

Planning Committee: 24 May 2016

Item Number: 9

Application No: [W 16 / 0496](#)

Town/Parish Council: Warwick

Registration Date: 17/03/16

Case Officer: Jo Hogarth

Expiry Date: 16/06/16

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Former Warwick Printing Co Ltd, land adj to Theatre Street and Bowling Green Street, Warwick, CV34 4DR

Demolition of the Warwick printing co. building and single storey building to Bowling Green Street and Market Street. Erection of 39 apartments with associated parking and open space (revised application of W/14/0746, 2 no additional apartments) FOR Waterloo Housing Group

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

Members of the Planning Committee are recommended to grant planning permission subject to the conditions listed below.

DETAILS OF THE DEVELOPMENT

Further to the planning permission recently granted to construct a four/five storey building to provide 39 affordable apartments with 10 parking spaces (W/14/0746) this application proposes two additional affordable apartments through the raising of the height of the development by 2.6 metres and 0.9 metres across elements of the building.

The increased height of the building in part arises from the increased costs associated with the original structure which comprised a reinforced concrete frame and which has led to the proposed use of a more cost effective metal framed structure which necessitates increased floor to ceiling heights throughout the building and which has also offered the opportunity to incorporate an additional 2 apartments.

THE SITE AND ITS LOCATION

The site relates to a non-listed three storey flat roofed building located within the designated Conservation Area on the eastern side of the road, opposite Linen Street. The area surrounding the building is primarily in residential use with shops and the Town Centre to the rear. Next to the site is an MOT testing garage.

RELEVANT PLANNING HISTORY

There is an extant planning permission, ref: W/14/0746 for 37 affordable apartments, with 10 off street parking spaces with the remainder utilising Linen Street.

This scheme was determined by planning committee in September 2014 when the regeneration of this part of Warwick Town centre and the provision of 37 units of affordable accommodation (i.e. all of the accommodation offered by the proposal) were considered to be key benefits. At that time, the Committee fully considered other key issues particularly including the impact on adjacent residential units including at the upper floors to the rear of the site along with car parking and highway safety in respect of which there was no objection.

As described above, the revised proposals incorporate a number of relatively small scale changes within the context of the wider scheme which are the key matters to be considered as part of this revised submission.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Open Space (Supplementary Planning Document - June 2009)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection raised against the additional apartments as they create extra bulk having detrimental effect on the street scene. Concerns raised around the allocation of parking spaces- particularly with the current WDC review of Linen Street car park.

WCC Ecology: Recommend notes on bats and indigenous tree and shrub species to be used.

WCC Highways: No objection.

WCC Archaeology: Recommend a condition in relation to a written scheme of investigation together with an archaeological mitigation strategy.

WCC Landscape Team: Recommend details of landscaping to be submitted.

WDC CCTV: No objection.

WDC Housing Strategy: Supports the application for affordable housing.

WDC Green Space: Recommend a contribution of £48,984 towards enhancement and improvement of open space.

CAF: The building will already be very prominent and increasing its height and massing will have a negative effect on the street-scene and its sense of enclosure, and will therefore cause harm to the Conservation Area.

Public response: 18 letters of objection on the grounds of parking pressure following the pending closure of Linen Street car park. To squeeze in additional apartments will further reduce light and the new building will be out of character. The development is unneighbourly and represents over development. It will provide cramped accommodation and have a negative impact on tourism as visitors will not be able to park. The architecture is not sympathetic to an old market town and will blight it.

1 letter of support for the scheme as it would visually enhance the area.

ASSESSMENT

In light of the extant planning permission in existence at this site, which this submission proposes to amend, the assessment of this proposal relates only to the differences brought forward by this scheme in relation to the revised height and design of part of the development; the additional two apartments and any impacts arising from those revisions within the street scene, on neighbours and car parking and highway safety.

The impact on the streetscene and Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 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.

Paragraph 132 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 134 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.

The approved design comprises of a four and five storey building, with a mix of render, red brick, grey roof tiles and cladding as well as glazed bay window feature on the return of the building on the corner elevation.

