

PLANNING COMMITTEE: 16 JULY 2019

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

W/19/0645 – Helen Ley Care Centre

4 additional letters of support:

- The centre provides exceptional levels of care and a vital service.
- Having one level allows better patient care.
- There are few homes offering respite and residential, specifically for neurological conditions and providing such a wide range of therapies and physio in this location.
- The site is an important asset for Warwick District and beyond.
- Helen Ley is a discrete site along a road which contains various premises.
- There will be no adverse visual or other impacts.

Additional supporting information provided by the applicant:

- *Forecast of future demands on the site:* there is currently unmet demand for a minimum of 6 beds as this is the average waiting list. It is predicted that 8 additional beds will be required in 3 years' time and 13 beds additional beds will be required in 5 years' time, and 38 beds will be required in 15 years' time. 10 bedrooms are required to future proof the site within the limitations of the funding provided at this time.
- *Evidence provided to highlight the current trends relating to Acquired Brain Injury / Traumatic Brain Injury:*
 - An article from The Lancet 'Time for Change in Acquired Brain Injury' published in January 2019 which confirms both that there has been a 10% increase in hospital admissions due to ABI over the past decade and also that improvements in medical emergency care have resulted in improvements in survival of trauma.
 - An extract from an All-Party Parliamentary Group on Acquired Brain Injury & Neurorehabilitation Report published in September 2018 which shows that advances in emergency and acute medicine mean that many more individuals now survive with an ABI, however, many require early and continued access to neurorehabilitation to optimise their recovery and maximise their long-term potential. Improvements in acute care have substantially reduced the mortality rate.
 - The National Institutes of Health News Release May 2019 states that 'emergency treatment guidelines improve survival of people with severe head injury'.
 - Statement from the MS Society website which currently states 'in recent years disease modifying drugs have been introduced for people with relapsing MS (Multiple Sclerosis) and they may improve life expectancy in the future as they reduce the number of relapses. A Norwegian study in 2017 found that life expectancy in people with MS is increasing at the same rate as that for the general

population..... People are living longer than at the start of the century'

- An extract from Journal of Medical Ethics July 2017 'A matter of life and death' which states 'as ambulance and acute care services become ever more efficient at saving lives, a large number of people who would otherwise have died from catastrophic injury or illness go on to make a good recovery. However, an unfortunate few with very severe brain injury remain in a prolonged disorder of consciousness for many months – or in some cases permanently.
- Rising to the Challenge Annual Report 2017 provides evidence that those with strokes are now living longer post stroke. At time of writing we have 34 residents who have been admitted to our care centres following a stroke.
- Global regional and national burden of neurological disorders during 1990-2015.
- Global regional and national burden of neurological disorders during 1990-2016.
- *Why Lillington House (93 Lillington Road, Leamington Spa) cannot be extended* - the topography and layout of the Lillington House mean that this is not suitable to develop for healthcare facilities. Lillington House is based in an old Victorian building over 4 different levels with a small 1990s extension. This was originally built as a family home unlike Helen Ley which is a purpose built healthcare facility. Healthcare and treatment is provided over 3 of the 4 levels with utility supplies only being located in the basement. The corridors in the main part of the care centre are very narrow making it difficult for wheelchairs and bath trolleys to manoeuvre in a small space. Less than one third of the bedrooms have ensuite facilities and due to the layout of the building it is difficult to add ensuite facilities. In terms of staffing numbers, higher numbers of staff are required to provide a safe level of care over two or more levels within a converted Victorian building. Residents are not able to move easily and independently between the different levels by contrast with a purpose built centre where care and accommodation is all provided on one level.

Helen Ley is ideally placed for development as the proposed extension ensures that all resident care and accommodation will be offered on one level which is wheelchair accessible; the latter is particularly important as all of our residents are wheelchair users. The internal layout of Helen Ley is far more suited for efficient nursing than Lillington House.

