

**Planning Committee:** 21 September 2005

**Item Number:** 20

**Application No:** W 05 / 1258

**Registration Date:** 08/07/05

**Town/Parish Council:** Warwick

**Expiry Date:** 02/09/05

**Case Officer:** Martin Haslett

01926 456526 planning\_west@warwickdc.gov.uk

**Portobello Works, Emscote Road, Portobello, Warwick, CV34 5QU**

Application for Approval of Reserved Matters for erection of 251 dwellings  
(Outline Planning Permissions W02/1472 and W05/0376) FOR GLADEDALE  
HOMES

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

**SUMMARY OF REPRESENTATIONS**

**Warwick Town Council:** "The development seeks to achieve too high a density and does so with the provision of six storey blocks which are not in keeping with any other development in the town and the District Council have successfully resisted 5 storey development in the past.

Again to achieve high density the buildings are sited on narrow access ways and do not achieve the District Council's recommended separation distances.

Affordable houses should be integrated within the site and the Local Planning Authority should require an overall plan to be conditional to achieve an acceptable development of the total site."

**Royal Leamington Spa Town Council:** "The Town Council welcomes the revision to the application as a result of consultation with residents and interested parties. It remains concerned at the impact of increased volumes of vehicle movements onto Rugby Road and considers that this should be monitored by the Highway Authority."

**Neighbours:** 4 letters of objection on grounds of the size, bulk and height of the proposals, overlooking from the flats and loss of privacy, the felling of a group of trees in Waterworks Lane, which would reduce privacy to the houses in Greville Road and spoil outlook. (Several correspondents also raise the issue of traffic, which was determined at outline stage and does not form part of this application.)

**Warwick Society:** development considered too large, six storey blocks too high and bulky, distance separation standards not met, too many small flats not meeting family needs, materials inappropriate, object to separation of affordable housing which should be integrated within the development.

**WCC(Structure Plan):** no objection.

**WCC(Highways):** no objection, subject to conditions and notes.

**WCC(Ecology):** welcome proposals for public open space planting, but make suggestions for additional planting and management.(These suggestions have now been agreed by the applicants.)

**Housing:** no objection if legal agreement requirements are met.

**Environmental Health:** no objection.

**Ramblers Assoc:** no objection, but regret that no riverside walk is included.

[The Environment Agency have already approved the flood compensation scheme.]

The applicants have conducted neighbour consultations. This is described in the statement of community involvement submitted with the application and included meetings with local residents and councillors and a public exhibition. A community newsletter has been circulated, by the applicants, to surrounding neighbours and those who have responded to previous consultations.

### **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)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

### **PLANNING HISTORY**

The site was for many years the Potterton factory, having been a foundry for over 100 years. In May 2002 outline planning permission (W02/1472) was granted for residential development on the major part of the factory site, with a small element of employment use fronting Emscote Road and public open space on the Leamington side of the river. The proposals included a new bridge across the River Avon and alterations to the Rock Mill lane/Emscote Road junction. These were to include a system of traffic lights at the junction and a queue detector in Rock Mill Lane, which would be triggered when the queue exceeds 5 cars or a single car has been waiting for more than 1 minute. The permission was subject to a section 106 agreement to require pedestrian and cycle facilities at the road junction, financial contributions for school places, for additional library facilities and for contributions to sustainable

transport and public open space adoption. Affordable housing at the rate of 30% was also agreed. The agreement was signed in August 2004.

The outline permission included full details of the access to the site so the arrangements at Rock Mill Lane are not part of the current submission, but the bridge was not included in these details. So that work on the access could proceed during last summer (the preferred season from the Environment Agency's point of view), a separate application for the bridge was subsequently made and work on the bridge is now complete.

In February 2005 the Committee refused a previous application for approval of reserved matters for the scheme for the following reason:

*Policy (DW) ENV3 of the Warwick District Local Plan 1995 requires all development proposals to achieve a high standard of design, harmonising with their surroundings. This is reflected by policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version). The site occupies a prominent riverside location overlooking the open "semi-rural" gap between Warwick and Royal Leamington Spa and adjoined by the listed Portobello Bridge and Rockmill, Grade II listed buildings.*

*In the opinion of the District Planning Authority, the proposed contemporary design has failed to properly respect its context. With its excessive mass and bulk, the proposed development would compete with rather than complement its setting, and its use of a wholly and emphatically rectilinear form with a rendered finish, that would appear very incongruous in this location. It would have a sharpness and hardness to its character which would emphasise its intrusive alien nature which would not be mitigated by adequate landscaping.*

*The proposal is, therefore, considered to be contrary to the aforementioned policies.*

In April 2005 a further outline application (W05/376) was approved (under delegated powers) for a small extension to the site which was brought about because the original outline permission did not quite cover the full extent of Potterton's site. The current application therefore covers a slightly larger area than that refused in February.

At Planning Committee on 23 August, a Tree Preservation Order for the remaining trees along the river bank was approved.

## **KEY ISSUES**

### **The Site and its Location**

The site is bounded to the west by properties in Greville Road, which have gardens of considerable length and many also have garages served by a lane which separates them from the development site. To the east lies the River Avon which forms a very pleasant corridor through the site. In the northern part of this area there is Rock Mill, now converted for residential use and

further residential development along Rock Mill Lane, including some older properties on the first part of the lane, and newer ones in the further section. To the north, on the Warwick side of the river, there are allotment gardens.

The site itself has been cleared of the former buildings and decontamination work has been completed. These works (authorised by the previous permission) include re-grading of the land to provide land above the flood level, suitable for building, and compensatory floodable areas which would form landscaped areas. These would provide flood storage capacity in times of need. This work involved removal of a considerable number of trees along the river bank and, although regrettable, was an essential part of the development scheme.

