

**Planning Committee:** 22 May 2013

**Item Number: 12**

**Application No:** W13 / 0345

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Jo Hogarth

**Registration Date:** 18/03/13

**Expiry Date:** 17/06/13

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**Treharrock, Valley Road, Lillington, Leamington Spa, CV32 7SJ**

Demolition of doctors surgery and erection of a three storey, 25 bedroom care home (dementia) FOR Treharrock Care Home

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This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received. Furthermore, this application has been requested to be presented to Committee by Councillor Alan Boad.

**RECOMMENDATION**

Planning Committee are recommended to grant planning permission subject to conditions.

**DETAILS OF THE DEVELOPMENT**

The purpose of this report is to consider the above application which proposes to construct a three storey 25 bedroomed care home for dementia patients following the demolition of an existing two storey dwellinghouse.

**THE SITE AND ITS LOCATION**

The site relates to a two storey dwelling which formed ancillary accommodation to a doctor's surgery (Class D1) which ceased use more than 10 years ago. It has an 'in and out' driveway and attached garage to the side. It is situated on the south side of the road outside of the Conservation Area. To the south of the site is the Church of Our Lady (which was Grade II Listed on 19 September 2011) whereas to the north is a public car park. Opposite the site are two storey semi-detached properties together with a four storey block of flats located on the corner of Valley Road and Wallsgrove Close. Within close vicinity is Lillington Library, a Children's Centre and Youth Centre. To the east is a public recreation park.

**PLANNING HISTORY**

In 2010 (Ref: W/10/1659) a planning application was submitted by the same applicant for a larger redevelopment scheme comprising of a four storey 35 bedroomed care home. This was refused by Members of the Planning Committee at their meeting on 20 March 2012 on grounds that there was a lack of parking

facilities, lack of safe access for larger vehicles, lack of outside amenity space and incompatibility with the neighbouring church and streetscene.

### **RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Distance Separation (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

### **SUMMARY OF REPRESENTATIONS**

**Leamington Town Council:** Objection is raised for the following reason: Although the applicant has made some efforts to meet the original objections raised, it is still insufficient and the Council retains its objection, particularly with reference to inadequate parking and access.

**Cllr Alan Boad:** Requests that this application be presented to planning committee for determination as the revised application does little, if anything, to address the reasons for the refusal of the previous application on this site.

**Severn Trent:** No objection subject to drainage plans.

**Warwickshire Police:** No objection, recommend glazing and doors meet BS standard and fencing/walls to be 1.8 metres high with 0.2m trellis so overall height is 2 metres.

**WCC Ecology:** No objection, recommend notes on birds, a condition relating to bird boxes; notes on bats and badgers.

**WCC Highways:** No objection, subject to the loading bay being omitted and to conditions relating to access arrangements.

**WDC Community Recycling:** No objection, the bin store is in an ideal place for collection. Nothing should be left outside the bin store.

**WDC Environmental Health:** Recommend a contaminated land risk assessment is undertaken which make a specific requirement to a landfill gas risk assessment.

**Public response(s):** 6 letters of objection have been received on grounds that the new building is twice as high and approximately 5 times the ground area as the existing building on the site; traffic generation and inadequate parking, buses already struggle to get down the road causing problems without the additional traffic; noise and disturbance with inadequate out door space for 25 residents. The plans do not satisfactorily address the reasons for refusal. Loss of privacy to houses opposite.

## **ASSESSMENT**

It is considered that the main issues relating to this application to be as follows:

- Principle of development
- Impact on the streetscene
- Impact on residential amenity
- Highways and parking
- Renewables
- Bin storage
- Open space

### Principle of development

Policy UAP1 directs residential development to previously developed land within the urban area and therefore the principle of the proposed care home on this site is acceptable.

### Impact on the streetscene

The original planning application refused in 2012 related to a replacement building comprising of four storeys to provide 35 bedrooms for care (dementia) purposes. It was considered that this was not acceptable due to its height and massing in relation to nearby dwellings and the adjacent church. The current application has reduced the height to three storeys and the number of bedrooms to 25 and it is considered that this addresses the concerns raised by committee as a three storey building of less mass and scale would achieve an acceptable relationship with the existing dwellings and the Grade II Listed Church of Our Lady. The design of the proposed development picks up the character and visual features of the church through the 'wave' pitch of the roof canopy to the front elevation. In addition to this, a buff reconstituted stone feature to form a frame surround on the building is proposed which would also correspond with the design of the church which is thereby considered to be appropriate within the streetscene and provides a further visual connection with the church building.

