

Planning Committee: 16 September 2014

Item Number: 12

Application No: W 14 / 1051

Town/Parish Council: Warwick

Registration Date: 30/07/14

Case Officer:

Penny Butler

Expiry Date: 24/09/14

01926 456544 penny.butler@warwickdc.gov.uk

Westend Centre, Hampton Road, Warwick, CV34 6JP

Single storey modular building for Joint Army Cadet Force (ACF) and Air Training Corps Youth organisation (ATC) FOR West Midlands Reserve Forces and Cadets Association

This application is being presented to Committee as the proposal is contrary to the development plan due to it being sited within the Area of Restraint, and because the site is on Warwick District Council land.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission subject to the recommended conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of a single storey modular building to be used as a meeting hall. The building would measure 24.5m by 1m and be sited at the rear of the site with its gable end facing the road. Internally the building would provide offices, stores, class rooms, toilets, a kitchen and a computer room. A vehicular drop-off area for accessing the site has been agreed with WDC via the adjoining public car park, which will lead to a new area of hard surfacing with 5 parking spaces in front of the building (including one disabled). A cycle store and 2x 6m high flag poles are proposed.

The Army Cadet Force (ACF) and Air Training Corps Youth organisation (ATC) are unable to continue their use of their existing facility which is sited within Racing Club Warwick football ground and have been searching for a suitable alternative site with the assistance of WDC. The cadets ideally require a building close to their existing base, to serve Warwick residents, taking into account that their existing base at Warwick School already serves the southern part of the town. The search that has been undertaken demonstrates that the West End Centre provides the only suitable site that would meet the needs of the cadets, whilst aiming to minimise planning issues. The application was submitted with a Flood Risk Assessment, Arboricultural Impact Assessment and Planning Statement.

THE SITE AND ITS LOCATION

The application site is currently the home of the Warwick Marching Band and includes an extended single storey building with curved roof sited close to the eastern boundary. The site is triangular in shape. There is an extensive surfaced car park and marching area at the front of the building, with a vehicular access off a service road leading off Hampton Road and to the public car park adjoining the western boundary. At the rear of the site is the racecourse track, and adjoining the eastern boundary is the Racing Club Warwick ground. Opposite on Hampton Road at a distance of 23m from the site boundary, or 107m from the proposed building, are residential properties.

The narrow rear corner of the site is an overgrown area that will be cleared to make way for the new building. There is a significant oak tree close to the rear corner of the existing building on the site whose canopy extends close to the proposed building. Two metal storage containers would be removed from the site to make way for the new building, and the existing marching area would remain. The site is within the Conservation Area, Area of Restraint, and Flood Risk Zone 2.

PLANNING HISTORY

The existing sport and recreation building on the site as granted in the 1970s for the West End Football Club, with extensions approved for the Warwick Corp of Drums in 1985 and 1994. A replacement roof was approved in 1998.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- 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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

- DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- DS5, PC0, CT1, CT7, SC0, BE1, BE3, TR1, TR2, TR4, HS1, HS6, HS7, CC1, CC2, CC3, FW1, FW2, FW3, FW4, HE1, HE2, NE2, NE4, NE5.

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No comments received at time of writing report. Comments will be reported in the late items report.

WCC Highways: No objection further to the clarification of associated vehicle movements and the agreement with WDC to allow use of the adjoining car park for dropping off. On dates when the car park is not available for drop off, the existing access at the front will be used. Therefore activities associated with the development as unlikely to have a negative impact on the public highway.

Environment Agency: Additional information is required as the applicant has incorrectly identified the category of proposed development in relation to the flood risk standing advice. Further comments will be provided in the late items report.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The Principle of the Development
- The Impact on the Character and Appearance of the Area
- The Impact on Landscape and Heritage Assets
- The impact on the living conditions of nearby dwellings
- Car Parking and Highway Safety
- Drainage and Flood Risk
- Renewable Energy
- Ecological Impact
- Health and Wellbeing

The Principle of the Development

The principle of erecting a building on the site is considered acceptable given the need to provide a replacement building for the AFC and ATC close to their existing base, where they can continue to serve their existing users. The NPPF (para.24) requires such uses to apply a sequential test, and only if there are no other suitable sites nearer the town centre should such locations be allowed. As set out above, a search for alternative sites available to the applicants has been undertaken which has found there are no other suitable alternatives. In these circumstances the proposed site is considered to comply with a sequential test and this part of the NPPF.