It is important to note that the current application site does not include the employment land which is omitted from the current application, and the areas of affordable rented housing (on the land fronting Waterworks Lane) are likewise excluded. The submission does, however, include an indication of how the rented housing would be developed. The affordable housing for shared ownership is included in the current application.

### **Details of the Development**

On the main part of the remaining application site, it is proposed to construct 251 dwellings, mainly flats, but including 25 3-bedroomed houses. The flats would be predominantly 2-bedroomed, but with some 1 and 3-bedroomed units.

Flats would be constructed in a series of blocks utilising the flood-protected land adjoining the river. The blocks would be up to 6 storeys high, with enclosed car parking on the ground floor. The tallest flats would adjoin the river and would step down in height coming away from the river. The blocks would be constructed with considerable areas of balcony and terrace which would allow residents open air space.

For the remaining part of the site, that is the frontage to Waterworks Lane in its northern part (the southern part will be affordable rented housing and hence excluded) and for the central part of the site, away from the river bank, a range of lower buildings is proposed. The frontage to Waterworks Lane would have 3 storey semi-detached houses with two blocks of 4-storey flats (similar to those adjoining the river). The final (central) part of the site would consist of 3 storey semi-detached houses and 3 to 4 storey flats, of similar design, in each case, to those described previously.

The previous scheme was in a very contemporary style, with white render and grey metal cladding, capped by mono-pitched roofs. There were many balconies and modern window styles were proposed. The new scheme takes more account of local, traditional features. Timber cladding, coloured rendered and brickwork are proposed, which take their lead from Rock Mill and Portobello Bridge. The height of many of the buildings has been reduced and now pitched roofs are proposed to reflect the character of the local area.

Building materials vary along the frontage to respond to the character of the adjoining buildings. Opposite the listed Mill buildings, pale orange brickwork and timber cladding are used, which results in a more traditional appearance. Moving towards Emscote Road brickwork and timber are gradually replaced with coloured render, which reflects the character of that area. Window designs throughout the site have traditional vertical proportions, again to reflect local styles.

Revised landscaping proposals have also been submitted as part of the reserved matters submission. Following negotiations, the Environment Agency is prepared to take a more flexible approach to the number and type of trees and shrubs they are prepared to allow within, and adjoining, the flood plain. The trees along the river bank would be retained and additional comprehensive planting is proposed for all parts of the site. The scheme includes planting, grassland, wildflower meadow and footpath arrangements for the Leamington bank of the river, to become public open space.

## **Assessment**

The issues to be addressed are the size and bulk of the proposals and their density and whether these aspects of the proposals would have a detrimental impact on the adjoining residents or on the settings of the adjoining listed buildings. The issues to be considered cannot include the traffic aspects of the scheme which were dealt with at outline stage.

The outline application, included illustrative details of how the scheme might look and although not formally approved, these drawings showed how the development *might* have proceeded. These details indicated about 300 dwellings and showed elevations of flats up to 5 storeys in height and a plan showed the likely disposition of storey heights. The details now submitted show some of the flats higher than originally envisaged, although the heights of many are as originally shown. The illustrative details showed brick elevations which the current proposals largely follow as opposed to the rejected earlier proposals, which showed rendered contemporary buildings. However, the total number of dwellings has increased, so the overall density is higher than envisaged at outline stage.

Compared to the rejected proposals of February, the amended scheme has lowered the building heights at the northern end of the site, used more traditional building materials, with pitched roofs and included a more comprehensive landscaping plan. Members will have to judge whether their concerns over the previous design have been satisfactorily overcome, but these changes will certainly result in a development more traditional in appearance which will reflect the character of the surrounding area.

Local residents are also concerned about the removal of a group of trees in Waterworks Lane. These trees are located in the position of a parking area for the new houses and their retention would necessitate a re-plan of that area which I do not consider is justified. Concern has also been expressed about distance separation both within the scheme and with respect to existing

houses in Greville Road. The long length of gardens in Greville Road means that distance separation standards are met in these cases, but within the development, in some cases, the distance separation standard is not met. This is not unusual in modern developments where increasing emphasis on more efficient use of land has led to higher densities where traditional standards are not always met.

There is also the issue of the impact of the development on the adjoining listed buildings, Portobello Bridge and Rock Mill. I consider that the scheme does respect the setting of these buildings.

Members will be aware of central government advice calling for higher density development, designed in a sensitive manner so as to create high quality mixed environment. I am of the view that the proposals respond acceptably to these requirements.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

### **RECOMMENDATION**

GRANT subject to the following conditions :

- 1 No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan.
- 2 The landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted. 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. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 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 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.

- 4 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings HED.587.019B/020A/021A,A4037/2.3/001D, /002D/003D/004D/005D/006D/007E/008C/009C/010E/011E/012D/013E/014E/015E/016C/017C/018C/019D020C/021C/022C/023C/028C/030B/031B/032B/033B/034B/035A/036A/037A/038/039A/040B/041A/042A/047A/048/050/051/052 and specification contained therein, submitted on 18 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.
  - 5 The layout of the estate roads serving the development including footways, cycleways, verges, footpaths, private drives and means of accessing individual plots shall not be designed other than in accordance with the principles and guidance as set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001'. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
  - 6 The construction of the estate roads serving the development including footways, cycleways, verges and footpaths shall not be other than 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 Prior to commencement of any works on the site the Applicant/Developer shall install a mechanical wheel wash adjacent to the site access for the purpose of ensuring that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Details of the wheel wash (including type, method of operation and control of use) shall be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
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