

Planning Committee: 14 February 2005
Application No: W 04 / 1229

Principal Item Number: 11

Town/Parish Council: Stoneleigh
Case Officer: John Edwards
01926 456541 john.edwards@warwickdc.gov.uk

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Stoneleigh Deer Park, Stareton Lane, Stoneleigh, Kenilworth, CV8 2LJ

Application for Approval of Reserved Matters in respect of Conditions 1(a), (siting, design and external appearance of buildings) 1(b) (access arrangements) and 1(e) (landscaping) imposed on Outline Permission W2000396 for the redevelopment of the site for business purposes (Class B1(a) and (b)). FOR Pettifer Estates Ltd

SUMMARY OF REPRESENTATIONS

Parish Council: (comments on original plans):

"Large impact of traffic on rural roads. It would be helpful if the entrance could be designed so that traffic entering the site can only access from the Stoneleigh Road, turning right into the site and traffic leaving the site can only turn left towards Stoneleigh Road.

Stareton Lane is very narrow. The junction with the B4113 is very busy and has a history of minor accidents. It is also the entrance to Stoneleigh Park and could remain an entrance for the new proposals.

From the B4113 Stareton Lane narrows and there is a steep descent. This descent continues to a blind right hand bend and it is impossible to see traffic approaching from Stoneleigh Road/The Deerpark."

(Comments on amended plans):

"The Parish Council has no objections to the new former building 400 on the revised Plot 1. However this view relies entirely on the conditions expressed by English Heritage being carried out to the full.

However this revised application raises issues which this Council considers should be examined by the District Council.

That this application does not set a precedent for the owners to put forward in the future further revised plans which could alter the size and position of the buildings set out in the original application.

That the area of land shown on Drawings LO12/13/14/15, which takes in Plot 300 and the land adjacent to this should, as agreed remain undeveloped land. We would propose that the whole area should be developed with lawns, seating and areas of planting where the staff on the site could relax. As this is still a Registered Park Land we consider that this proposal would enhance the site.

We also have concerns as to the future locations of building which will be applied for to take up the balance of the outstanding Gross External Area. We consider that there is very little land left and what there is likely to cause a major impact not only on the Deer Park but also the surrounding countryside.

Whilst reluctantly having to accept extra height on Building 400, we do have concerns on the possible impact the extra floor of Building 800 will have. Although it is to the rear of the site it is still likely to impact on the views into the site. However, it does appear that this is 'best of a bad job'.

On the drawings referred to previously in the submission, there are two buildings located between the 'Vehicle Return Lane' and Unit 1000. These buildings are part of the original buildings now standing, but will remain when these have been removed. They are in a poor condition and will not fit in with the new buildings as proposed. This Council considers that they should be removed and we request that the District Council makes enquiries into this issue."

English Heritage: concern expressed initially on impact of proposals on historic landscape due to design and height of buildings, the extensive parking areas and landform alterations. They consider that the landscape character contains inappropriate planting proposals eg "marginal planting to swales" and consider design input of historic landscape consultant is required. They would favour an approach with a tighter grouping of buildings at the heart of the site and use of underground parking. Concern is expressed about the need for a perimeter road along the eastern boundary of the site.

WCC (Archaeology): no objection.

WCC (Highways): no objection, but point out that long cul-de-sac will need to be made suitable for emergency services.

WCC (Ecology): no objection to reserved matters, although recommendations are made regarding various ecological issues.

Environmental Health: no objection.

Environment Agency: no objection. Use of sustainable surface water drainage techniques is welcomed.

CPRE: comments that the site is in the Green Belt and Special Landscape area and therefore 'very special circumstances' are needed to justify development. Height of one building questioned, large number of parking spaces will have an impact on narrow roads in the area, landscaping will be critical.

RELEVANT POLICIES

(DW) EMP6 - Design and Landscaping of New Industrial Premises (Warwick District Local Plan 1995)

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

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

(DW) ENV18 - Historic Parks and Gardens (Warwick District Local Plan 1995)

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

DP3 - Natural Environment (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

DAP13 - Protecting Historic Parks and Gardens (Warwick District 1996 - 2011 First Deposit Version)

SSP2 - Major Developed Sites (Warwick District 1996 - 2011 First Deposit Version)

RAP7 - Directing New Employment (Warwick District 1996 - 2011 First Deposit Version)
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
Warwickshire Structure Plan 1996-2011: policy GD.7- Previously-developed sites.

