

Application No: W 13 / 0690

Town/Parish Council: Warwick

Case Officer: Penny Butler

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Registration Date: 17/05/13

Expiry Date: 16/08/13

1-3 Wharf Street, Warwick, CV34 4NX

Demolition of existing building and associated outbuildings and erection of proposed apartment building with 15 no.self-contained flats suitable for adults with learning disabilities, incorporating communal area, shared garden, staff office, parking area and all associated works. FOR Creative Support Ltd

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for the demolition of the existing building and associated outbuildings followed by the erection of an apartment building containing 15 self-contained flats suitable for adults with learning disabilities with a communal area, shared garden, staff office, parking area and associated works.

The design of the building has been amended following negotiation, with the following changes being made:

- Reduction in height of the frontage from 3 to 2.5 storeys at the eastern end, and 3 to 2 storeys at the western end.
- Alterations to window design and location
- Change to materials

The building has a part two and part 2.5 storey frontage to Wharf Street, with a vehicular access under the two storey part, leading to a parking area at the rear, adjacent to the south-western boundary. The building would extend at the rear adjacent to the northern boundary at three storeys, with a flat green roofed single storey wing beyond, and a small central garden. A staff office would be sited next to the vehicular access to provide surveillance of the entrance.

The Design and Access Statement submitted with the application sets out that the proposal is for a supported housing development that will deliver housing for people with learning disabilities, particularly those with a connection to Warwick, enabling them to live as independently as possible within the community. 24

hours staff support would be available on site. The application is made by Creative Support, a highly experienced not-for-profit organisation that delivers care, support and housing for people who have support needs, who will develop the scheme and run the service day-to-day. WCC own the land and have submitted a supporting statement outlining how this site will contribute towards providing supported housing for those currently living in residential care, with carers or who require extra care.

THE SITE AND ITS LOCATION

The application site lies close to the junction of Wharf Street, Broad Street and Emscote Road. The Conservation Area boundary omits this site and the adjacent car dealership on the northern side of the site, which adjoins the railway bridge. On the south-western side is a shared private access to the rear of dwellings fronting Broad Street, whilst opposite is a variety of coach houses to dwellings fronting Emscote Road. The front part of the building is Victorian and was formerly a children's home, designed in the residential style with the appearance of two semi-detached houses. The building has large unsympathetic extensions at the rear, forming a U shaped building. MENCAP ceased using the building several years ago due to accessibility issues as it fails to comply with modern standards of care.

PLANNING HISTORY

Two storey extensions were added to the rear between 1955 and 1971.

RELEVANT POLICIES

- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- 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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (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)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection. Support.

Public response: Nine objections received raising the following:

- The existing building should be retained for its historical and architectural value
- The proposed building is excessively large, overbearing, monolithic, out of keeping and harmful to the character of the Conservation Area
- It is questioned why the site was excluded from the Conservation Area
- Noise, pollution and disturbance
- Traffic generation and access
- Loss of trees
- Loss of privacy
- A financial contribution should be sought towards Warwickspace as a community facility that future residents could use

Conservation Advisory Forum: The building has historic origins as an early 20th century example of a children's home which started to establish an alternative to workhouses, and warrants retention. It should be added to the local list of buildings of historic and architectural merit. The site should be included in the Conservation Area. The proposed buildings would significantly harm the Conservation Area. Concerns raised about the size, quality and poor design of the proposal which is considered inappropriate in this location. The overly large frontage building would dominate and overshadow the low profile rear wing and the adjacent garden.

Environmental Health: No objection subject to further investigation into site contamination.

WCC Ecology: Recommend a condition requiring development in accordance with the proposed bat mitigation measures, and a nesting bird note.

WCC Highways: Raise no objection to revised plans subject to standard conditions.

Severn Trent Water: No objection subject to a condition requiring submission of surface and foul water drainage details.

Waste Management: The proposed bin store is satisfactory.

Warwickshire Police: No objection.

