

## **PLANNING COMMITTEE 8 December 2015**

### **OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA**

#### **Item 5: W/15/1575 – 16 Whitnash Road, Whitnash**

A further condition relating to open space contributions is to be added to any approval.

#### **Item 6: W15/1687 – 3 St John's Terrace, Tachbrook Street**

Two further objections have been received, raising issues similar to those that have been listed in the "Summary of Representations" section of the Committee Report.

#### **Item 7: W15/1697 – 6 Jury Street, Warwick**

##### Further consultation responses

Environmental Health: "There has been a long history to this case, with much detailed work and consultation taking place over a period of time. It is understood that there has been an extraction unit in place for many years and this application seeks to modify the layout.

The original details for this application did not specify some of the detail which might have been available. However, there is no objection to the application subject to reassurances as to the specification of the extraction unit to ensure that, noise, odour and internal ventilation of the kitchen can be satisfactorily controlled."

Additional pre-commencement conditions are proposed to secure satisfactory details of noise, odour and ventilation.

##### CAF:

"It is requested that building elevation drawings be provided to enable the proper assessment of the impact of the proposed development upon the listed building, and the application should be supported by a Heritage Impact Assessment, (or a Design and Access Statement), to include mitigation measures to reduce any visual harm caused".

Additional assessment on the impact on the Listed Building (Listed Building Consent has been granted under W/15/1629/LB)

The harm to the character and appearance of the listed building and the Conservation Area would be less than substantial, particularly given the existence of the existing ventilation equipment. Para 134 of the NPPF sets out that this harm should be weighed against the public benefits of the proposal. In this case, the principal public benefit would be the support of a local business and employment and also ensuring that the Listed Building is kept in use.

Therefore, it is concluded that the public benefits would be sufficient to outweigh the less than substantial harm the proposal would cause to the designated heritage asset.

### **Item 11: W15/1773 – Leamington Shopping Park**

#### Correction

The "Details of Development" section of the Committee Report contains an error. This states that the mezzanine floor measures 418 sq m, when in fact it measures 500 sq m. That makes the total floor area 1,197 sq m. This only affects the "back of house" areas, and consequently the sales area remains as stated in Condition 9 (i.e. 893 sq m).

#### Further consultation response

WCC Highways: No objection, subject to a condition to require a Travel Plan.

### **Item 13: W/15/1300 – Albion Tavern, Albion Street**

#### Correction

The 'Other Matters' section of the report contains an error in the following paragraph. This is corrected by the insertion of the word 'not' (underlined):

"Concerns have been raised in relation to the use of the proposed dwellings as HMOs. The current proposals are for the erection of 6no. dwellings, Use Class C3. Under permitted development the use of these could, in the future, be changed to a Shared dwelling, Use Class C4 providing no more than 6no. people were occupying the property and they were not living as a family unit with shared amenities and living accommodation".

**Item 14: W/15/1473 – Land at Lower Heathcote Farm, Harbury Lane, Warwick**

Further consultation responses:

WCC Highways: "The holding objection still stands. Whilst some concerns have been addressed there remain a number of issues still outstanding. These include issues such as forward visibility, width of private drives, length of driveways, and alignment of parking bays to highway".

The applicants considered that these details could be dealt with through the formal Highways adoption process (Section 38 approval). However, the Highway Authority have stated that they consider a number of issues raised cannot be left until the Section 38 stage as they are reserved matters items and as such need to be addressed satisfactorily at this point of the planning process.

Officers consider that the comments of the Highway Authority do not raise any fundamental issues with the proposed layout and request that the Item be deferred to Officers, for approval, subject to the receipt of amendments which satisfactorily address any outstanding concerns.

WCC Landscape Team: No objection. The submitted landscape proposals are sufficient to address concerns raised in earlier correspondence.

Applicant's response to concerns raised by Stagecoach:

Stagecoach has had involvement at both the outline and Design Code stages of this scheme and we acknowledge the comments from them at this reserved matters stage also. With reference to those comments; Sufficient off-street parking spaces have been provided along the spine road, the design of which has followed the requirements as far as practicable as set out in the approved Design Code.

It is noted that the Highway Authority have not raised any safety concerns regarding the overall highway design. It is also worthy of note that information regarding bus stop location/positioning in accordance with Outline planning condition 7 (bus stops) has now been fully discharged to the satisfaction of the planning department at Warwick District Council.