It is noted that there is a four storey building on the opposite side of Valley Road, near to the junction of Crown Way and Wallsgrove Close and therefore it is considered that the proposed three storey building would not unacceptably jar in

terms of scale and mass with its surrounding such that the proposed development would be incongruous. It is considered that the revised scheme meets the objectives outlined in Policy DP1 in the Local Plan.

#### Impact on residential amenity

With regard to the impact on nearby residential properties, the proposed development meets the Council's adopted Supplementary Planning Guidance on Distance Separations and would be situated in excess of 32 metres from the dwellings opposite in Valley Road. The windows on the (furthest forward) front elevation of the new building do not serve habitable rooms but serve corridors on the first and second floors with a lounge/dining room and office on the ground floor. Bedroom windows at first and second floors are set further into the site, some 47 metres from houses opposite in Valley Road. On this basis, it is considered that there would be no unreasonable overlooking such that it would result in a wholly unacceptable relationship between the existing properties and the proposed care home. It is considered that the scheme is acceptable and would meet the criteria set out in Policy DP2 in the Local Plan and with the objectives outlined in the Council's adopted Supplementary Planning Document entitled the Residential Design Guide.

#### Highways and parking

An access to the site is proposed from Valley Road with the blocking off of the existing access to the site. In accordance with the consultation response received from the County Highways, the loading bay situated in front of the off street parking spaces is to be omitted as concern was raised as to this area being used for the servicing of the site by refuse vehicles and other large vehicles. It is considered that, due to nature of the care home that deliveries would be predominantly made by transit vans which can load/unload with the site. Additionally, the retention of this loading bay could lead to it being used by other parked cars which in turn could obstruct visibility of the site. As amended the access arrangements are not considered to result in harm to highway safety or other users of the highway such that the proposal would be in conflict with the objectives of Policy DP6 in the Local Plan.

Under the Council's adopted Supplementary Planning Document on Vehicle Parking Standards, the requirement for a 25 bedroomed care home would attract 8 off street parking spaces and an ambulance parking bay. The proposal incorporates 6 off street parking spaces within the curtilage of the site (including a disabled space) together with an ambulance parking bay. The applicants have undertaken an on-street car parking survey over a period of 7 days varying between the times of 07.42 to 19.58 and it is argued that as Valley Road does not have restricted parking, there would be capacity for additional on street parking. Given the availability of on street and off street parking in the public car park, the proposal thereby complies with Policy DP8 in the Local Plan and the advice contained in the Council's adopted Supplementary Planning Document 'Vehicle Parking Standards'. In addition, a covered cycle parking area is proposed which would allow for the secure parking of up to 8 cycles.

## Renewables

The proposal incorporates the inclusion of 30 solar thermal panels on the rear roof slope and as part of the submission, it has been demonstrated that these would provide 10% of the predicted energy requirement of the building. It is considered therefore that the proposal meets the criteria set out in Policy DP13 in the Local Plan and to the objectives contained in the Council's adopted Supplementary Planning Document on Sustainable Buildings.

## Bin storage

Provision is made within the site curtilage for the storage of bins, thereby meeting the requirements of Policy DP1 in the Local Plan. It has been designed to be incorporated within the fabric of the building, it would be undercover and located along the elevation nearest to the public car park (north east elevation).

## Open space

With regards to Public Open Space and the application of Policy SC13 in the Local Plan, in this instance, given the nature of the proposal which would incorporate 24 hour care for residents, it is not considered appropriate to request contributions. There is an existing recreation park nearby (just beyond the adjacent car park) and therefore it is considered that this could adequately provide for the staff employed by the care home. I am satisfied therefore that the proposals comply with the Council's adopted Supplementary Planning Document on Public Open Space and Policy SC13 in the Local Plan

## **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority, the proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. 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 680-01; 20 Rev B; 21 Rev A; 22; 23, 24 and 26 and specification contained therein, submitted on 18 March 2013 and 13 May 2013. **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 the 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 A landscaping scheme, together with details of boundary treatment, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON:** To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 6 No part of the development hereby permitted shall be commenced until a scheme for the provision of suitable nesting boxes for starlings to be erected on trees/buildings within the site has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the platform(s)/box(es) shall be installed and maintained in perpetuity. **REASON:** To ensure that protected species are not harmed by the development in accordance with DAP3 in the Warwick District Local Plan 1996-2011.
- 7 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 in writing 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.