PLANNING HISTORY

Massey Ferguson originally occupied the site by virtue of a planning permission granted in 1956 for development, demonstration and show purposes in connection with agricultural machinery, "such permission to operate for the benefit of Messrs. Massey Harris-Ferguson Ltd. only".

On September 26th 2000, members resolved to grant outline permission for B1 Business development (25,551 sq.m.), (after reference to the Secretary of State as a departure from the development plan) subject to standard outline conditions and other conditions, following the signing of S106 agreement to cover:-

- traffic management measures as required by the Highway Authority.
- implementation of "Green Travel" proposals.
- a mechanism for ensuring restoration of agreed landscape features as part of any subsequent reserved matter application.
- a landscape management regime for the overall site, taking account of existing ecological interests.

The outline permission followed approval of a detailed design brief for the site which established principles to be followed as part of any redevelopment.

Following the Committee resolution, the application was referred to the Secretary of State and a letter confirming that he did not wish to intervene was received on 26th February 2001. The legal agreement was subsequently signed and the outline permission issued on October 1st 2002, with a five year period for submission of reserved matters and a seven year period for commencement of development, reflecting the likely timescale for site development, given the number of existing tenants.

KEY ISSUES

The Site and its Location

The site subject of the application is the former Massey Ferguson site, being the southern most part of the original Stoneleigh Deer Park. The site has access to Stareton Lane and comprises a series of mainly single storey buildings, many of which were built for use as an American Forces Hospital during World War II.

The site is located within the Green Belt and the Stoneleigh Deer Park is listed within the English Heritage Register of Historic Parks and Gardens, graded II*.

The application site is bounded by Stareton Lane to the south, the golf club to the north and east, and farmland to the west. Near to the entrance to the site are premises occupied by the British Horse Society (in separate ownership).

The buildings on the site are currently leased to a number of firms. Massey Ferguson remain in occupation of part under a long lease arrangement.

Details of the Development

The reserved matters now put forward relate to the siting, design and external appearance of the proposed B1 buildings together with the landscaping of the site. The submission has been accompanied by a design statement, ecological and arboricultural appraisals of the site, and a landscape and ecology management plan. The outline permission specified a total floorspace for new development, a ceiling on the number of parking spaces (not to exceed those existing on the site) and the layout plan submitted at outline stage showed a number of broad "development zones" with height restrictions across the site within which it was expected development would be accommodated. The general principle was that lower buildings would be sited towards Stareton Lane, with higher buildings towards the rear of the site.

The submitted details relate to buildings 100,500,600,700 and 800 which together account for 18,961 sq.m. of the total floorspace set down by the outline permission. Plots 200 and 400 have been deleted and details are to be submitted for plot 300 at a later stage.

The proposed layout broadly follows the principles established by the outline permission but incorporates a higher (three storey as opposed to two and a half storey) building towards the rear of the site, but compensated for by less development towards the front, where a significant part of one of the development zones shown at outline stage would not now be built on. The relevant clause relating to areas to be developed within the Section 106 agreement entered into at outline stage did refer to the possibility of variations to these areas "with the agreement of the Council". The applicants have written to confirm that the affected area will not be built on.

In terms of design, the buildings have a contemporary appearance following an overall design concept, using facing brick, reconstituted stone, and glass, the latter to produce reflections of the surrounding trees and to soften the buildings when seen from a distance. The roof profiles have been kept as low as practicably possible, with plant areas within the higher portions.

In relation to landscaping, tree planting and maintenance regimes are designed to be sympathetic to the original parkland character of the site, with subtle mounding and low level lighting. Existing inappropriate planting will be removed. An important element is the restoration of the line of the historic carriageway route from Park Cottage to Cloud Bridge via Cloud Lane, within the layout. Following the response of English Heritage, the reference to marginal planting has been removed from the landscaping details. Such swales will now not be required since drainage from the road system will be to soakaways under the road verges so that the marginal areas will be grass planted.

Other changes to the plans since submission in order to address some of the concerns raised by English Heritage include amendments to building design and spacing and a revised treatment to the line of Cloud Lane which will be an informal "holloway" for pedestrian traffic only..

Assessment

The main issue for Members to consider is whether the reserved matters now submitted adhere to the outline permission, the section 106 agreement and the approved design brief for the site.

The aims of the Brief are threefold:-

- (a) the restoration of that part of the historic parkland which lies within or immediately adjacent to the Business Park.
- (b) the redevelopment, in a phased programme, of all the buildings within the Business Park to a design standard, and in locations, which are less visually intrusive and more sensitive to the Parks character.
- (c) to ensure development fulfills the objectives of Green Belt policy.

