Planning Committee: 29 March 2016 **Item Number:** **8**

Application No: W/15/2130

Registration Date: 21/12/15
Town/Parish Council: Leamington Spa **Expiry Date:** 21/03/16
Case Officer: Jo Hogarth
01926 456534 jo.hogarth@warwickdc.gov.uk

Warwickshire College, Warwick New Road, Leamington Spa, CV32 5JE
Erection of 3 storey student halls of residence comprising of 98no. bedrooms divided into 12no. cluster flats, warden's accommodation and a shared laundry facility. Formation of new car park. FOR Warwickshire College & Deeley Properties (joint name)

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission for this development, subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

The proposal seeks to construct a three storey student halls of residence comprising of 98 bedrooms with ensuite facilities, kitchen and dining facilities, communal laundry as well as a warden's flat on the ground floor. The bedrooms are divided into 12 cluster flats with each block being accessed via a communal staircase with a disabled platform lift within each core. The building is to be sited on an existing car park in the north-east corner of the site and measures 68 metres in length with an overall height of 11 metres. There is a two storey element at the centre of the building which measures 5.8 metres in height. A new bin store is to be provided adjacent to the existing one which was approved as part of the 2007 application. Additional cycle racks are also to be provided. The proposed development is sited on an existing car parking area and 60 spaces will be lost as a result. However, to offset this, it is proposed to provide 80 new spaces on a landscaped area of the campus to the west of the existing access road leading into the site.

THE SITE AND ITS LOCATION

The application site relates to an established student college campus with existing halls of residence on site. The site is located adjacent to the Royal Leamington Spa Conservation Area and is accessed of Warwick New Road. There are also existing car parking areas within the confines of the site.

PLANNING HISTORY

There have been several applications submitted for this site. The most relevant is the 94 bed halls of residence which was granted planning permission in 2007 (ref: W/07/1673). This development included 34 parking spaces and warden's accommodation. The development was completed in 2009.

RELEVANT POLICIES

- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (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)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- H6 - Houses in Multiple Occupation and Student Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Distance Separation (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

Tree Officer: The trees have significant amenity value (a mixed species, uneven aged shelter belt). They are very visible from both within the site and more importantly the public highway. No objection to the proposed development with regard to the impact on any significant trees as the Arboricultural Consultant has

produced a well-argued and clear report with appropriate tree protection measures which should be adopted and implemented for the duration of the development.

WDC Environmental Health: No objection.

WCC Highways: No objection.

WCC Ecology: No objection, subject to conditions on protection of trees, bird boxes and timetable of works together with notes on bats, hedgehogs, amphibians and lighting.

Warwickshire Police: No objection. Recommend 'Secured by Design building principles.

Contract Services (refuse): No objection

Public Response: 9 letters of objection have been received on the following grounds: The development will result in additional parking pressure and congestion; noise nuisance late at night and building works take place at all times and the removal of the grassed area will increase this as it currently acts as a buffer.

ASSESSMENT

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

- The principle of development
- The impact on neighbours
- The impact on the streetscene
- Whether the proposal will provide adequate living conditions for future occupiers of the development
- Highway safety and car parking
- Renewable energy/ CO^2
- Public open space
- Ecology / impact on trees
- Health and Wellbeing

The principle of the development

Policy H6 'Houses in Multiple Occupation and Student Accommodation' in the emerging Local Plan sets out the circumstances in which this type of development will be acceptable, including where it would result in no more than a 10% concentration of such accommodation within a 100m radius. However, the policy specifically lists the campus of Warwickshire College as an exception to these requirements. The proposed development is therefore considered to be acceptable in principle.

The impact on neighbours

The new accommodation block is to be sited in excess of 120 metres from the boundary with properties in Copps Road and 60 metres from the villas in

Warwick New Road. The objection to the loss of the green space area which is considered to provide some buffer from noise from the college is noted, however, the proposal includes the provision of some new planting and landscaping which could be suitably conditioned. Furthermore, the existing trees along Warwick New Road would act as a buffer to properties across the road which is considered to be adequate, particularly given the distance involved. The objections received in relation to building works taking place early in the morning and at weekends are noted and Environmental Health are aware of this and are in discussions with the college. With regards to an increase in parking pressure, the site is within walking distance of the town centre and the loss of the existing car park is compensated by the provision of a new parking area within the site. Furthermore, this section of Warwick New Road has double yellow lines and so parking is restricted in any case. It is considered that a refusal on parking grounds or noise in relation to building works could not be sustained and therefore the proposal is considered to meet the objectives of Policy DP2 in the Local Plan.