- 8 Prior to the commencement of the development hereby permitted, a land contamination survey, specifically relating to a landfill gas risk survey, together with remedial measures to deal with such hazards has been submitted to and approved in writing by the local planning authority. No development shall be commenced until all contaminated materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON** : To protect the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall not be first occupied unless and until the renewable energy 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 in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 10 All hard surfaces hereby approved shall be made of porous materials. **REASON** : To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan.
- 11 The site shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON**: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.
- 12 Access for vehicles to the site from the public highway shall not be made other than at the position identified on the approved drawing number 680 – 20 Rev B at a position whereby the visibility splay requirements stated in condition 2 will be satisfied. **REASON**: In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 13 The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to

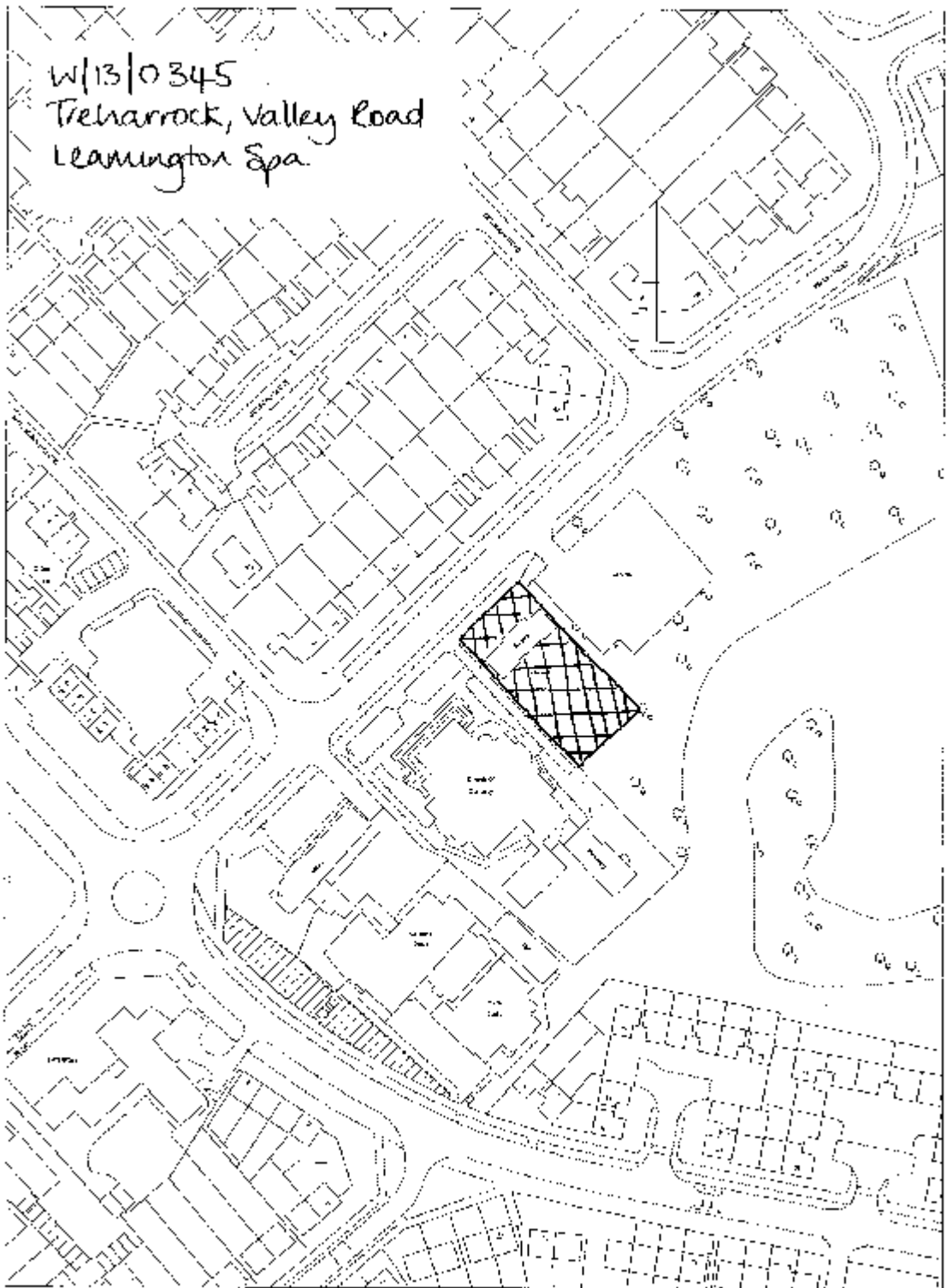
exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