The increase height of parts of the revised building at their greatest amount to an increase of 2.6 metres which relative to the highest part of the immediately adjacent buildings to the rear (the stairwell tower of the old Woolworths shop measures 18m in height) are a minimum of 1.5 metres lower.

Within the streetscene, by virtue of their nature and design, it is not considered that the changes to the proposed building will have a significant impact upon the way in which the bulk and massing of the proposed building is read and it is considered that in that respect, there are no material grounds to object to this revised proposal.

The mix of materials proposed would be as per the approved scheme which are considered to provide an interesting balance between the existing buildings surrounding the site and also provide a new building frontage which itself offers significant interest within the street scene. It is not therefore considered that the revised proposals would result in conflict with Policy DAP8 in the Local Plan which seeks to preserve and enhance the special architectural and historic interest and appearance of Conservation Areas.

It is considered that this additional height and design would not compromise the special character and appearance of the Conservation Area as it would appear as a modern streetscape, adding character and vitality whilst also making provision for much needed affordable housing.

In relation to paragraph 134 of the NPPF, it is considered that the proposal would lead to less than substantial harm and as a result, when weighed against public benefits it is considered that the significant public benefits are a material consideration as the scheme would deliver a 100% affordable apartments.

The impact on neighbours

The distance between the rear elevations of the additional apartments and those of upper floor residential properties in Market Street would be 21.9m and no habitable room windows are proposed as there would be an access corridor with two windows to provide light.

The positioning and arrangement of the areas of increased height within the proposed building are such that there would be no increased material impact on the residential amenities of the occupiers of the upper floor residential units to the rear.

With regard to properties in Linen Street opposite, the proposed development would measure 16m and would be 2.6 metres higher than the previously approved, extant planning permission. It is considered that the submitted scheme would have no significant greater impact on the outlook and living conditions of these properties than that would be the case with the approved scheme and in this respect, it is considered that the scheme is acceptable.

In relation to potential loss of light, given the distance and positioning of the increased height of the building it is considered that this would not significantly reduce light further than the permission which is already in place, which was considered acceptable.

The impact on car parking

The two additional apartments require three additional parking spaces which with the approved scheme amounts to a total of 56 off street parking spaces under the Council's adopted Supplementary Planning Document on Vehicle Parking Standards. Within the site provision is made for 10 parking spaces with the remainder to be provided offsite either within the confines of the Linen Street public car park opposite or by an appropriate alternative means which is controlled by means of condition.

Should it not be possible to provide those spaces in an appropriate manner, the condition ensures that the development could not be occupied and in that respect it is therefore considered that the proposal would meet the Council's car parking standards in addition to Policy DP8 in the Local Plan.

Highways

Warwickshire County Council as Highways Authority did not raise objection to the previous application and no alterations are proposed to the approved access. They were therefore satisfied that the proposed development would be unlikely to result in a highway concern.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the additional apartments and changes to the design and height of the permitted building would not result in significant harm to nearby residents or to the character and appearance of the Conservation Area. As with the permitted scheme, it is considered that the revised proposals would provide a high quality development providing significant regeneration benefits for this part of Warwick town centre whilst at the same time providing 39 affordable residential units and therefore the proposal is therefore considered to comply with the policies listed.

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 drawing numbers 050; 051; 052, 053 Rev B and 054 and specification contained therein, submitted on 17 March 2016. **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 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.

5 The development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011.

6 The development 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 be retained as such at all times thereafter and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 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 : Since planning permission has only been granted for residential development on this employment site on the grounds that the development is for 100% affordable housing, in accordance with Policies SC1, SC2 & SC11 of the Warwick District Local Plan 1996-2011.

7 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. **REASON:** To ensure that any archaeological remains are recorded in accordance with Policy DP4 in the Warwick District Local Plan 1996-2011.

