

Planning Committee: 11 December 2018

Item Number: **11**

Application No: [W 18 / 1646](#)

Town/Parish Council: Warwick

Registration Date: 03/09/18

Case Officer:

Helena Obremski

Expiry Date: 29/10/18

01926 456531 Helena.Obremski@warwickdc.gov.uk

Warwick Hospital, Lakin Road, Warwick, CV34 5BW

Proposed Three Storey Extension to Existing Hospital Building to Provide New Operating Theatre with Fallow Areas For Future Hospital / Clinical Uses, Stair Tower with lift and Associated External Works FOR South Warwickshire NHS Foundation Trust

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed in the report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the proposed erection of a three storey extension to the existing hospital to provide a new operating theatre with fallow spaces for medical, clinical, and patient ward areas. This would relocate an existing service, rather than provide an increase in the number of theatres.

The drawings have been amended to ensure that there are no additional windows facing towards residential properties along Wathen Road above the ground floor which are not obscure glazed.

Initially the drawings showed a number of "vacant spaces". This was queried by Officers, and updated drawings showing the theoretical layouts have been provided.

THE SITE AND ITS LOCATION

The application relates to Warwick Hospital which is located to the south of Millers Road and Guys Cross Park Road. Specifically, the application relates to the most south-westerly two and part three storey "nucleus" building which forms part of the main section of the hospital, adjacent to Wathen Road.

PLANNING HISTORY

There are various previous permissions relating to the hospital, however, none are relevant to the assessment of this application.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)

Guidance Documents

- Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection withdrawn.

WCC Ecology: No objection, subject to condition and notes.

WCC Highways: Objection withdrawn following the submission of additional information.

WCC LLFA: Objection withdrawn following the submission of additional information.

Tree Officer: No objection, subject to a condition requiring the works to be carried out in accordance with the details submitted.

Environmental Protection: No objection, subject to conditions.

Public Responses: 8 Objections in respect of: loss of light, loss of privacy, overlooking, impact on / loss of trees, impact of construction works (noise, dust), access to the site and traffic generation, impact on bats, proximity of buildings to neighbouring properties, increase in air pollution, loss of sky, detrimental effect on health, parking, depreciation of property value.

ASSESSMENT

The main issues relevant to the assessment of this application are:

- Impact on the Character and Appearance of the Area
- Impact on Neighbouring Residential Amenity
- Environmental Health
- Ecology and Impact on Trees
- Parking and Highway Safety
- Drainage
- Health and Wellbeing
- Other Matters

Impact on the Character and Appearance of the Area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The proposed development will be constructed from matching materials to those of the existing building and would be set back well from the main highway, and public vantage points. From the street scene, the ridge line will continue from the existing building and join with the gable end of the three storey section which would face at a 90 degree angle from the street scene.

The proposed development would have a minimal impact on the street scene. It is recognised that the scale of development is significant, however, the proposed extension is not considered to appear out of keeping when set against the existing two and three storey hospital building. A condition will be attached for the use of matching materials to those of the existing building to ensure an appropriate form of development.

The development is therefore considered to be acceptable in design terms and is not considered to be harmful to the street scene. The proposal is considered to be in accordance with the NPPF and Local Plan policy BE1.

Impact on Neighbouring Amenity

Warwick District Local Plan policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the

development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide provides a framework for policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

There have been objections from the residents of the properties closest to the proposed development along Wathen Road who consider that the development would result in a loss of light and privacy and increased levels of overlooking. They have concerns regarding the proximity of the proposed buildings to neighbouring properties and impact which this could have on levels of amenity.

At the closest points, the proposed extension would be 27 metres from the rear of the neighbouring dwellings, and at a greater distance for the majority of properties to which the extension would run parallel to. The Council has no minimum distance separation guidance between residential and non-residential buildings, however, it is relevant to note that the Council's recently updated residential design guidance identifies appropriate separation distances between the rear of 2 storey residential buildings and the side or front/rear of a 3 storey residential building as being 16 metres and 27 metres respectively.

It is considered that in view of the extent of the separation between the buildings concerned and the absence of any proposed non-obscure windows above ground floor level, the proposed development would not have an impact through either overlooking or loss of privacy and/or loss of outlook to an extent sufficient to warrant the refusal of the application. The additional windows at first and second floor are labelled as obscure glazed on the drawings, however, to ensure the protection of neighbouring residential amenity, a condition is proposed to ensure that they are permanently obscurely glazed.

There would be no conflict with the Council's adopted 45 degree guidance as a result of the proposed development.

Neighbours have also raised concerns about the impact of construction works such as noise and dust on living conditions and the potential loss of sky. However, the construction works would be temporary, and not controlled through planning legislation other than by means of the requirement for a Construction Management Plan in appropriate circumstances. The loss of sky is not in itself considered to represent a material planning consideration and as detailed above, the impact on outlook is considered to be acceptable.

The proposal is therefore considered to have an acceptable impact on neighbouring residential amenity, and is considered to be in accordance with the NPPF and Local Plan policy BE3.

