

Planning Committee: 14 February 2005
Application No: W 04 / 2176

Principal Item Number: 12

Town/Parish Council: Warwick
Case Officer: Martin Haslett
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Registration Date: 07/12/2004
Expiry Date: 01/02/2005

Portobello Works, Emscote Road, Portobello, Warwick, CV34 5QU
Residential development for 210 dwellings (approval of reserved matters for p.p.
W02/1472). FOR Gladedale Homes

SUMMARY OF REPRESENTATIONS

Warwick Town Council: no objection.

Royal Leamington Spa Town Council:

- '1) Concern is expressed in respect of the design of the development which fails to respect the nature of the surrounding area or location in a prominent corridor between Warwick and Leamington;
- 2) The Council is disappointed that the opportunity has not been taken to establish a Riverside footway along the eastern side of the River Avon and its integration with the existing circulation networks;
- 3) The considerable generation of additional vehicular traffic from this site onto Rugby Road will require measures to control and mitigate the traffic flow at peak hours.'

Neighbours: 6 objections have been received from neighbours in Rock Mill Lane who raise the following issues:

- the scale, size and height of the proposals is excessive, over-dominant and out of character with the area, especially with the adjoining listed buildings, which should be the reference point for the whole scheme, 3 storey suggested as the maximum height;
- excessive number of dwellings;
- great concern over the loss of trees, it is pointed out that some of those shown removed appear as in good condition in the condition survey, trees clearly seen from adjoining properties and provide a valuable screen;
- concern is expressed at the proposals being made for part of the site- this would be a disjointed process;
- a site visit is requested.

Many residents also raise concern about traffic , access and vehicle movements which were dealt with in the outline application.

Coventry Airport and Birmingham International Airport (safeguarding): no objection.

Environmental Health (refuse collection): no objection, subject to condition on bin storage.

Warwick Society: recommend refusal of application in its present form due to the scale and density of the proposal in relation to the riverside location. Concern over height of blocks (which has now been increased) and there would be a muddled skyline. Density too high, lack of open parking welcomed, but open space is very lacking. Concern over lack of integration between market and social housing. Landscaping scheme welcomed, but it is regretted that not all parts of the overall site are included in the application, nor is the setting of Portobello bridge enhanced.

WCC(Ecology) no objection.

WCC(Highways): no objection.

WCC(Fire and Rescue): no objection, subject to water supply condition.

[The Environment Agency have already approved the flood compensation scheme.]

RELEVANT POLICIES

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

Distance Separation (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

The site was for many years the Potterton factory, having been a foundry for over 100 years. In May 2002 outline planning permission (W02/1472) was granted for residential development on the major part of the factory site, with a small element of employment use fronting Emscote Road and public open space on the Leamington side of the river. The proposals included a new bridge across the River Avon and alterations to the Rock Mill lane/Emscote Road junction. These were to include a system of traffic lights at the junction and a queue detector in Rock Mill Lane, which would be triggered when the queue exceeds 5 cars or a single car has been waiting for more than 1 minute. The permission was subject to a section 106 agreement to require pedestrian and cycle facilities at the road junction, financial contributions for school places, for additional library facilities and for contributions to sustainable transport and public open space adoption. Affordable housing at the rate of 30% was also agreed. The agreement was signed in August 2004.

The outline permission included full details of the access to the site so the arrangements at Rock Mill Lane are not part of the current submission, but the bridge was not included in these details. So that work on the access could proceed during last summer (the preferred season from the Environment Agency's point of view), a separate application for the bridge was subsequently made and work on the bridge is now largely complete.

KEY ISSUES

The Site and its Location

The site is bounded to the west by properties in Greville Road, which have gardens of considerable length and many also have garages served by a lane which separates them from the development site. To the east lies the River Avon which forms a very pleasant corridor through the site. In the northern part of this area there is Rock Mill, now converted for residential use and further residential development along Rock Mill Lane, including some older properties on the first part of the lane, and newer ones in the further section. To the north, on the Warwick side of the river, there are allotment gardens.

The site itself has now been cleared of the former buildings and is now undergoing decontamination work. These works (authorised by the previous permission) include regrading of the land to provide land above the flood level, suitable for building, and compensatory floodable areas which would form landscaped areas. These would provide flood storage capacity in times of need. This work involves removal of a considerable number of trees along the river bank and, although regrettable, is an essential part of the development scheme.

It is important to note that the current application site does not include all of the land granted outline permission. Firstly, there is the employment land which is omitted from the current application, and the areas of affordable housing (on the land fronting Waterworks Lane) are likewise excluded. The remaining, major, part of the site was included in the application as originally submitted, but subsequently it was found that the land included within the current application did not have exactly the same boundary as that of the outline application. A comparatively small area at the north end of the site (adjoining the allotments) was not included in the outline permission. In response to this problem, the applicants have omitted the most northern part of the site from the current application and they will make a fresh outline application for that piece of land and will also submit a subsequent reserved matters application.

