proposals should meet the requirements of policy ENV3 which includes the requirement to harmonise with their surroundings.

St Paul's Church is a grade II\* listed building and The Seven Stars Public House is grade II listed. Policy DW ENV12 of the Warwick District Local Plan requires the setting of listed buildings to be protected.

Hill Close Gardens are included on the Register of Parks and Gardens of Special Interest, at grade II\* listed. The setting of registered parks and gardens is protected by policy DW ENV18 of the Local Plan. Furthermore, Hill Close Gardens fall within the Warwick Conservation Area.

In January 2002, the Planning Committee approved the Bread and Meat Close Development Brief as Supplementary Planning Guidance. A copy of the document is attached to this report.

## **CONSULTATIONS**

Warwick Town Council: Comments on scheme as originally submitted are - consider that the proposal represents an over development of the site and fails to comply with the terms of the development brief, particularly in the height of the proposed flats. Furthermore, the mass of the development will overshadow the surrounding area particularly St. Paul's Church.

Comments on second submission are – overdevelopment of the site and contrary to the Brief. Barrack style block overshadowing the surrounding Church and Gardens. Town Council seek assurance from the District Council as landowner and local planning authority that development will accord with the Brief. If application is approved, Town Council will request Government Office call-in.

Comments on the third submission: 'the Town Council has no cause to revise its observations on the proposed development.'

Neighbours: Comments on scheme as originally submitted are - 2 letters of objection from residents of Linen Street, on grounds of the size, height and bulk of the scheme, failure to harmonise with the surroundings, unsustainable in terms of local infrastructure, overdevelopment, excessive traffic generation, detrimental impact on the setting of Hill Close Gardens and on the listed church, impact on open character and setting of the racecourse, encroachment on St. Mary's Land.

A letter of support has been received for the Seven Stars public house.

One resident (of Linen Street) commenting on the first amended plans reiterates his original objection and considers that the scheme fails to address the special features of the location, design of poor quality, detracts from area of restraint, detracts from setting of the grade II\* listed gardens, and from setting of the grade II\* St Paul's Church, proposals do not conform to Brief, traffic problems.

Leisure and Amenities: The trees on site are either of insufficient public amenity to warrant special consideration, or are in a poor state of health and unsuitable for retention. Trees in the churchyard require protection from development and suitable conditions will be required. Concern is expressed that units 79-80 are too close to the substantial evergreen trees within the churchyard and this may affect the amenity of these units as a result of shade. There may be considerable pressure to remove these trees in the future.

Contributions will also be required for off site open space provision.

Environmental Health: No objection, although the dwellings adjoining the public house may suffer some noise and odour. A contaminated land survey has been provided and a condition should be attached to ensure that the remediation statement is submitted and carried out.

Environment Agency: No objection, provided the scheme is implemented after the Saltisford Brook Flood Alleviation Scheme is completed and conditions to protect the floodplain, submission of a scheme for foul and surface water drainage, slab levels protection of ground water.

Severn Trent Water: No objection subject to conditions relating to drainage works.

Highways Agency: No objection.

WCC (Highways): No objection subject to conditions relating to access arrangements cycleway/walkway provision, junction/kerb realignment and provision of a bus bay/stop in Friars Street.

WCC(Structure Plan): No objection subject to request for financial contributions for libraries and education as there is a shortfall of 11 secondary places.

WCC(Fire and Rescue): No objection subject to fire fighting water supply condition.

WCC(Archaeology): No objection subject to condition requiring a programme of archaeological work prior to commencement of the development.

WCC(Ecology): No objection, subject to conditions requiring protection of the stream, trees and bird note.

WCC (Countryside and Recreation): No objection subject to conditions on protection of public footpath.

Ramblers' Association: No objection.

English Heritage: Comments on scheme as originally submitted are – disappointing in failing to create a new and exciting townscape. Design becomes monotonous when repeated on the scale indicated and overbearing in places due to heights and continuous ridge lines. Bland plain rear elevations are regrettable because of their presence overlooking Hill Close Gardens and the Church.

#### COMMENTS ON THE SECOND SUBMISSION:

*Friars Street elevation*: stepping down is handled too abruptly, despite attempts to break-up the elevations there is an impression of barrack-like uniformity, (emphasised by the uniform horizontal banding of windows), lack of punctuation at ground floor adds to monolithic character, the four storey corner block resembles a squat tower rather than a subtle focal or transitional point.