The Impact on the Character and Appearance of the Area

The building has been designed to be single storey and with as low a roof pitch as possible in order to reduce the visual impact on openness, whilst retaining a high quality appearance for this site in the Conservation Area. The height and design of the building is not overbearing and will appear subservient to the taller existing building to the east. The building would be clad with terracotta coloured metal cladding, and dark grey roof tiles, and the design would not appear harmful to the mixed character of this part of the racecourse, where there are a range of styles of functional buildings in the vicinity.

The Impact on Landscape and Heritage Assets

Policy DAP2 does not permit development within the Areas of Restraint where it would harm the generally open nature of the area, and states that built development which harms the open character of these areas will not be permitted. The designation of areas of restraint are not included in the NPPF, therefore the draft Local Plan does not carry these forward, and this policy can therefore only carry limited weight

The proposed building would reduce the openness of the area by introducing a built structure that partly infills the rear corner of the site, and will therefore partly obscure views through the site from and to the open racecourse land behind. The positioning of the building, with its narrower gable ends facing the road and racecourse, minimises the visual impact of the building upon openness and general views. Views of the building from the car park to the west will be against the existing building and the tree line behind to the Racing Club site. It is considered that the proposal minimises its impact upon openness, and that whilst it would be contrary to Policy DAP2, this only carries limited weight. For these reasons, and for the circumstances set out above relating to the need for the building, the impact on openness is not considered to be such that a refusal of planning permission on this ground would be justified.

The design would preserve the appearance of the Conservation Area and will respect views in and out of the Area. The proposal is therefore considered to comply with Policy DAP8.

The impact on the living conditions of nearby dwellings

There would be no greater impact on nearby dwellings compared to the existing use of the site.

Car Parking and Highway Safety

The applicant has provided further details of expected traffic generation and the Highway Authority have withdrawn their objection. It is considered that sufficient parking can be provided within the site, with any over spill parking if necessary being met by the public car park immediately adjacent. Utilising the adjoining car park as a drop-off zone, with the agreement of WDC, will take the associated traffic off the highway. Therefore the proposals would not cause material harm to highway safety or worsen the existing parking situation, in accordance with Policies DP6, DP7 and DP8.

Drainage and Flood Risk

The proposed development is appropriate in this flood zone, subject to the development being appropriately flood resilient and resistant, with safe access and escape routes and emergency plans. The applicant has been asked to provide this information to the Environment Agency and subject to their satisfaction, the development would be acceptable in flood risk terms.

Renewable Energy

The proposal includes the installation of solar photovoltaic panels on the roof of the building, which would provide renewable energy in accordance with Policies DP12 and DP13.

Ecological Impact

The proposed building has been orientated to avoid the root protection area of the oak tree at the side of the existing building on site. The submitted arboricultural report assesses the impact on the oak tree and it is considered that the proposal should not result in harm to the health of the significant trees on the site. A condition is required for further details of tree protection since the submitted report does not accurately plot all of the trees on site.

Health and Wellbeing

There would be no adverse impact on health and wellbeing. Being located close to residential areas means users of the site would be able to travel there in a sustainable manner.