- 14 The access to the site for vehicles shall not be used unless a public highway footway/verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 15 No more than one access for vehicles shall be made or maintained to the site from Valley Road, Lillington. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 16 The access to the site shall not be reconstructed in such a manner as to reduce the effective capacity of any drain within the limits of the public highway. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 17 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/footway and verge has been reinstated in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 18 The development shall not be commenced until space has been provided within the site for the parking/ loading/unloading of vehicles in accordance with details to be approved in writing by the Local Planning Authority. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

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W/13/0345  
Treharrow, Valley Road  
Leamington Spa

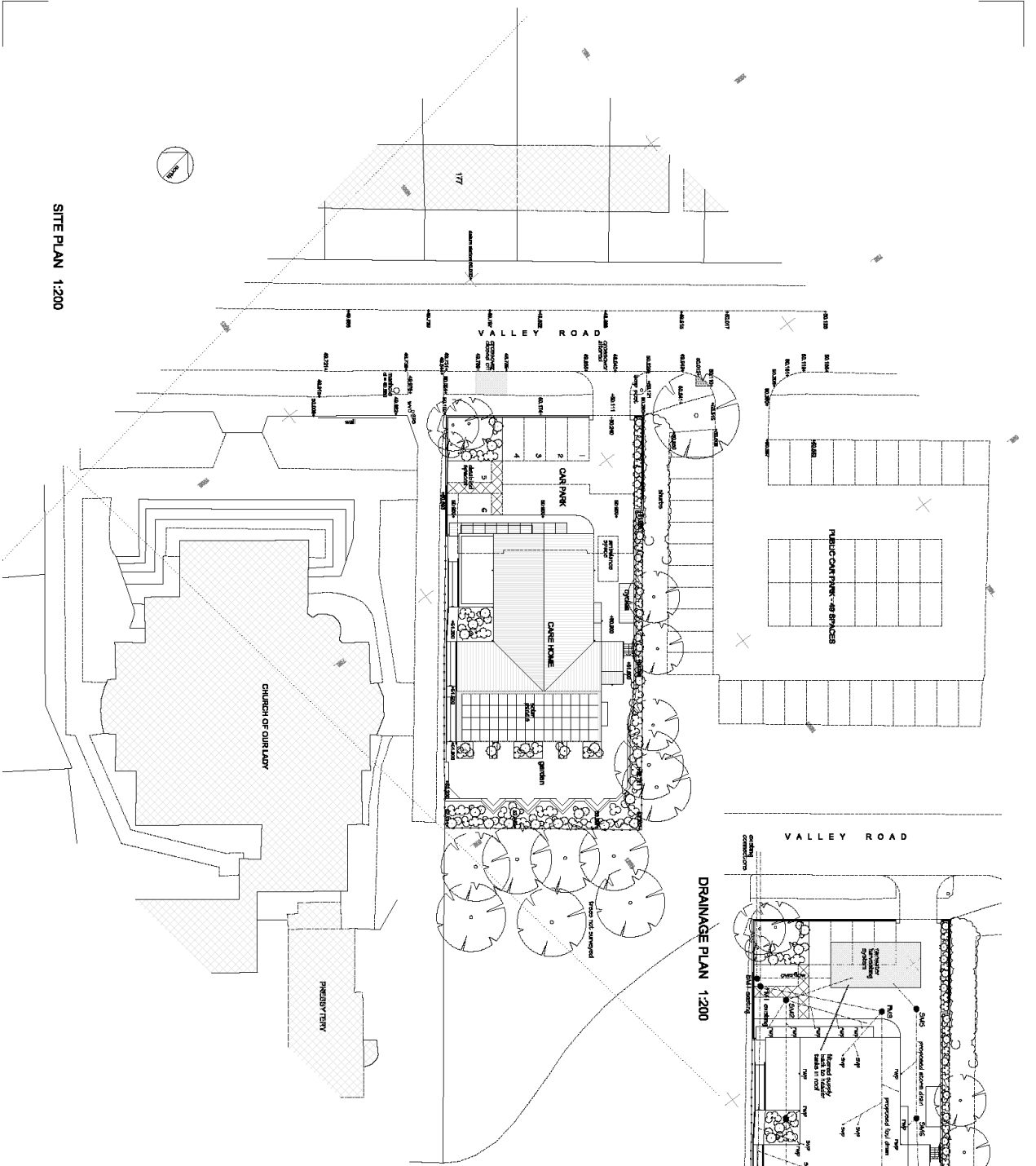


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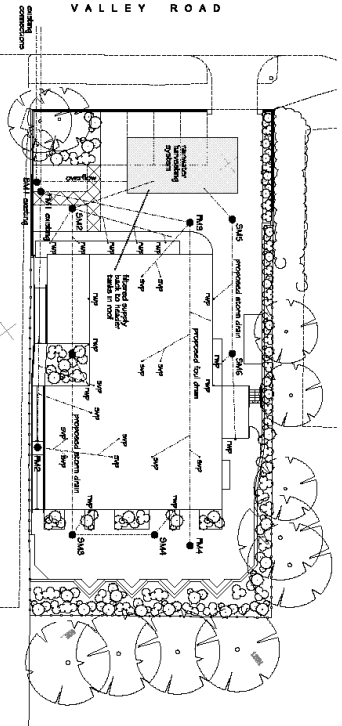
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Date: 13 May 2013

OS Sheet: Reference No. SP3367SW  
