

Planning Committee: 23 May 2006

Item Number: 08

Application No: W 06 / 0456

Registration Date: 20/03/06

Town/Parish Council: Warwick

Expiry Date: 15/05/06

Case Officer: Martin Haslett

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Portobello Works, Emscote Road, Warwick, CV34 5QU

Mixed use development including 2320 square metres (gross) B1 space, 13 No. Residential dwellings, car parking and access from Greville Road FOR Gallagher & Pettifer Estates Ltd

This application is being presented to Committee due to the issues raised by the inclusion of some additional dwellings on land previously intended for employment uses, the objection from the Warwick Society and the visual prominence of the scheme.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Consulted on 24th March 2006. No comments received.

Warwick Society: Refusal recommended- improvement over previous application, but disappointed proposals are not better. Concerned that block is aligned too closely with Emscote Road, contrary to original brief and outline permission. Overbearing impact on houses opposite and to pedestrians, will create a canyon effect, increase noise and reduce possibilities for bridge improvements. Further concern about large areas of glass fronting Emscote Road, could dazzle drivers and would not aid energy conservation. Stained feather edge boarding is also inappropriate for an office. Concern as to whether the affordable housing will be completed.

WCC(Ecology): no objection.

WCC(Highways): no objection, subject to conditions on details of the access, parking, wheel wash.

STW: no objection, subject to condition on details of foul and surface drainage.

Ramblers' Assoc: initial concerns over new route for diverted footpath are being met.

Leisure and Amenities: concern over impact of proposed riverside path on existing trees- proposed levels should be submitted.

Neighbours: 206-228 Emscote Road and 2-12 Greville Road notified. No representations received.

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 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

The land forms the southernmost part of the Portobello site, which was occupied by the Potterton factory, with the factory's office building having been located in this area.

The outline planning permission for the redevelopment of the site, reference W02/1472, was granted on 5 August 2004 and showed a small area reserved for office development on this part of the site. The subsequent application for approval of reserved matters for the erection of 251 dwellings, reference W05/1258, was granted on 26 September 2005, but did not include the land which forms this planning application site, since it was concerned purely with the residential parts of the development.

In formalising their plans, the developers have found that they are able to accommodate the area of office development required by the outline application (2323 sq.m. gross B1 office space) within a smaller area of land than originally indicated on the outline application. This area of employment use was included in the original outline application in view of the employment allocation of the entire site and whilst this was not considered to be defensible in the present circumstances, the inclusion of some employment land on the road frontage was considered to be an acceptable compromise. This remains so, but the use of any spare land for residential purposes is considered to be the appropriate use for any such areas.

A previous application (W05/1463) was withdrawn following discussions with planning officers, who considered the scheme unsuitable in terms of its bulk and design. The current proposal has been completely redesigned following this advice.

KEY ISSUES

The Site and its Location

The site includes the frontage of the land onto Emscote Road and the land between the River Avon and the rear of the houses in Greville Road, numbers 2-10 (evens). This includes the current access to Waterworks Lane, from Emscote Road (which would be closed), but the large tree on the corner of Emscote Road and Greville Road (and the grass surrounding it) are excluded from the site. The frontage to the River includes a number of trees, which form an important feature of the view over the whole site.

Emscote Road is at a progressively higher level as it approaches the bridge, which is a listed building. The other side of the site is bounded by the rear of the properties in Greville Road, many of which have garages in their rear gardens.

Access to the site would be taken from Greville Road, as already approved under the previous planning permissions.

Details of the Development

The proposals are made in the form of an application for the approval of reserved matters under the outline permission.

The employment part of the proposal would occupy the southern part of the site, fronting Emscote Road and returning along the river frontage. The development would consist of two pitched-roof blocks, each three storeys high, with the undercroft used for car parking (including 6 disabled spaces). Overall, 60 parking spaces would be provided for the offices. The styling of the buildings would be traditional, with stone coloured buff render on the undercroft storey, with red brickwork and stone features for the windows above, with a plain tiled roof. These details reflect the colour and detailing of the adjoining listed bridge and Rock Mill. A modern feature of the design is the use of glass curtain walls to the gable elevations of the buildings, allowing natural light to penetrate into the open plan offices. Overall, the design statement submitted with the application sees these buildings as an important landmark and gateway, occupying a prominent riverside site between the two towns.

The second part of the proposal is the residential element of the scheme, to the rear of the site and adjoining the residential properties previously granted. These would consist of three houses fronting Waterworks Lane, similar to those approved previously on adjoining land and one block of 10 two-bedroomed flats, rising to 4 storeys, in part, and again similar in design to those granted previously on the adjoining land. The residential buildings would use the same palate of materials as described previously, with a mixture of render and red brickwork, but with interlocking concrete roof tiles in this case.