Details of the Development

On the main part of the remaining application site, it is proposed to construct 186 flats consisting of 146 with 2 bedrooms and 32 with 1 bedroom. These would be constructed in a series of blocks utilising the flood-protected land adjoining the river. The blocks would be up to 6 storeys high, with enclosed car parking on the ground floor. The tallest flats would adjoin the river and would step down in height coming away from the river. The blocks would be constructed with considerable areas of roof garden which would be landscaped and would allow residents some open air space. These roof gardens also have an impact on the elevations of the buildings, helping to reduce their impact. Many of the flats also have balconies, so that the elevations largely consist of large windows and glass. The flats would be finished in white render with zinc coated steel cladding to the top storeys where they are set back and for the roof. The windows and doors would be mid-grey coated and the balconies would be glass faced to match the windows.

For the remaining part of the site, that is the frontage to Waterworks Lane in its northern part (the southern part will be affordable and hence excluded) and for the central part of the site, away from the river bank, a range of lower buildings is proposed. The frontage to Waterworks Lane would have 3 storey semi-detached houses with one block of 4-storey flats (similar to those described previously). The houses would be of buff brickwork with slate roofs. The final (central) part of the site would consist of 3 storey semi-detached houses and 3 to 4 storey flats, of similar design, in each case, to those described previously.

The total number of each type of dwelling proposed is as follows:

32 1 bed flats;

146 2 bed flats;

8 3 bed flats;

24 3 bed houses. (All the houses are 3 bedroom).

The total number of units would be 210.

Finally, the site would be landscaped, particularly the two areas of open space which would help to bring the river frontage in to the more distant parts of the site.

Assessment

The issues to be addressed are the size and bulk of the proposals and their density and whether these aspects of the proposals would have a detrimental impact on the adjoining residents or on the settings of the adjoining listed buildings. There are also the additional issues raised by the consultees and local residents, but these cannot include the traffic aspects of the scheme which were dealt with at outline stage.

The major issue to be considered is that of the size, density and height of the proposals and all the other issues are related to this one. The outline application, included illustrative details of how the scheme might look and although not formally approved, these drawings showed how the development might proceed. These details indicated about 300 dwellings and showed elevations of flats up to 5 storeys in height and a plan showed the likely disposition of storey heights. The details now submitted show some of the flats at a storey higher than originally envisaged, although the heights of many of the remaining buildings are as originally shown. In particular, the flats adjoining the river are shown at a storey higher than previously, but equally, some other blocks are lower than shown on the illustrative scheme. However, the total number of dwellings has increased, so the overall density is, indeed, higher.

The details submitted with the outline application were purely illustrative and the applicants would be entitled to submit totally different details if they wished. Each would need to be judged on its merits. The proposals currently submitted are large and would make a very clear architectural statement on this prominent site. Nevertheless, they are well-designed, in my opinion, and have crisp, modern detailing, intended to convey the impression of high quality flats. Whilst this is a very pleasant section of the river, it must be remembered that the previous use of the site included tall buildings (albeit a limited number) and did nothing to enhance the river's setting. The current proposal would, in my opinion, be a very considerable improvement over the previous appearance. Whilst I agree with objectors that the development is dense and the buildings will be tall this is not necessarily a reason to refuse a planning application. With central government advice calling for higher density development, designed in a sensitive manner so as to create a high quality mixed environment, this proposal is within the scope of that general guidance.

As a separate issue, one must also consider the impact the proposals could have on adjoining residents. The nearest dwellings at Rock Mill would be over 80m away and nearest of the modern houses at the far end of Rock Mill Lane are about 120m away. Local residents are concerned about the change in outlook which will take place and the removal of trees and construction of buildings will certainly have an impact. Nevertheless, the planning system is not intended to protect a view and amenity considerations are judged in relation to matters such as loss of light and the visual intrusion of immediately adjoining buildings. In these terms, therefore, there will not be a substantial impact on existing residents.

There is also the issue of the impact of the development on the adjoining listed buildings, Portobello Bridge and Rock Mill. My consideration of this aspect is similar to that of the overall visual impact of the proposals. Whilst the new buildings will be seen in association with the listed buildings, it is not necessary for the new design to match or reflect the old buildings. Indeed, good, modern design is welcomed in association with older buildings and the requirement is that the setting of the listed buildings is respected. In my opinion, the current scheme does this.

In recommending an approval of reserved matters, I accept that local residents and the Leamington Spa Town Council are concerned about traffic generation, but this aspect was dealt with in the outline application and was to the satisfaction of the Highway Authority. Other issues raised by consultees can be dealt with by conditions.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

That the reserved matters be APPROVED, subject to the following conditions :

- 1 No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details.
REASON : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan.
- 2 A landscaping scheme, 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 5837:1991. 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 Policy ENV3 of the Warwick District Local Plan.
- 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 ENV3 of the Warwick District Local Plan.
- 4 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings:
A4037/2.1/001A,001B, 002B, 003B, 004B, 005A,006B, 07B, 08A, 09B,
A4037/2.3/001B, 002B, 003B, 004B, 005B, 006B, 007B, 008B, 009B, 010B, 011B, 012B, 013B, 014B, 015B, 016B, 017B, 018B, 019B, 020C, 021C, 022C, 023C,024B, 025B, 026B,027B,
A4037/2.3/030-42;
HED.587.001A , 010-016,
and specification contained therein, submitted on 7 December 2004, 24 January 2005 and 26 January 2005, unless first agreed otherwise in writing by the District

Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

- 5 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority.

REASON : In the interests of fire safety.