Plot Centred (NGR): 433028 E., 767231 N





SITE PLAN 1:200



DRAINAGE PLAN 1:200

1:200  
 0 2m 4m 6m 10m

**GENERAL:**  
 THIS DRAWING AND ITS CONTENTS ARE COPYRIGHTED BY THE ARCHITECT AND HIS FIRM. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY AMENDMENTS BY THE CLIENT OR CONTRACTOR TO THIS DRAWING SHALL BE MADE BY A SEPARATE DRAWING. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND ITS SERVICES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF THE SERVICES PROVIDED BY OTHER CONTRACTORS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND ITS SERVICES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF THE SERVICES PROVIDED BY OTHER CONTRACTORS.

**LEGEND:**  
 ALL LEVELS REFER TO AN ASSUMED DATUM OF 100.00 M ABOVE SEA LEVEL. ALL SITE DRAINAGE SHALL BE TO LOCAL DRAINAGE SYSTEMS. ALL DRAINAGE SHALL BE TO LOCAL DRAINAGE SYSTEMS. ALL DRAINAGE SHALL BE TO LOCAL DRAINAGE SYSTEMS.

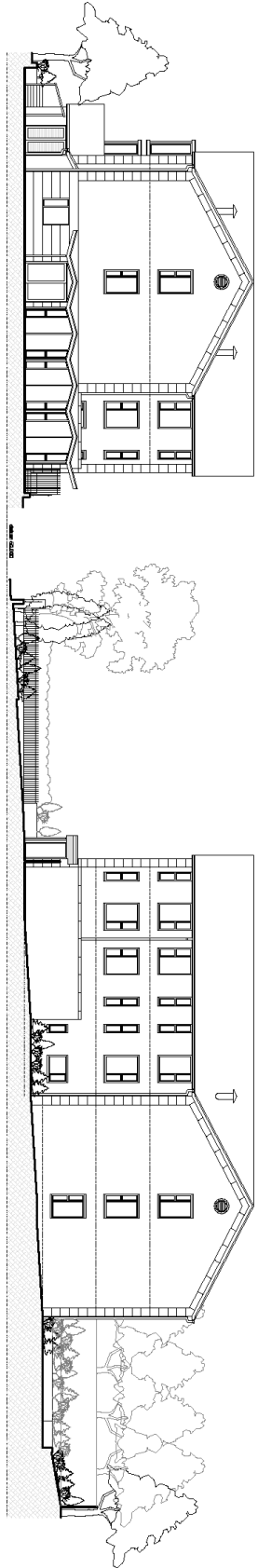
**GENERAL MATERIALS:**  
 1. 1.5m HIGH CLONE BOARD THICKER FENCE TO NEW FENCING AND METAL BARS TO CAR PARK, GARDEN, TO PRESERVE PLANTING. GARDEN TO PRESERVE PLANTING.

**DRAINAGE:**  
 TO COMPLY TO DESIGN STANDARDS AND TO THE SPECIFICATIONS OF THE LOCAL DRAINAGE AUTHORITY. ALL DRAINAGE SHALL BE TO LOCAL DRAINAGE SYSTEMS. ALL DRAINAGE SHALL BE TO LOCAL DRAINAGE SYSTEMS.