Tree Preservation Officer: No objection, subject to the provision of two 3.5m high winter flowering cherry trees in the front garden

ASSESSMENT

Impact on Conservation Area

The application site forms part of the setting of the Conservation Area by bordering the boundary, and the building is not Listed as an application was rejected by English Heritage. There is therefore no presumption in favour of the retention of the building, providing the replacement is of sufficient quality and preserves or enhances the setting. In addition, the applicant has submitted evidence detailing why the existing building is unsuitable for their needs, and why the costs associated with a facade retention scheme would make the development unviable. The NPPF requires Authorities to consider the viability of developments (para.173), and also to apply the presumption in favour of sustainable development.

The design of the proposal has been amended to take account of the consultation responses received. The amended scheme is considered to enhance and protect the setting of the Conservation Area, by providing a modern building which respects its setting in terms of height, mass and design detailing. The height of the Wharf Street frontage respects the buildings each side by having a lower part nearer the dwellings and a taller part adjacent to the car dealership on higher land, the railway bridge and Emscote Manor opposite. The drawings show the lower section of the frontage would be no taller than the existing building. Due to the narrow width of the road, the front elevation will be viewed at an angle on the approach to the building, in the context of the development each side, therefore the graduated height of the frontage would respect surrounding massing.

It is considered that the modern design of the building is of a high quality, that would enhance the Conservation Area by adding contrast and variety to the surrounding periods of building, and that the redevelopment would regenerate this part of the setting of the Conservation Area. It is not a requirement for Conservation Areas to remain preserved in perpetuity, as what is important is that their special qualities are maintained and respected by new development. It is considered that the development would comply with Policy DAP8 and DP1.

Given that the Council cannot demonstrate a 5 year supply of land for housing, the housing policies of the Local Plan are out of date and in these circumstances the NPPF requires permission to be granted unless the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. The application proposes the provision of specialist housing for local needs which is a substantial benefit of the scheme. It is not considered that there would be an adverse impact on the Conservation Area, but if it were accepted that there was some adverse impact, it is not considered that this would significantly outweigh the benefits, to the extent that permission should be refused.

Impact on neighbouring amenity

The proposed layout complies with distance separation standards to surrounding residential properties, so whilst the development will be larger than the existing building and therefore more visible, it will provide a reasonable standard of amenity to existing neighbours consistent with the Residential Design Guide and the Distance Separation Standards. At the nearest points, the three storey part of the proposal would be 34m from the nearest dwelling, the two storey part would be 35m away, and the rear single storey wing would be 22m away from the nearest property. The proposed site layout includes parking within the site which would adjoin the boundary with the shared access at the rear of the houses. This is not considered objectionable in amenity terms given this area is already used for vehicle manoeuvring and access, and that vehicle movements associated with the proposed building would be respectful of the proposed residential use.

For these reasons the proposal is considered to comply with Policy DP2 and the Residential Design Guide, as it would not lead to unacceptable harm to the amenities of neighbouring residents with regard to noise, loss of light, overbearing impact, or loss of privacy.

Other matters

Parking provision is made in accordance with the Parking Standards SPD, and the location and width of the access, and gate position, has been amended in order to comply with the requirements of the Highway Authority. The proposal would therefore comply with Policies DP6 and DP8, and the SPD. A bat survey has been carried out to the satisfaction of the County Ecology service, and subject to their recommended conditions, the impact on this protected species can satisfactorily mitigated in accordance with Policies DP3 and DAP3. It is intended to install an air source heat pump to serve the heating and hot water system, but details of the model and siting are required by condition.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the setting of the Conservation Area. Furthermore, the proposal would not adversely affect the amenity of nearby residents, or unacceptably worsen the existing parking situation. The proposal is therefore considered to comply with the policies listed.