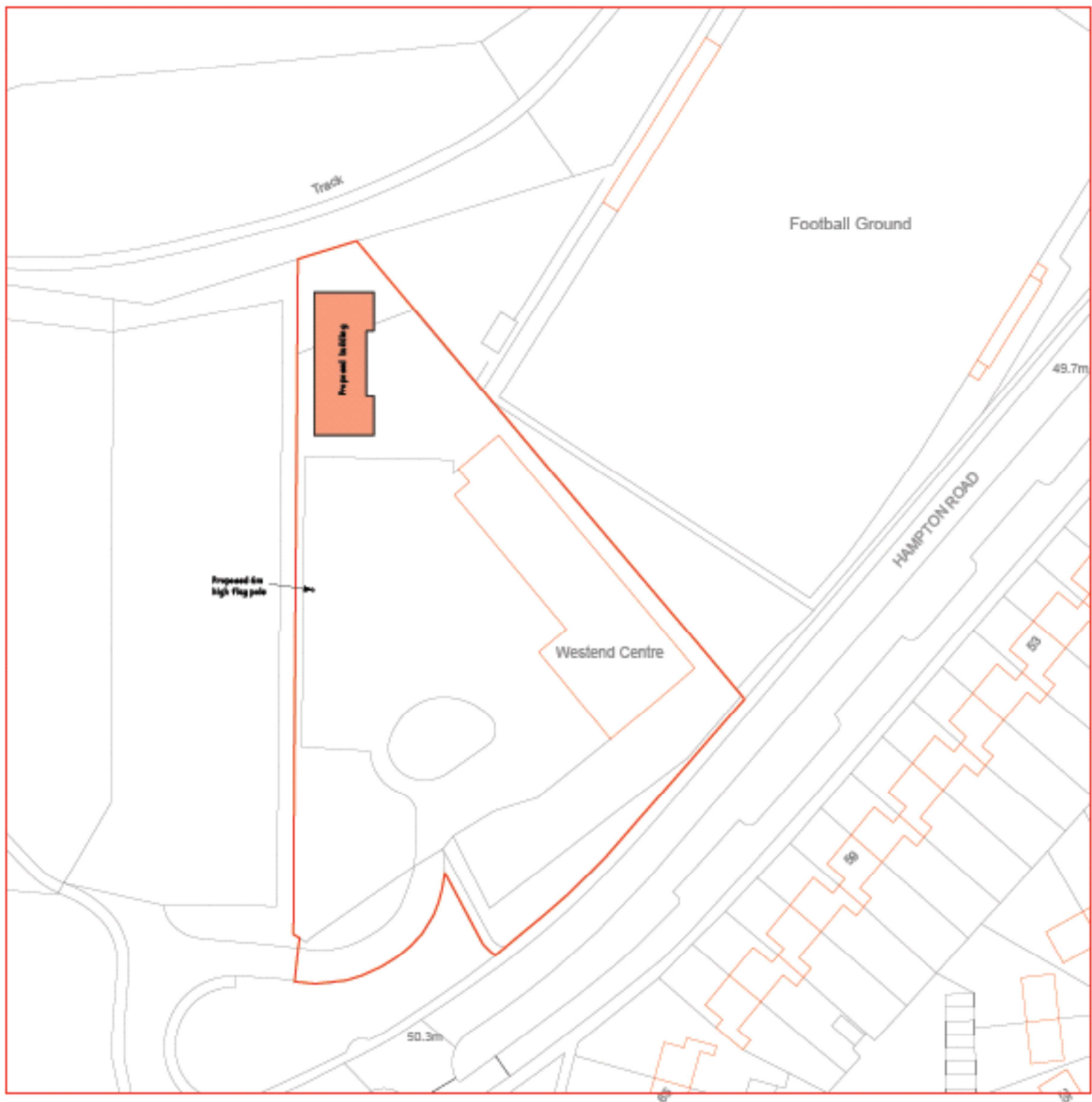
SUMMARY/CONCLUSION

The development would have an acceptable impact on upon openness, would preserve the appearance of the Conservation Area, and would not cause harm to highway safety or flood risk, and should therefore be approved.

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) (2K1405 01/E Rev.C submitted on 10 July 2014. 959.03.A submitted on 25 July 2014. 959.02.A submitted on 30 July 2014), and specification contained therein. **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 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root structure may extend within the site and which are within the Warwick District Council Conservation Area. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).
REASON: To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 4 The building 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 unless otherwise agreed in writing by the local planning authority. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.
 - 5 The building shall be used only by the Army Cadet Force (ACF) and the Air Training Corps (ATC) only and by no other persons or group. **REASON:** Since the proposed use is only acceptable on the basis of the likely associated vehicle movements, in the interests of highway safety in accordance with Policies DP6, DP7 and DP8 of the Warwick District Local Plan 1996-2011.
 - 6 The development hereby permitted shall only be undertaken in strict accordance with drainage details, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan, which have been submitted to and approved in writing by the local planning authority. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.
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PROPOSED BLOCK PLAN
SCALE 1:500