In terms of detailed requirements, the Brief required the following:-

- **The main historical features to be restored, supported by historical documentary evidence..**
- **Retention of appropriate trees and removal of unsuitable ornamental specimens.**
- **Areas of landscape restoration involving any proposed earth movement, together with a supporting statement.**
- **Areas where floorspace is to be relocated and areas where buildings are removed. Replacement floor area is required to address the most prominent locations where development is visible.**
- **Areas where it is envisaged the height of buildings will be greater than single storey.**
- **How the impact of the proposals on the openness of the Green Belt and the purposes of including land in it has been addressed.**
- **An ecological assessment of existing trees and other features/habitats.**
- **Illustrations/accurate photo montages from a series of viewpoints specified in the Brief showing the impact of the built forms within the proposed location on that point of the park.**

These requirements were subsequently reflected in the outline application and the Section 106 agreement that was signed prior to its issue. The latter incorporates requirements for landscape restoration and securing green travel objectives triggered at various stages in the execution of the development. The green travel objectives recognise that this isolated rural site is currently a large existing area of development and commercial activity, with an agreed baseline floorspace figure of 25,441 sq. metres, and its occupation by a number of firms makes it difficult to achieve a substantial shift away from the private car, but the S106 agreement specifies a number of measures to be put in place to secure a shift in modal split. These agreed measures are thus already in place and will come into effect as the site is developed..

In relation to highway impact generally, the S106 obligation at outline stage requires a weight restriction scheme to limit the environmental impact of HGV movements through the nearby villages. Under the obligation, the applicant has agreed to pay the reasonable costs of preparing the necessary traffic orders, installation of new signing and associated administrative expenses. The objective of the orders is to ensure that HGV traffic gains access to the site via the A445 Leamington to Ryton Road, thereby avoiding Stareton, Stoneleigh Village and Bubbenhall.

Given that the key objectives for the development of the site are set out in the outline application and the Section 106 Agreement, the areas for assessment in this reserved matters submission relate to siting of buildings, design and landscaping details. Although English Heritage have expressed the view that a denser cluster of buildings at the heart of the site may have a lesser impact on the Deer Park overall, the brief did refer to the need for views into the site to be maintained, with a degree of openness between buildings and keeping certain areas undeveloped so that areas presently open when viewed from Stareton Lane would remain clear of buildings. In relation to the perimeter road along the eastern boundary, whilst it would be preferable for this to be omitted, the applicant has indicated that adequate access is required to this part of the site for refuse, emergency and maintenance vehicles. The roadway would be given a softened "track like" appearance through use of gravel, eventually linking with the carriage drive.

On the basis of the amended design and layout drawings now submitted, I am satisfied that the proposed details are in accordance with the principles set down at outline stage.

REASON FOR RECOMMENDATION

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

RECOMMENDATION

APPROVE reserved matters 1(a) part, and 1(b) subject to the following conditions :

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) LO012PA, LO13PA, LO14PA, LO15IA, L181PB, L182PA, L581PA, L582PA, STO/01/E/01D, 00-367-S01A, and specification contained therein, submitted on 11 January 2005 and February 1 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.
- 2 The existing trees and shrubs shall be retained in accordance with BS 5837 : 1991 and shall not be felled, lopped, topped or pruned without the previous written consent of the District Planning Authority. Any trees removed without consent, or dying or being severely damaged or becoming seriously diseased within five years of planting, shall be replaced with trees of such size and species as may be agreed with the District Planning Authority. 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 A planting scheme 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., incorporating a phasing plan for its implementation. Such approved scheme shall be completed, in phases linked with the implementation of the development hereby permitted, and any trees/shrubs 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. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 4 No development shall take place until details of all external facing materials have been submitted to and approved by the District Planning Authority. 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.
- 5 No lighting shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the visual amenity of this part of the Green Belt, and to satisfy the requirements of Policy ENV1, ENV3 and ENV 18 of the Warwick District Local Plan.
- 6 Prior to the commencement of the development hereby permitted, details of the surface treatment of all car parking areas, pedestrian paths and vehicle roadways shall have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details. **REASON** : To protect the character of the Deer Park environment in accordance with the requirements of Policy ENV3 and ENV 18 of the Warwick District Local Plan.
- 7 Details of arrangements for access for emergency vehicles to all parts of the site shall be submitted to and approved by the Planning Authority before development commences and the agreed details implemented before the first occupation of any buildings. **REASON** : In the interests of Highway safety, in accordance with policy ENV 3 of the Warwick District Local Plan 1995-2011.
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