Environmental Health

Environmental Protection have been consulted regarding the application. They note that the site is located in an area of potential contamination from historic hospital activities. They recommend that the developer ensures a watching brief

is maintained throughout the development and the inclusion of a condition to ensure that if any contamination is found, a report must be provided to the Local Authority.

Furthermore, Environmental Protection also recommend conditions requiring the provision of a construction management plan and limiting external plant noise to protect neighbouring residential amenity. These conditions are considered to be reasonable and are included in the recommendation.

Ecology and Impact on Trees

Neighbouring properties have raised concerns in relation to the impact on and loss of trees, and the impact of the proposed works on bats.

WCC Ecology have assessed the application and the Preliminary Ecological Appraisal which was provided. Following the receipt of further survey information they agree with the recommendations in the report that the development should be carried out under the supervision of a qualified bat worker and a condition is proposed to secure this.

WCC Ecology also request the inclusion of notes in relation to nesting birds and hedgehogs and that the development is carried out in accordance with the Tree Protection Plan.

The Council's Tree Consultant has been consulted regarding the proposed development and has no objection, subject to a condition requiring that the works are carried out in accordance with the Tree Protection Plan provided.

Subject to conditions and notes it is considered that the proposed development would not have a harmful impact on protected species or trees and that therefore the development is in accordance with the NPPF and Local Plan policy NE2.

Parking and Highway Safety

Neighbours have expressed concerns regarding the access to the site and traffic generation and impact on parking provision.

WCC Highways initially objected to the proposed development owing to a lack of information regarding the purpose of the proposed extension. Following the provision of additional information and plans, WCC Highways have withdrawn their objection, noting that the proposed extension will accommodate existing services currently provided at the hospital, that will be re-located within the extension. As the services are already existing, it is not anticipated that the proposals will increase the number of visitors to the site. The car parking spaces that will be lost as part of the development proposals are for staff parking, which will be reallocated to off site car parks.

Therefore, as the development will not increase parking demand and will accommodate the lost parking spaces elsewhere, the proposal is considered to provide adequate parking arrangements. Furthermore, the existing access to the

site will not be compromised and an access road will be maintained to the rear of the site.

The proposed development is therefore not considered to have any harmful impact on highway safety and provides adequate parking in accordance with the NPPF and Local Plan policies TR1 and TR3.

Drainage

Whilst the site lies within Flood Zone 1, there is a private culvert which runs alongside the application site. WCC Local Lead Flood Authority (LLFA) and the EA were consulted as a precautionary measure. WCC LLFA objected to the proposed development and requested additional information. This has been provided by the applicant and assessed by WCC LLFA who have no objection to the proposed development.

The development is therefore considered to be in accordance with the NPPF and Local Plan policy FW2.

Health and Wellbeing

The proposal is considered to improve local health and wellbeing facilities. There have been objections from members of the public that the proposed development would have a detrimental effect on health, however, the proposed development is considered to improve health facilities. The impact on neighbouring residential amenity is considered above.

Other Matters

There have been other objections from members of the public in relation to the proposed development and associated increase in air pollution and depreciation of property values. As detailed above, there would not be a net increase in the parking requirement for the site, and therefore it is not considered that the development would increase levels of pollution. The depreciation of property values is not a material planning consideration and cannot be assessed as part of this application.

Conclusion

The proposed development is considered to have an acceptable impact on the street scene and neighbouring residential amenity. The development would not have a detrimental impact on highway safety, parking, ecology or trees sufficient to warrant the refusal of the application. The development is therefore considered to be acceptable.

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 drawings Site-Layout -05 Rev A, Grd Floor-Plan - 06, 1st Floor-Plan - 07 and Roof-plan-09 submitted on 28th August 2018 and drawing Elevations-08 Rev A submitted on 25th September 2018, and specification contained therein. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 The development hereby permitted (including any works of demolition) shall not commence unless and until a construction method statement has been submitted to and approved in writing by the local planning authority and the development shall only proceed in strict accordance with the approved details. The statement shall provide for: any temporary measures required to manage traffic during construction, plans and details for the turning and unloading and loading of vehicles within the site during construction, dust suppression, noise and vibration, demolition or clearance works, details of wheel washing, site working hours and delivery times, restrictions on burning and details of all temporary contractors buildings, plant and storage of materials associated with the development process. All works of demolition or construction shall be carried out in strict accordance with the approved construction management plan. **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 BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.
- 4 The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building. All roofing material is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works will be implemented within the timescales agreed between the bat worker and the Local Authority Ecologist/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings. **REASON**: To ensure that protected species are not harmed by the development in accordance with policy NE2 of the Warwick District Local Plan 2011 - 2029.
- 5 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON**: To ensure that the visual amenities of the area are

protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

- 6 Prior to the occupation of the development hereby permitted, the first and second floor windows in the west elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.
- 7 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the Arboricultural Impact Assessment from RPS reference JMK 10143 dated July 2018 submitted to the Local Authority on 3rd September 2018 have been put into place in full accordance with the approved details and thereafter shall remain in place for the full duration of any such construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation strategy must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.
- 9 Noise arising from any plant or equipment, when measured one metre from the facade of any noise sensitive premises, shall not exceed the

background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
