

Planning Committee: 21 September 2005

Item Number: 18

Application No: W 05 / 1228

Registration Date: 20/07/05

Town/Parish Council: Warwick

Expiry Date: 14/09/05

Case Officer: Martin Haslett

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Working Mens Club, Ansell Way, Warwick, CV34 4TT
Erection of 51 apartments. FOR George Wimpey West Midlands

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: "The application continues to propose a scheme with a very high density, with minimum parking and amenity land provision, and represents an overdevelopment of the site. In the opinion of the Town Council, the number of 4 storey units should be reduced and the car parking provision be increased to meet both visitor and residents needs."

Neighbours: 6 letters of objection, although some support given to the principle of development, objection on grounds of:

- density too high, flats too high,
- loss of privacy, overlooking from flats, loss of sunlight;
- design overbearing;
- impact on existing residents;
- excess traffic;
- lack of landscaping;
- no need for more flats;
- proposal would generate excess parking in surrounding roads;
- unsatisfactory living environment for future residents.

WCC(Fire and Rescue): no objection, subject to fire fighting condition.

WCC(Archaeology): no objection.

WCC(Highways): no objection subject to design modifications and a legal agreement to secure improvements to the Ansell Way/Birmingham Road junction.

WCC(Structure Plan) (comments on previous application) : no objection, but contributions will be required to meet the cost of County services. This issue has been the subject of long negotiation between the County Council and the applicants' consultants and the following contributions have now been agreed:

- education: £46,784;
- public transport: £70 per apartment for a welcome pack;

-libraries: £3,850.

Environment Agency: no objection, subject to conditions on contaminated land and details of a scheme for foul drainage.

Environmental Health (Refuse disposal): no objection, subject to condition on bin stores.

Environmental Health (Pollution): no objection, subject to condition on contaminated land.

Warwickshire Police: support development of the area, homes should meet the 'secured by design standards'.

Warwick Society: welcome proposals to complete site, but consider that building blocks parallel to the railway will increase noise problems. Density considered excessive, blocks too high, some flats too small. Lack of amenity space. Recommend refusal for these reasons.

WDC Housing (comments on previous application): an affordable housing allocation of 40% has been agreed with the applicant.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
Saltisford Warwick Planning Brief, February 2001. The Brief anticipated employment uses for this land.

PLANNING HISTORY

The site has for many years been used as a working men's club and there is a considerable history of applications relating to that use. An outline application for residential development was made in 2003, but was withdrawn.

On land adjoining the current site, George Wimpey were granted permission (W02/1912) for a scheme for 106 flats subject to a legal agreement to cover affordable housing, and sustainable transport welcome packs. A condition of the permission requires the upgrading of the existing traffic-light controlled junction at Ansell Way/Birmingham Road.

In May 2005 an application for full planning permission for residential development of 3 to 4 storey flats on the current site (very similar to the current application), also for George Wimpey, was refused for the following reason:

The proposed development consists of a very high-density scheme for flats in blocks of up to 4 storeys in height, situated in close proximity to a busy railway line and to existing terraced housing. The proposals show minimal space for amenity land or for landscaping and it is considered that the proposals would be an overdevelopment of the site. For all these reasons it is considered that the development would create unsatisfactory living conditions for the future residents and that the proposals are contrary to policy ENV3 of the Warwick District Local Plan 1995, which requires all development proposals to achieve a high standard of design and to harmonise with their surroundings, both in terms of design and land use.

The applicants have appealed against this decision, using the written representations method.

KEY ISSUES

The Council has a landlord interest in this land

The Site and its Location

The site of the former club lies at the extreme end of Ansell Way and borders the Warwick to Snow Hill railway line to the north, which is on an embankment. To the east there is a short frontage with Cape Road, which is at a higher level and to the south the site is contiguous with the planning application site for the residential development previously granted. To the west there is a footpath under the railway line leading to Saltisford Common.

At present the site is derelict, it is reasonably flat and has no trees of significance, although there are some small specimens on the boundaries.

Details of the Development

It is proposed to construct blocks of flats in a similar style to those previously granted on the adjoining site. These would total 51 flats in 3 and 4 storey blocks, with access taken from Ansell Way and parking for 51 provided within the site. Remaining areas, particularly adjoining Cape Road would be landscaped. Sixteen of the flats would be 1-bedroomed, the remaining ones all being 2-bedroomed. Fifty-one car parking spaces would be provided.