8 The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme

shall be implemented in accordance with the approved details before the development is first brought into use. **REASON:** To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

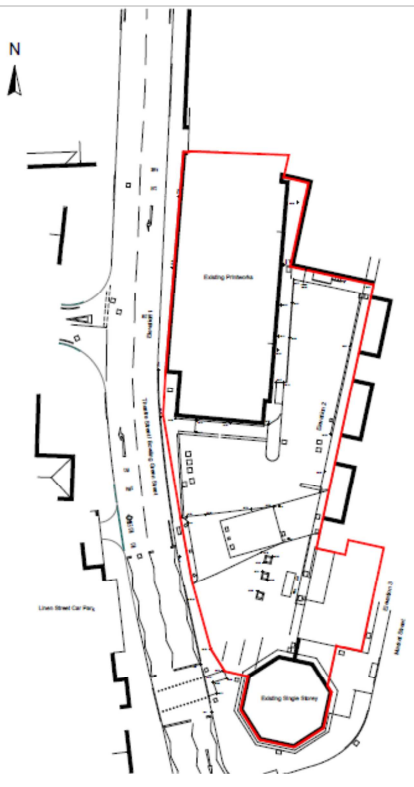
- 9 Prior to the first occupation of the development hereby permitted, the building shall be insulated in strict accordance with a scheme of works which have been submitted to and approved in writing by the local planning authority and thereafter such works shall not be removed or altered in any way. **REASON:** To ensure that the level of external noise is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of the apartments, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 10 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have 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 any 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 to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; 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 similar size and species, unless the local planning authority gives written consent to any variation. 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 DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 11 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in

constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **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 DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 12 None of the apartments hereby permitted shall be occupied unless and until the car parking provision has been constructed and laid out, and made available for use by the occupants and thereafter those spaces shall be retained for parking purposes. **REASON:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies DP1 & DP8 of the Warwick District Local Plan 1996-2011.
- 13 The development hereby permitted shall not be occupied unless appropriate off street car parking facilities have been provided. These parking facilities shall be kept free for the parking of vehicles for the duration of the occupation of the development hereby permitted. **REASON:** To ensure that there is adequate parking is available, in accordance with Policy DP8 in the Warwick District Local Plan 1996-2011.
- 14 The development shall not be occupied until all parts of the existing accesses within the public highway not included in the permitted means of access have been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 15 The gradient of the access for vehicles to the site shall not be steeper than 1 in 15 at any point as measured from the near edge of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 16 The access to the site for vehicles shall not be used in connection with the development until they have been surfaced with a suitable bound material for a distance of at least 15 metres as measured from the near edge of the public highway carriageway. **REASON:** In the interests of

highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

- 17 The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 18 No Gates/barriers/doors shall be erected at the entrance to the site for vehicles/heavy goods vehicles. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 19 The Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 20 The development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 21 The development hereby permitted shall include the provision of additional pedestrian footways to be located within the area hatched black within the site as identified on the plan number 050 attached to this decision in accordance with a scheme which has been submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. **REASON:** In the interests of pedestrian safety in accordance with Policy DP6 of the Warwick District Local Plan 1996 - 2011.



Elevation 1 Theobald Street / Bowling Green Street



Elevation 2 Rear elevation of apartments and shops



Elevation 3 Market Street

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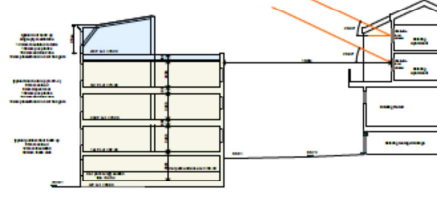
Full floor plan showing additional apartments
(in red)



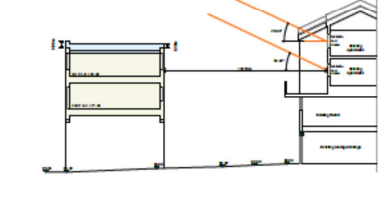
Additional apartments / Additional Height
Approved apartments



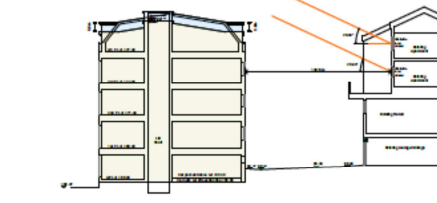
Section A



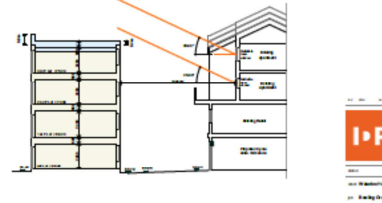
Section C



Section B



Section D





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