Officers have assessed the above additional supporting information. It has been demonstrated that Helen Ley Care Centre is a unique case of an essential care provider, which has had increasing demands on its services. The evidence presented shows that advances in medical treatment means that individuals are living longer, placing additional demands on care centres such as Helen Ley. The centre provides a specialist level of care and the benefits of extending the site to provide additional bedrooms would provide significant public benefits which weigh heavily in favour of the application. The applicant has been able to demonstrate why extending their other centre, Lillington House, is not practicable and why 10 bedrooms are required in terms of future proofing the

site in terms of the predicted demands. It is therefore considered that on balance, under these specific circumstances, the public benefits of the scheme would outweigh the harm caused to the openness of the Green Belt and represent very special circumstances. The application is therefore recommended for approval.

Officers have contacted the Parish Council to seek clarification over whether they would object to the proposal based on the above information (as they had no objection to the proposal, subject to the development not exceeding 30% of the original floorspace of the building), however, the Parish Clerk informed Officers that "it is not possible for me to provide a definitive response in so short a time, so perhaps the application might be referred to the next Planning Committee meeting."

W/19/0497- Former Warwick Printing Co Ltd, Theatre St/Bowling Green St, Warwick

An additional 8 letters of objection received making the following comments;

- Will result in increased parking pressure in the local area.
- Parking outside of the permit zone restriction hours cannot be adequately controlled and will be impossible to manage.
- Have all other alternatives been investigated?
- Parking Enforcement is inadequate to control parking in the area.
- Proposal is at odds with the previous permission.

W/19/0170 – Former Ridgeway School and WCC Depot

Withdrawn from the agenda by Officers due to ongoing discussions with Environmental Health Officers.

W/19/0404 – Wootton Grange Farmhouse

The applicant has pointed out that a letter of support has been submitted from Bovis, the developer of the adjacent housing scheme. This letter states:

"Given the potential issues raised in relation to the proposed access for the residential development site, we fully support Mr Kane's intention to establish his own mitigation on the boundary of his property at Wootton Grange Farm House".

The applicant also notes that the Committee report refers to the consultation responses from landscape and ecology officers which request additional studies in relation to the proposed removal of the self-seeded trees. However, it was agreed with officers that the poor quality self-seeded trees could be removed without any permission and so have already been removed. Moreover, the applicant highlights that the removal of the trees was previously considered by the Council's tree officer in relation to application W/18/2306 who expressed no concern about their removal. The comments of the landscape and ecology officers are therefore no longer directly relevant.

The applicant has also re-iterated their agreement to any reasonable condition relating to additional landscaping or the colour of the fence.

Officer note: To clarify, whilst 3 trees within the hedge have been removed, the hedge itself and the remaining trees are proposed to be retained, and the proposed fence would be sited behind the hedge.

W/19/0669 – Old Beams, Lapworth Street

Additional comments received from Conservation Officer:

No objection to this application, I would however request that the hedgerow be reinstated in areas not required for direct access for the purpose of preserving the appearance and character of the street scene and conservation area.

Addition comments received from Rowington Parish Council:

Parish Council have decided to remove their objection to the planning application, providing a number of conditions are met:

These conditions are:

1. A limit to the number of vehicles that are parked at this location. The property owner works in the motor trade and this location must not be allowed to become an overflow car park for his business;
2. Detailed proposals must be agreed relating to the bank at the extreme right-hand edge of the property as viewed from the road;
3. The removal of permitted development rights other than for a single storey timber framed three-bay garage;
4. The restoration of hedgerow fronting the road other than where necessary for access to the property as determined by highways;
5. Compliance with all conditions recommended by ecology, highways, archaeology, landscaping including the provision of bat and bird boxes; and
6. Landscaping must be done in a way that is sympathetic and blends in with the existing environment and recognises the importance of this location within a Conservation Area.