*Racecourse elevation*: similar comments apply and horizontal banding effect of even floor levels and window treatments is specifically criticised.

*Hill Close Gardens elevation*: similar comments apply on banding and uniform treatment of windows. Lack any sense of context.

Overall, this is not a distinguished application with a sense of place and even though it may comply with the letter of the Brief, it does not comply with the spirit. Additional sections would be helpful.

#### Commission for Architecture and the Built Environment:

The Commission commented on the second submission and their letter was attached in full in the addendum report to the Committee on 10 September. In summary, the Commission is broadly supportive of the proposals, and the design and scale is not considered to be out place in its context. The configuration of the blocks is considered to work well, with the car parking hidden behind the buildings. The detailed choice of materials and landscaping will be important to the overall success of the scheme, but concern is expressed over the use of railings for the boundary of the buildings to Friars Street.

#### Garden History Society:

Comments on scheme as originally submitted are - do not object in principle, but consider that insufficient account has been taken of the setting of Hill Close Gardens and its visual impact.

Buildings are too bulky and at variance with surrounding architecture. Application lacks an impact assessment, scheme may have an impact on other registered gardens of Lord Leycester Hospital. Concern over visual impact of landscaped area.

Warwickshire Gardens Trust:

Comments on second submission are – no objection in principle but the development by reason of its height, scale and mass does not respect the setting of the registered gardens, the Conservation Area or nearby listed buildings. The elevations consist of repetitive elements with little regard for local architecture or character. Massive roof proportions not appropriate.

Comments on the third submission: recommend refusal-the tall block at the north west corner, the height of the buildings facing the racecourse would have a detrimental impact on Hill Close Gardens.

Hill Close Gardens Trust:

Comments on scheme as originally submitted are – use of the “toe of land” as public open space and provision of footpath will damage the integrity of the Gardens. Mass and bulk of the development will curtail views from the Gardens. The development will dominate views of the town from the Common and threaten views of the Church. Excessive density and combined with uninspired quality of design. Poor layout and not sympathetic to character of Gardens. Does not accord with planning brief.

*Comments on second submission* are – height and monotony of the facing elevation and roofline does not respect the character of the Gardens. Unacceptable barrack-block design too close to the boundary with a detrimental impact on the historic environment. Development will overwhelm the church and fail to create a setting for it. Proposed close of access to Gardens is acceptable provided an alternative pedestrian and vehicle access from the racecourse is permitted. No such provision made. Request that the stable wall facing the Gardens be retained.

*Comments on the third submission:* welcome the increased distance of the buildings from boundary with the Gardens and reduction in their height. The Trust says that there have been further negotiations with the applicant with a view to reducing the height of the building at the west end of the block fronting the racecourse to 2 storeys, moving the whole of the block fronting the racecourse closer to the church and putting dormer windows into the block adjoining the entrance to Hill Close Gardens to further reduce its height. The Trust would welcome further time to pursue these negotiations.

CAAF:

Comments on scheme as originally submitted are - concern expressed over scale of the buildings. Corner tower feature interesting but scheme otherwise uninspiring. Elevations appear unbroken and stairwell windows contain a lot of glass, which is unsympathetic to the area. Concern over number of cars the scheme would generate.

Comments on second submission – still too intensive with significant overlooking and impact on Hill Close Gardens, a Grade II\* garden. It was felt that the roofs were far too large and out-of-character with Friars Street. Architecture was considered to be inappropriate and not in harmony with the brief.

Warwick Society:

Comments on scheme as originally submitted are – disappointed that scheme is not sympathetic to the site, excessive density and would lead to traffic congestion. The elevation to Friars Street would dwarf the church and the proposed landmark building would overpower surrounding buildings. Development will dominate and be particularly intrusive on the setting of Hill Close Gardens. The elevation to the racecourse is unimaginative and too bulky. Landscaping is not sufficient. Overall, development will have the effect of a fortress and it is important the development will be sensitive.

Comments on the second submission – original objections are reiterated - density too high, height excessive, adverse effect on setting of Hill Close Gardens, design unimaginative and development will have a fortress like appearance. Refusal is requested.