The residential part of the development would be covered by the affordable housing requirement as set out in the original legal agreement attached to the outline permission, which had a 30% requirement.

Assessment

The issues which need to be addressed are the principle of allowing part of the site to be used for residential purposes and the acceptability of the design of the buildings, particularly the office blocks fronting Emscote Road.

The original outline planning permission allowed for 2323sq.m of employment floorspace as part of the overall development scheme. This allocation is retained in the current proposal, but the particular configuration of buildings proposed allows for a substantial area of land to be left over. The retained land area for employment purposes allows for 60 parking spaces to be provided for the offices which results in a ratio of 1 space to 38 sq. metres. The government recommended maximum provision is 1 space to 30 sq. metres. Clearly, a part of the consideration must be the acceptability of the employment buildings themselves (and such an arrangement cannot permit a building that would otherwise be unacceptable on grounds of size, height, etc.) but there is no valid planning reason why the remaining land should not be put forward for other purposes. Given the overall allocation of the rest of the site for residential purposes, this use is the obvious alternative use for the remaining land.

If this premise is accepted, the subsequent test must be the *Managing Housing Supply* Supplementary Planning Document, adopted in September 2005. The view has been taken in relation to this policy that land which has an existing commitment of planning permission should be used as efficiently as possible and, therefore, where proposals are made for additional dwellings on committed land, the proposals will not be considered as contrary to the SPD policy.

The second important set of issues relates to the visual appearance of the buildings. As the residential part of the proposals mainly repeats designs previously approved, the main attention must focus on the employment buildings. The issues in relation to the employment buildings are their height and bulk in relation to the two-storey houses on the other side of Emscote Road and their general acceptability in a prominent location adjoining a listed building, the Portobello Bridge.

Although the proposed employment buildings are 3 storey, they would be built on land somewhat lower than Emscote Road, and this, coupled with the low storey height of the parking undercroft, means that they would be no higher than the buildings on the other side of the road. The use of traditional small windows (with the glazed gable ends not overlooking the houses) means that the buildings would not be overly dominant in relation to the houses, although the distance across the road is generally under 20m. Similarly, there is not likely to be loss of privacy or overlooking in this situation.

I also consider that the proposals are acceptable in terms of the street scene and the impact on the listed Portobello Bridge. The design of the proposals has addressed the important aspects of the prominent siting of the building,

creating a landscaped setting, has addressed the riverside setting and is satisfactory in relation to the listed building.

I cannot therefore agree with the comments of the Warwick Society and recommend that permission be granted. However, Leisure and Amenities have raised an important point about the future of the trees on the river bank and I would propose a condition to cover this. A further condition will be required for the provision of more details of the landscaping. Although some information has been provided, it is insufficiently detailed and a full landscaping scheme will be required.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 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.
- 2 No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed levels along the riverside path have been submitted to and approved by the District Planning Authority. The details should indicate the position of each of the trees and be designed so as to minimise the impact of the works upon those trees. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In order to protect the trees on the river bank, in accordance with policy ENV3 of the Warwick District Local Plan, 1995.
- 3 A landscaping 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. 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. **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 The development hereby permitted shall not be commenced until the access to the site for vehicles has been provided with not less than 10.5m kerbed radii turnout to the north and not less than 9.0m kerbed radii turnout to the south. **REASON** : In the interests of highway safety, in accordance

with the requirements of Policy ENV3 of the Warwick District Local Plan.

- 5 The development hereby permitted shall not be commenced until a pedestrian crossing, including a 2.0m wide pedestrian refuge, has been constructed on Greville Road in a position agreed in writing with the Highway Authority and constructed in accordance with the Highway Authority's standard specification. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 6 The access to the site for vehicles shall not be used unless a public footway 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 ENV3 of the Warwick District Local Plan.
- 7 The development shall not commence until a turning area has been provided so as to enable all vehicle types to leave and re-enter the public highway in forward gear. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 8 Prior to the commencement of any works on site the developer shall install a mechanical wheel wash adjacent to the site access to ensure that mud and debris is not deposited on the highway as a result of construction traffic leaving the site. Details of the wheel wash (including type, method of operation, and control of use) shall have been previously approved by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 9 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings A4177/2.1/15C, /020A, 21A, /22, /23A, /24, /25, & D0018_D1 and specification contained therein, submitted on 20 March, 31 March, 27 April and 2 May 2006, 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.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design, creates a satisfactory street scene and protects the setting of the adjoining listed building. The proposal is therefore considered to comply with the policies listed.