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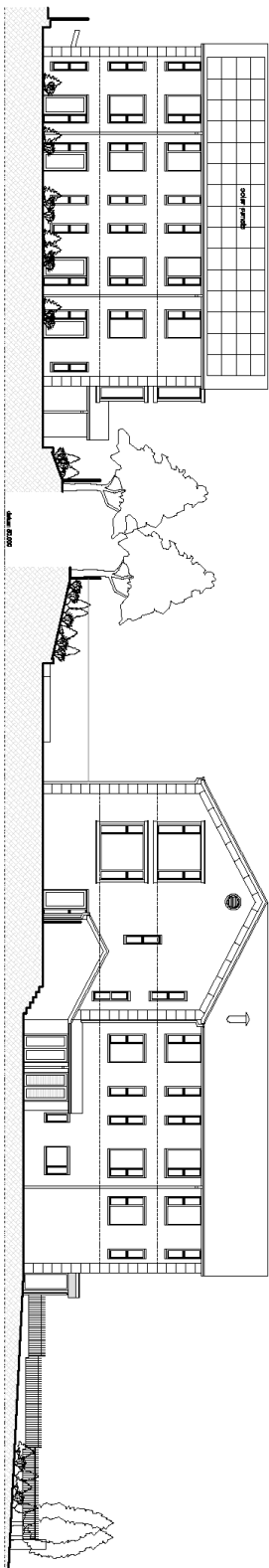
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NORTHWEST ELEVATION 1:100