Comments on the third submission-Recommend refusal, although acknowledge changes reduce impact but they do nothing to reduce the massive bulk. A less dense, less intrusive and more

imaginative scheme should be submitted. Scheme is overpowering and far too dense. Disappointing design, an opportunity lost. Notwithstanding objection, stairwells could be more integrated within buildings, balcony extensions to sides of the towers could have pitched roofs, use of rusticated brickwork should be restricted to base of towers.

## **COMMENTS**

A number of important issues need to be considered in relation to this application: the design and appearance of the development and the relationship it would have with the adjoining listed building and listed gardens.

In this respect the existence of a Brief is helpful and the development can be tested against it, but it must be remembered that the Brief is not necessarily the only way in which the site can be satisfactorily developed. However, the plans as now submitted are in close conformity with the Brief. In terms of the general form of development: there is a visual axis to the side of the church from the racecourse, there is a landmark building on the corner of the site in Friars Street, a footpath links the two parts of the site and the development respects the existing bungalows in Westgate Close. The principal departure from the Brief is the block fronting the Racecourse. Here the Brief calls for a mix of 2-3 storey buildings with the potential for some 3 storey buildings at the northern end and the Brief goes on to suggest that there should be a variety of ridge heights, whereas the submitted scheme shows 2½, 3½ and 4 storey flats at this point. However, these elements are not considered harmful to the character/appearance of the development or to the setting of adjoining buildings/gardens. The four storey element adjoining the vehicular access to the site will not detract from the appearance of the development when viewed from the racecourse and does not affect the setting of the Gardens, in my opinion.

Concern has been raised concerning the impact of the development on Hill Close Gardens. The proximity of the Gardens means that there would potentially be an impact upon them and this is an important consideration. However, there are also beneficial aspects from development to be weighed against any impact. Bread and Meat Close is presently an open parking area, with scrubby planting, whilst the Stables area consists of poor quality buildings on the boundary with the Gardens. In the case of Bread and Meat Close, there would be 2 storey building at a minimum of 13m from the boundary, separated from the Gardens by an area of public open space. Given the visual appearance of the proposed building and its amended traditional styling, I do not consider that this situation would be unreasonable and I do not consider that this arrangement would harm the setting of the Gardens.

On the other part of the site, the Stables would be replaced by two storey houses with a minimum of 4m rear gardens and three storey buildings 2m from the boundary of the site with the Gardens. This latter arrangement may cause more concern, but the impact is reduced by the fact that the Gardens are on rising ground, somewhat higher than the Stables at this point and the existing buildings are poor and presently have a detrimental impact on the Gardens. I think that the proposed arrangement would be an improvement on this and it would therefore be difficult to resist. This element also accords with the Brief.

The second set of issues relates to the impact on the listed building, St Paul's Church. Objectors have pointed out that the proposed buildings could dominate the Church, but the sections through the site show the church to be slightly taller than most of the new buildings, a notable exception being the landmark building on the corner of Friars Street. However, the amended scheme has allowed additional space for the view through to the church and the arrangement with a full view of the western window of the church, framed within the new development, could form a striking streetscape. Seen from Friars Street, the church will remain a major element of the street scene and will continue to be seen within the context of the trees on its site, which are also a major feature. In these circumstances, I do not consider that the setting of the church will be harmed. Indeed, in some respects, it will be improved.

There remains the issue of the overall design and density of the scheme. The density is about 61.5dw/h, which is in line with government advice to local planning authorities on creating interesting new residential environments which make better use of brownfield land. Car parking provision at 112 spaces is only a little below the government's *ceiling* of 1.5 spaces per dwelling, so it is not unacceptable. The proposals will create a new frontage to Friars Street, which will be

a welcome improvement to this part of Warwick, in my opinion. Furthermore a major development of new housing close to the town centre would help to restore the balance of Warwick town centre, support local services and encourage activity during the evening. The proposal also makes a significant contribution towards affordable housing.

### **RECOMMENDATION**

That planning permission be GRANTED, subject to conditions on materials, landscaping, large scale details, contaminated land, construction after flood alleviation scheme is implemented, details of foul and surface water drainage, protection of floodplain, protection of ground water, slab levels above flood level, fire fighting water supplies, archaeology, protection of trees, protection of public footpath, detailing of hard surfacing near trees, bird note, after completion of a legal agreement to require affordable housing, dedication of public open space and contribution towards off-site provision, contribution towards County Council services.

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