

Planning Committee: 06 October 2020

Item Number: 8

Application No: [W 20 / 1037](#)

Town/Parish Council: Warwick
Case Officer: Andrew Tew

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Registration Date: 10/07/20

Expiry Date: 04/09/20

St Mary's Lands, Warwick

Application to create four wetland scrapes. FOR Warwick District Council

This application is being presented to Planning Committee due to it being a Warwick District Council application.

RECOMMENDATION

Planning Permission is recommended to be GRANTED.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the creation of four wetland scrapes. The proposals will create four wetland scrapes, set broadly equidistant across the site, northwest to southeast. The scrapes will vary between 300mm – 600mm in depth.

THE SITE AND ITS LOCATION

The application site is located to the south of Lammas Field, within the inside edge of the Racecourse running track. The site is bounded by existing landscape bunding to the north and east, completed in 2003 as part of a site wide storm water attenuation strategy. To the south, an 8.0m wide central path forms a linear meadow, and beyond this a wild bird feeding meadow was sowed during Spring 2020, and is bordered by further existing landscape bunding. The site is owned by Warwick District Council.

PLANNING HISTORY

There are various previous permissions relating to the site, however only the following is relevant:

W/03/1810 - planning permission granted for excavation of soil to form flood attenuation area, bunding works and ancillary structures, construction of a football pitch and sports recreation area.

W/18/1471 - Proposed enhancements of the existing drainage system for the back straight of the racecourse, for management of surface water, comprising of an attenuation scrape, pipe and slit drains, with 1.2m timber post and rail fence around the perimeter of the attenuation scrape.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- FW1 - Development in Areas at Risk of Flooding
- CT6 - Warwick Castle and St Mary's Lands, Warwick
- BE1 - Layout and Design
- BE3 - Amenity

SUMMARY OF REPRESENTATIONS

Warwick Town Council - Support

WCC Ecology - No objection

Natural England - No objection

ASSESSMENT

Impact on the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Local Plan states that development will not be permitted if it would lead to substantial harm to the significance of a designated heritage asset. Where the development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal. Local Plan policy HE2 supports this and states that it is important that development both within and outside a conservation area should not adversely affect its setting by impacting on important views and groups of buildings within and beyond the boundary.

The proposed development would have a minimal impact on the character and appearance of the Conservation Area. Essentially the proposals entail relatively minor alterations to the landscaping of an existing landscaped area. The Conservation Officer has been consulted and has no objection to the proposal.

It is therefore considered that the proposed development would not have a harmful impact on the Conservation Area and the development is in accordance with Local Plan policies HE1 and HE2.

Ecological Impact

Natural England have been consulted and have no comments on the proposed development.

WCC Ecology welcome the proposal as it will improve a species poor area.

The development is therefore considered to be in accordance with Local Plan policies NE2 & NE3.

Flood Risk

The application site is located within Flood Zones 2 and 3. However, as the application is for a wetland habitat, a Flood Risk Assessment was not required. The Officer spoke with WCC Flood Risk Management to confirm this and they noted any soil removed should not be deposited in Flood Zone 2 or 3. They also noted Land Drainage Consent may be required, though this is not a planning consideration.

The proposal is therefore considered to be in accordance with Local Plan policy FW1.

St Marys Lands Masterplan

The Masterplan sought to clarify the role of St. Mary's Lands as a publicly accessible open space and one that supports a range of businesses that make an indirect contribution to the local economy and a direct contribution to the Council. The application forms part of the Masterplan.

The proposed development is not considered to hinder the delivery of any of the key objectives identified in the Masterplan and is therefore considered to be in accordance with Local Plan policy CT6.

SUMMARY/CONCLUSION

The application will help create a wetland habitat that will increase biodiversity in the area and is viewed as a positive addition to the area. As such, planning permission should be GRANTED.

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(s) PLI-C8-GF-DR-L-0140 PL02, PL1-C8-GF-DR-L-0110 PL02 and PL1-C8-GF-DR-L-0141 PL01, and specification contained therein, submitted on 28/07/2020 and PLI-C8-GF-DR-L-0100 PL02 and specification contained therein, submitted on 07/09/2020. **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 None of the excavated material shall be deposited on any land that falls within Flood Zones 2 or 3. **REASON :** To ensure that the development does not increase flood risk, in accordance with Policy FW1 of the Warwick District Local Plan.
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