The design of the buildings would follow that of those previously agreed on the adjoining site, with a curved feature on the frontage to Ansell Way to match those previously shown.

The only significant difference between the current proposal and the one previously refused is that the buildings have been moved 1.5m away from the

railway line, and therefore that much closer to the buildings on the adjoining site.

Assessment

The issues which need to be considered are the principle of the proposals, the design and layout of the dwellings and whether they would provide a reasonable living environment for the future residents.

The brief for the wider area of Saltisford, prepared in 2001, anticipated that this area should be developed for employment purposes to meet the need identified in the Structure Plan for smaller employment sites. This was part of an overall approach to secure the co-ordinated development of the Saltisford area, including the whole of the former Council depot site together with adjacent parcels of land. One of these parcels is the land occupied by the listed Master's House (The Leper Hospital).

Since the production of the brief, this proposal to develop the adjoining land has come forward as part of a package to revise the original approach to development of this area. That package included residential development on the adjoining site and allows the potential for some additional employment development at the rear of the Master's House which in turn would link with the repair and refurbishment of the listed buildings. This would result in a significant enhancement to this part of Warwick. The current proposal would be a continuation of the previously agreed housing use and as such is, in my opinion, acceptable.

The remaining issues relate to the design and layout of the flats and the residential environment so created, and members will have to decide whether the minor changes made to the proposals are sufficient to meet the objections they raised previously.

The Warwick Society is concerned about these issues and it is recognised that the density is high. Nevertheless, the proposals are not dissimilar in design or density to those already agreed and are, in my opinion, acceptable in terms of design and density. The position of the flats adjoining the railway line could, potentially, pose problems of railway noise and this issue has been investigated by Environmental Health. Having examined reports provided by the applicants' agent, they consider the situation to be satisfactory. In these circumstances objection on grounds of railway noise could not reasonably be raised.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above, except for the Saltisford Warwick Planning Brief, where it is considered that it is expedient to depart from the advice given there in view of the previous decisions made and for the better planning of the wider area.

RECOMMENDATION

After completion of a legal agreement to secure 40% affordable housing, contributions to County Council services and improvements to the Ansell Way/Birmingham Road junction, GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 5456.10, .11, .12, .13, .14, .15, .16, .17, .18, .19, .20, .21, & .50 and specification contained therein, submitted on 20 July 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.
- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of the area, in accordance with the requirements of policy ENV 3 of the Warwick District Local Plan 1995.
- 4 No development shall be carried out on the site which is the subject of this permission, until details of the bin/cycle stores and of the metal railings have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such 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, 1995.
- 5 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.
- 6 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.

- 7 The proposed car parking area for the development hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 8 Before any work in connection with the development hereby permitted is commenced on site, detailed plans and specifications of screenwalls/fences shall be submitted to and approved in writing by the District Planning Authority. The approved screenwalls/fences shall be constructed in the positions shown on the said plan before the buildings hereby permitted are occupied and shall thereafter be maintained in those positions unless otherwise agreed in writing by the District Planning Authority. **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.
- 9 The accesses to the site shall be constructed as dropped footway crossings, thereby indicating the private nature of the accesses and the priority for users of the highway, including footways. **REASON**: In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan and to promote sustainable transport modes.
- 10 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.
- 11 No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed ground levels of the development, including the finished floor levels of the buildings and sections through the site between Plots 1-3 and 49-51 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 12 Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made

for the disposal of storm water and foul sewage.

- 13 No development approved by this permission shall be commenced until:
- (a) A desk top study identifying previous site uses, potential contaminants and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been undertaken and submitted in approval in writing by the LPA;
 - (b) If deemed necessary as a result of the desk top study, a site investigation has been designed using the information obtained from the desk top study and any diagrammatical representations (Conceptual Model), and has been submitted to and approved in writing by the LPA;
 - (c) The site investigation has been undertaken in accordance with details approved and a risk assessment has been produced;
 - (d) A method statement detailing the remediation requirements using the information obtained from the site investigation has been approved in writing by the LPA. **REASON** : To identify contamination which may pose a risk to the environment or harm to human health.
- 14 If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;
- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;
 - if the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.
- REASON** : To ensure that the development complies with approved details in the interests of protection of Controlled Waters.
- 15 All remediation works detailed in the method statement shall be undertaken and a report submitted to the LPA providing verification that the works have been carried out in accordance with the approved details. **REASON** : To protect controlled waters by ensuring that the remediated site has been reclaimed to an appropriate standard.
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