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) (W_L 1000 G; W_L 1001 G; W_L 1002 G; W_L 1003 G; W_L 1004 G; W_L 1010 C; W_L 1600 F submitted on 2 August 2013. W_L 1601 D; W_L 1602 D; W_L 1603 D; W_L 1604 B; W_L 1695 A submitted on 26 July 2013. 648/001A; 648/002 submitted on 15 May 2013. 648/003 Rev.A; 648/004 Rev.A; Planting Schedule submitted on 13 June 2013), 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 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 construction 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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has

previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 6 A landscape management plan, including long term management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority before the first occupation of the development hereby permitted. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way without the prior written approval of the local planning authority. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 7 The development hereby permitted shall not be commenced unless and until a Sustainable Drainage Scheme has been submitted to and approved in writing by the local planning authority, to include the following:
 - 1) The applicant is to undertake and provide percolation test results for the site where infiltration of water is proposed, this is to be in accordance with British Building Regulations Part M. The applicant is to provide a report showing photos of the tests being carried out and details of the test results along with soak away design calculations in accordance with BRE 365. If infiltration is not suitable on site then another drainage strategy will need to be submitted.
 - 2) The applicant is to provide calculations/models of the proposed drainage system for a 1 in 30 year and 1 in 100year + cc event to demonstrate that it can be accommodated without causing flooding on and off site.
 - 3) The applicant is to obtain discharge consent from Severn Trent Water to prove that there is suitable capacity to within the sewer to accommodate additional flows from the site.

The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with approved specifications.

REASON: To provide suitable drainage provision for the site and to prevent flooding in accordance with the NPPF.

- 8 No use of the development hereby permitted shall commence unless and until a pavement and verge crossing has been constructed to the site in strict accordance with the approved drawings or any subsequent amendment approved in writing by the local planning authority.
REASON: To ensure that a pavement and verge crossing is available for use when the development is completed thereby enabling safe and convenient access to and egress from the site in the interests of the safety of road users and pedestrians in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall not be occupied until the bin store has been constructed in strict accordance with the approved plans. **REASON :** To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 10 The development hereby permitted shall proceed in accordance with the detailed mitigation measures for bats as set out in the document 'Document 2 - Delivery information' prepared by UES and received by the District Planning Authority on 15/05/2013. The approved mitigation measures shall be implemented in full. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 11 The development 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 adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.
- 12 All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation of the development. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting

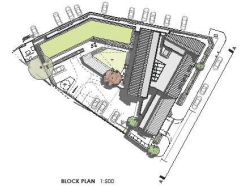
season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 13 The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
 - 14 The access to the site for vehicles shall not be used unless a public highway 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 Policy DP6 of the Warwick District Local Plan 1996-2011.
 - 15 Gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
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ELEVATION A - A 1:200

REVISION	DATE	DESCRIPTION
1	07.11.12	ISSUED FOR INFORMATION
2	07.05.12	EXTERNAL CLADDING REPLACED WITH BRICK
3	19.05.12	ISSUED FOR COSTING
4	14.05.12	ISSUED FOR PLANNING
5	02.07.12	PLANNING AND CDM IT AND EASE
6	02.07.12	PLANNING AND CDM IT ISSUE
7	02.05.12	NOTICE AND CDM IT ACT TO UNDERPINS



MATERIALS KEY
1. RICHMOND BRICKWORK - RED
2. RICHMOND BRICKWORK - BLUE
3. PRE-CAST CONCRETE SLAB
4. RECONSTRUCTED CONCRETE SLAB
5. RECONSTRUCTED CONCRETE SLAB
6. BRICK
7. WOODEN - POWER COATED ALUMINUM EXTERIOR UPFRAMED WOOD FRAMING
8. BARRISTER DOOR - POWER COATED ALUMINUM
9. RICHMOND - THE POWER COATED ALUMINUM UPFRAMED WOOD FRAMING
10. GALVANIZED AND POWER COATED BRICK CLADDING, LOOSE AND FRAMED
11. EXTERIOR VERTICAL RICHMOND DOOR



ELEVATION A - A 1:100

PROJECT	BRIDGEMAN STREET, BARNSTAPLE
ARCHITECT	PROPOSED BARNSTAPLE A.A.
DATE	14.11.12
BY	JOHN
SCALE	1:100 (A1)
AREA	1000
PERIMETER	1000