W/18/2450 - Plot 310, Gallagher Way, Gallagher Business Park, Warwick

The applicant has submitted amended plans to address Condition 20 of the recommendation, which imposed a restriction on windows to the west elevation to be permanently obscure glazed due to amenity impacts on the neighbouring property, Longacre.

The amendments show the set of first floor windows nearest to the bungalow changed to "oriel" style windows (triangular in plan form), with the side angled towards the bungalow and private garden area being obscure glazed, and the side angled away from the bungalow and private garden area being clear glazed. This is considered to prevent amenity from being impacted upon to an equivalent degree as the originally imposed restriction.

As a result, condition 20 has been amended to require obscure glazing in accordance with the approved documents. Condition 2 (approved plans) has also been amended to reference the updated documents.

Condition 10 relating to net biodiversity loss has also been amended to reference condition 4 of the recommendation (relating to landscaping) due a change in the order of the conditions.

W/19/0691 – Land off Arras Boulevard, Hampton Magna

Representations received from Bubrooke Parish Council

These were received on 15.07.18, and raised objection on the following grounds:-

- The County Highways' response of no objection is flawed and not in the interests of existing residents adjacent to the site
- The PC is concerned about increased traffic at Birmingham Road/Stanks Island as well as cumulative impacts from Hampton Magna and Hatton Park developments
- Reference made to NDP policy BNDP9 (Traffic Management and Transport Improvements)
- PC is pleased to see the applicant has agreed to the S.106 obligations, including bus service improvements but Arras Boulevard suffers in winter with icy conditions so there should be provisions for the gritting route to be revised
- PC recommends bungalows in the NE corner are turned through 90 degrees so that the hedgerow can be retained
- A number of comments and recommendations are made on the proposed S.106 contributions and obligations including other suggestions that could be incorporated into the S.106 agreement
- All construction traffic should be properly managed and parked on the construction site
- Notwithstanding the identified concerns there are no objections to the revised layout of the road and housing

Public responses

Six additional third party letters of objection received. These are from neighbouring residents who have previously submitted comments in respect of the application and provide additional information and elaborate on points already raised in previous representations.

Additional representations received from WCC Highways

Following the Inspector's recent decision to allow the appeal on the adjacent allocated site, further questions have been raised about the cumulative effect of development related traffic. In view of the timescales of the appeal being considered and the revised scheme for the Arras Boulevard site being submitted, the Highways Authority has clarified that the cumulative effect has been properly and comprehensively assessed and additional traffic resulting from the Inspector's decision can be accommodated on the Highway Network. The current proposals were tested on the basis of a 150 dwelling on the adjacent site (more

than the permitted 147) and so this is considered to be a robust assessment.

In terms of the cycle link proposal, which would have been captured within the S.106 obligations, WCC Highways have been unable to confirm precisely what the financial contribution would be and no detailed justification has been provided to explain how the cycle link would be provided and for example which route it would take. In light of the Inspector's decision on the adjacent site where he explicitly stated that the S.106 request in this regard was not fully justified or CIL compliant and as such was not included within the S.106 obligations, it is officers' opinion that the same applies to this site insofar as the request has not been substantiated with precise figures and justification. To that end, the request for monies to provide a cycle link is not considered to be CIL compliant and cannot be included in the draft S.106 agreement.

Additional obligation to be added to the S.106 agreement

In respect of Air Quality Mitigation and further to ongoing discussions with the Environmental Health Officer the applicant has agreed to the inclusion in the S.106 of the financial contribution of £50,941 which would go towards the provision of appropriate mitigation measures in accordance with the adopted Air Quality & Planning SPD.

Additional conditions to be added in the event permission is granted

A condition requiring obscure glazing for the first floor side facing windows of Plots 2, 16, 19, 23, 34, 41, 82, 86, 95, 123 and 128 to ensure appropriate amenity where properties share a rear to side relationship of less than 22m separation.

A condition requiring the removal of PD rights Part 2 Class A (fences, walls and other means of enclosure) to ensure the development retains its open frontage character.