SOUTHWEST ELEVATION 1:100



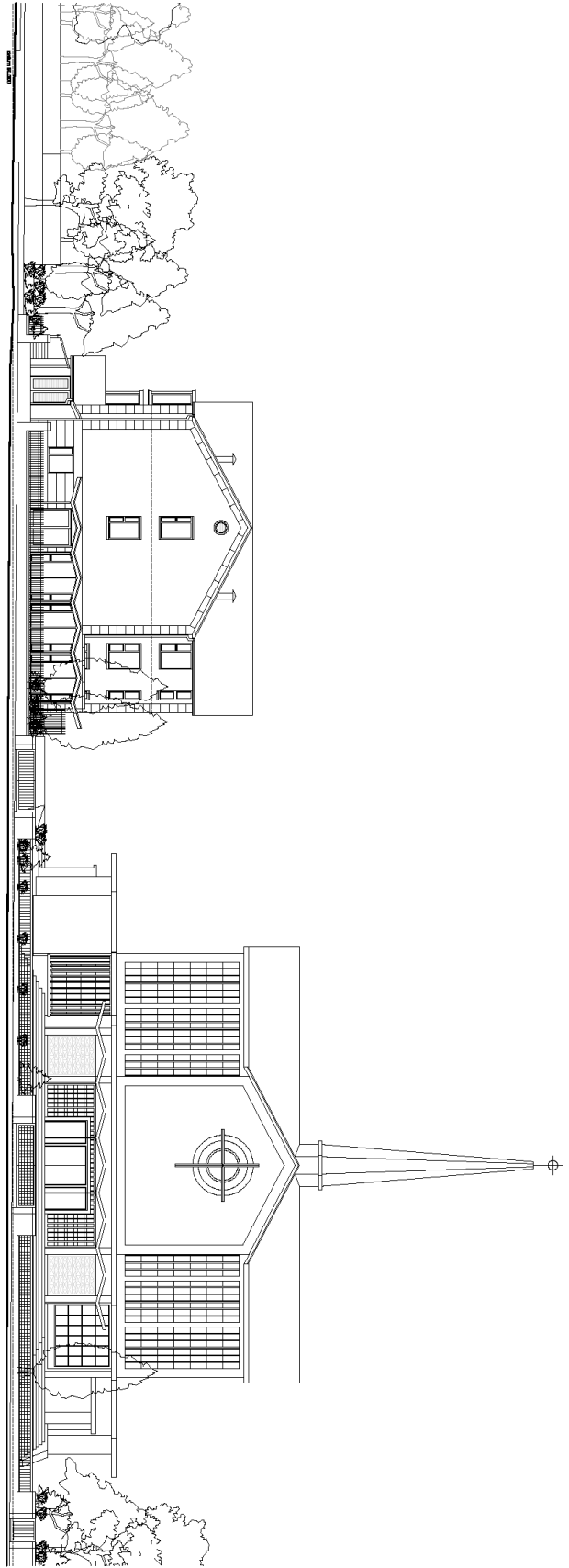
SOUTHEAST ELEVATION 1:100

NORTHEAST ELEVATION 1:100

- NOTES:**
- 1. REFER TO ARCHITECTURAL SPECIFICATIONS FOR MATERIALS AND FINISHES.
  - 2. REFER TO ARCHITECTURAL SPECIFICATIONS FOR WINDOW AND DOOR SCHEDULES.
  - 3. REFER TO ARCHITECTURAL SPECIFICATIONS FOR ROOFING SYSTEMS.
  - 4. REFER TO ARCHITECTURAL SPECIFICATIONS FOR MECHANICAL SYSTEMS.
  - 5. REFER TO ARCHITECTURAL SPECIFICATIONS FOR ELECTRICAL SYSTEMS.
  - 6. REFER TO ARCHITECTURAL SPECIFICATIONS FOR PLUMBING SYSTEMS.
  - 7. REFER TO ARCHITECTURAL SPECIFICATIONS FOR FIRE PROTECTION SYSTEMS.
  - 8. REFER TO ARCHITECTURAL SPECIFICATIONS FOR ACCESSIBILITY REQUIREMENTS.
  - 9. REFER TO ARCHITECTURAL SPECIFICATIONS FOR SECURITY REQUIREMENTS.
  - 10. REFER TO ARCHITECTURAL SPECIFICATIONS FOR SUSTAINABILITY REQUIREMENTS.
- GENERAL:**
- 1. THIS DRAWING IS FOR CONSTRUCTION OF THE CARE HOME.
  - 2. THE DRAWING IS TO BE USED IN CONJUNCTION WITH THE ARCHITECTURAL SPECIFICATIONS AND ALL OTHER CONTRACT DOCUMENTS.
  - 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
  - 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL AUTHORITY.
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- SCALE:**
- 1:100
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**PROJECT:** Traharrock Care Home  
**CLIENT:** Residential Care Home  
**LOCATION:** Traharrock, Valley Road, Lillingdon, Leamington Spa CV32 7SJ

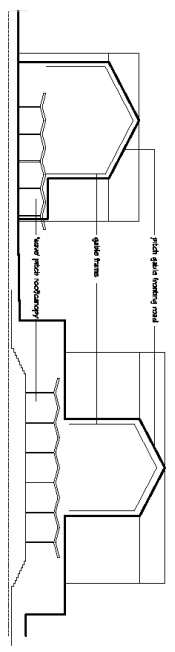
**DATE:** 15/01/2019  
**SCALE:** 1:100  
**PROJECT NO.:** 680-23  
**CONTACT:** Richard Hooper, Architectural Consultant, 18 Eagle Road, Leamington Spa, CV32 7SJ, 01922 411111, r.hooper@architect.com



PUBLIC CAR PARK TREHARROCK CARE HOME

V A L L E Y R O A D E L E V A T I O N 1 : 1 0 0

CHURCH OF OUR LADY



CARE HOME

CHURCH OF OUR LADY

PROFILE OUTLINE OF BUILDINGS 1:200

Scale: 1:100 0 1m 2m 3m 4m 5m  
 1:200 0 2m 4m 6m 8m 10m

**GENERAL:** THESE AND THE CONTIGUOUS ARE COMPARED THIS DRAWING ON ANY PORTION OF IT MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

**NOTES:**

- 1. ADVANCEMENT REQUIRED FOR THE WORKS COMMENCING TO THE AGENCY OF DESIGN SHALL BE AS AGED WITH TO THE ROAD IN CONNECTION WITH CONSTRUCTION DRAWINGS, SPECIFICATION AND CONDITIONS.
- 2. LOCAL AUTHORITY SHALL BE ADVISED OF THE WORKS AND THE PROPOSED TO BE CARRIED OUT BY THE LANDOWNER OR HIS/HERS/ITS AGENT.
- 3. DO NOT SCALE - ALL DIMENSIONS TO BE SUPPLIED THEREAFTER TO MAIN PROVISIONING AND BRICK CONSTRUCTION.

no: 680 - 24

date: February 2013

drawn: Richard Moran

checked: Richard Moran

no: 680 - 24

date: February 2013

drawn: Richard Moran

checked: Richard Moran