Officer Response – As detailed in the Committee Report the principal routes adhere to the requirements set out in the Design Code which Stagecoach were consulted on and raised no objection to.

The layout as proposed is considered to provide an appropriate balance between providing sufficient parking, good residential layout and access for buses in order to achieve the design aspirations for the site overall.

Condition 7 on the outline approval has been discharged, in consultation with Stagecoach, however this only relates to bus stops located along the Harbury Lane and not those within the development itself. These would be subject to future agreement with the Highways Authority during the determination of the Main Spine Road application (Item 15).

#### Applicant's response to Housing Mix:

The scheme provides for a range of dwelling types and sizes in accordance with Policy SC1 of the Warwick District Local Plan (1996-2011). We acknowledge the Council's Policy Guidance document "Guidance on the Mix of Market Housing on New Development Sites" (June 2013) however, the housing mix document provides a guideline only.

Every effort has been made to comply with the document as far as practicable. In order to achieve the design criteria as outlined in the agreed Design Code, revisions to the house types have been made at the request of the Planning Authority.

It is regrettable that the percentage of 1 bed units has decreased from that originally submitted; however, this was necessary in order to achieve the high level of design specification required for this scheme in this location. We believe that the level of housing mix complies with Policy SC1 of the Local Plan.

Officer Response: As detailed in the Officer report the proposed market housing mix differs from that as set out in current guidance. The applicants were asked to review the mix and it is considered the justification provided in relation to this site and the need to achieve the design criteria for the overall development is sufficient.

In overall terms, the proposals include an appropriate mix of market housing, and meet the aims of Policy SC1. The deviation from the guide mix as set out in the SPG is not considered to be sufficient reason to warrant refusal of this application.

#### **Item 15: W/15/1740 - Land at Lower Heathcote Farm, Harbury Lane, Warwick**

#### Further consultation responses:

Bishops Tachbrook Parish Council – No objection

Response to Stagecoach concerns –as per Item 14: W/15/1473

**Item 16: W/15/1664 – 120 Shrubland Street**

Amendments to proposal:

The applicant has amended the plans to provide timber windows and more traditionally designed front doors to the principle elevations fronting Grove Place and Shrubland Street. The ground floor window to Shrubland Street has also been reduced in width to better reflect the proportions of adjoining properties. Plan numbers/received dates within Condition 2 have been updated accordingly.

Further consultation responses:

Two further comments have been received regarding the officer report noting the following concerns:

- Building heights.
- Is parking 1/4Km from a property acceptable? People will (continue to) park dangerously.
- Separation distances will be worse than at present.
- Insufficient bin storage.
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WCC Highways: The Highway Authority note that double yellow lines are provided around junctions and officers considered that cars parked dangerously on-street are a matter for Police and Parking Enforcement.

Additional condition:

An additional condition is proposed to require new windows to be timber and painted not stained.

**Item18a: W/15/1294 – Land at Wasperton Lane**

Condition No. 16 is to be amended as follows:

The development hereby permitted shall not begin until a scheme detailing the affordable housing provisions has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in

Annex 2 of the NPPF or any future guidance that replaces it. The scheme shall include:

- (a) the tenure split;
- (b) the arrangements for the management of the affordable housing;
- (c) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, and
- (d) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

**REASON:** To meet the requirements of Policy SC11 of the Warwick District Local Plan 1996-2011.

Condition 25 is to be deleted and Informative No. 4 updated as follows:

The areas to the north of the site identified on the Landscape Masterplan dwg no.RG01 Rev A as 'Private Gardens(Amenity)' and 'Parkland Grass Area (seeded)' be laid out and managed in accordance with details to be submitted to and approved by the Local Planning Authority. These areas shall be used only for the purpose specified for that part of the approved drawing and for no other purpose and the 'Private Garden (amenity)' area shall not be extended from that shown on the approved plans.

The applicant is advised that the compliance of future occupiers to manage this area in accordance with the approved detail will be enforced and are therefore requested to bring this requirement to the full attention of potential purchasers through a restrictive covenant or other suitable means.

Further consultation response:

CPRE: "Historic England is clear in conclusion that 'The scheme should be modified to reduce the harm to the heritage assets as far as possible'.

Please can the Committee resolve that Historic England's recommendations be pursued and not approve the present application and the submitted drawings at this time".