

Planning Committee: 11 October 2023

Observations received following the publication of the agenda.

Item 4 – W/22/1077 - Land to the east of Stratford Road, Longbridge, Warwick, CV34 6XU

Additional public representations:

1 additional representation received objecting on the grounds of traffic and pollution implications.

Additional condition request from WCC Highways

*"Prior to first occupation of the development, the developer shall complete a routing agreement with the Local Planning Authority (in conjunction with the Local Highway Authority), in order to prevent goods vehicles from the site using nearby residential areas or the weight limited Town Centre routes in Warwick. The agreement shall include for monitoring facilities such as ANPR to identify any vehicles not complying with the Routing Agreement. **Reason:** In the interests of highway safety and the free flow of traffic in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029".*

Item 5 – W/22/1228 – Surface Car Park, Talisman Square, Kenilworth, CV8 1JB

Clarification on WCC Highways consultation response:

On the basis that the financial contributions requested by the Highways Authority are not being secured on viability grounds, the Highway Authority's stance on the application is one of objection.

Officer comment:

In their consultation response the Highways Authority stated that by reducing the development's level of parking provision [below the SPD standards], the proposal would increase the number of pedestrian and cycling trips. The Highway Authority therefore considers that a request for financial contributions towards walking, cycling and public transport infrastructure as identified by the Kenilworth Infrastructure Delivery Plan is reasonable. A contribution towards sustainable travel welcome packs was also requested. Without such contributions the Highway Authority considers that the proposal does not accord with paragraphs 110 and 112 of the NPPF in that: -

(110a) appropriate opportunities to promote sustainable transport modes can be- or have been- taken up, given the type of development and its location, and; -

(112a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible- to facilitate access to high quality public transport.

Officers have accepted that the viability of the development is such that there is no surplus within the scheme to allow for planning contributions, including contributions towards sustainable travel infrastructure and initiatives.

Officers have also concluded that the proposed level of parking for the development is acceptable given the highly sustainable location of the site. In arriving at this conclusion, Officers have taken into account the fact that no specific highway safety concerns have been raised by the Highway Authority. Indeed, to justify a refusal on highway grounds there would need to be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would have to be severe, as set out at paragraph 111 of the NPPF.

As such, notwithstanding an objection from the Highway Authority, Officer's recommendation remains one of approval, subject to conditions.

Clarification on proposed parking adjacent to Waitrose store

The committee report discusses pedestrian accessibility for the 14 parking spaces that are proposed adjacent to the Waitrose store. In addition to access via Warwick Road, the report comments that pedestrian access is also achievable through the Waitrose car park at the back of Sexton House. This area is used as a service yard for the store and has pedestrian restrictions and so is not suitable as an alternative access route. Nevertheless, the route via Warwick Road is acceptable on its own.

Living conditions of future occupiers:

The committee report discusses the acoustic louvres that are proposed to the building's Station Road façade. The applicant had provided an overheating report to demonstrate that the proposed louvre system would adequately protect against noise whilst also preventing overheating without the need for any mechanical ventilation.

WDC Environmental Protection have now assessed the applicant's Overheating Assessment report and it is accepted that the proposed louvre system would allow the relevant assessment criteria for overheating to be achieved. No mechanical ventilation would therefore be required.

WDC Environmental Protection do however maintain a concern in relation to the standard of amenity provided for the ground floor flat (G1) because this unit would be reliant on closed windows to achieve acceptable internal noise levels. This is largely due to the fact that the ground floor flat has single aspect rooms on the northern façade whereas the upper floor flats have alternative windows on their rear/side facades. The ground floor unit would therefore be wholly reliant on the louvre system to provide ventilation if the occupiers choose to keep the windows closed for noise purposes.

Officers acknowledge that the ground floor flat would have a somewhat more constrained living environment because it is single aspect, however given that the louvre system provides an acceptable technical solution to mitigate the impact of noise and considering that this issue relates to a single unit out of 43, on balance officers consider that the overall standard of living conditions is acceptable. Consideration was given to adding some high-level windows to one of the side

elevations of the flats, however this was not pursued because the position of the windows would mean that the overall design of this elevation was compromised and the benefits for amenity would be very limited.

Additional public representations:

Since the publication of the committee report an additional 97 objections have been received, plus one representation in support.

The objections do not raise any new issues over and above the matters raised in the committee report.

One issue that was not directly addressed within the committee report which has been raised by objectors is the potential for the proposed building to create a wind tunnel effect. Wind tunnel effects are generally associated with clusters of tall buildings and with buildings that are of a much greater height than the proposal. It is therefore highly unlikely that the proposal would result in any significant wind tunnel effects. It is recognised that the development would mean the existing pedestrianised walkways within the Talisman Square precinct become much more enclosed, however, given the scale of proposed and existing development it is not considered that these areas would be significantly affected by wind issues, and to the extent that it would prejudice amenity or safety.

Several objectors refer to the flats as being student accommodation, however, to clarify, the proposal is for open market housing.

The representation submitted in support of the application comments that the investment in the town is welcomed, and the development would mean more people to spend money.

Item 10 – W/23/1220/LB: – Pump Rooms, Parade, Leamington Spa, CV32 4AA

Public Response

An additional 8 objections have been received since the publication of the agenda.

The objections do not raise any new issues over and above the matters raised in the committee report.