The impact on the streetscene

It is recognised that there would be views into the site from Warwick New Road, however, this boundary is well screened through mature trees and vegetation. The siting of the new accommodation block would run parallel with Warwick New Road and would sit adjacent to the existing accommodation block. The building site levels are lower than the footpath which adjoins Warwick New Road which would assist in ensuring a more subservient form of development. The design would replicate that which is currently on site and in terms of impact on the character and visual appearance of the streetscene and adjacent Conservation Area from which there would be views, the proposal would not appear out of character and would not result in material harm. The materials proposed comprise of a modern palette and incorporate a pale render finish with an accented render at high level with an exposed brickwork base. These would reflect the halls which are already on site which too have render, weatherboarding and aluminium windows. These materials are considered to be acceptable in this location and would complement the modern buildings which are on site. The proposal is considered to be acceptable in the streetscene and would meet Policy DP1 of the Local Plan.

The impact on the occupiers of the development

The windows on the proposed building which are located closest to the existing accommodation block have been designed to incorporate angled privacy screens in order to direct views away from the existing accommodation to ensure adequate levels of outlook and privacy are maintained. The remainder of the windows on the new block, due to the distance and angled relationship between the proposed development and the existing accommodation block, are considered acceptable and would achieve a distance separation of 27 metres, in accordance with the Council's Distance Separation SPG. The proposal is therefore considered to accord with Policy DP2.

Highway safety and car parking

The Highway Authority have raised no objection to the proposal in relation to access as the new development would utilise the existing access onto Warwick New Road. With regards to the loss of part of the existing car park to accommodate the new building, the 60 existing spaces are to be transferred to an existing landscaped area within the site, with an additional 20 spaces provided for the proposed accommodation on the basis of one space for every five rooms which is consistent with the approach taken with managed student halls of residence. The proposal is therefore considered to accord with Policy DP8 of the Local Plan.

Renewable Energy

As part of the application, details of a fabric first approach to the building methods have been submitted and it has been demonstrated that there would be at least a 10% reduction in CO^2 over and above current Building Regulations. The proposal is therefore considered to meet the objectives of Policy DP13 of the Local Plan and the associated Supplementary Planning Document. This can be secured by condition.

Public open space

No public open space is provided as part of the proposals. It is therefore considered appropriate in this instance to attach a condition requiring financial contributions towards the enhancement of existing public open space in accordance with Policy SC13 and the associated Supplementary Planning Document on Open Space.

Ecological impact and trees

The Arboricultural Report submitted with the application has been appraised by the Council's Arboricultural Consultant and it is considered that the protection measures detailed are acceptable. With regards to ecology, subject to conditions and notes, the proposal would not result in unacceptable harm to protected species or result in adverse damage to the trees. The proposal is therefore considered to accord with Policy DP3.

Health and Wellbeing

The proposal would give rise to health and wellbeing benefits as it would increase the flexibility for students who wish to live on the campus.

Other matters

The applicant has confirmed in their Design and Access Statement that the development will achieve 'Secure By Design' principles as recommended by Warwickshire Police.

Sustainable drainage systems are proposed which would incorporate the enlargement of an existing underground attenuation tank together with a new

underground attenuation tank to accommodate surface run-off from the car park.

SUMMARY/CONCLUSION

The application is considered to be acceptable and would accord 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 numbers 3281-102 Rev A, 3281-103 Rev A and 3281-100 Rev B and specification contained therein, submitted on 11 March 2016. **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 part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **REASON:** To protect trees and other features on site during construction and to meet the objectives of Policy DAP3 in the Warwick District Local Plan 1996-2011.

4 No part of the development hereby permitted shall be commenced until a scheme for the provision of bat and bird boxes to be erected on trees/buildings within the site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **REASON:** In accordance with NPPF, ODPM Circular 2005/06 and to meet the objectives of Policy DAP3 in the Warwick District Local Plan 1996-2011.

5 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance

with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

6 No development shall commence on site until details of a landscaping scheme have been submitted and approved in writing by the Local Planning Authority. 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 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 first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturer's specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

8 The development hereby permitted shall either:
a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.
b.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation/trees/shrubs to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by ecologist. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. **REASON:** To ensure that protected species are not harmed by the development and to meet the objectives of Policy DAP3

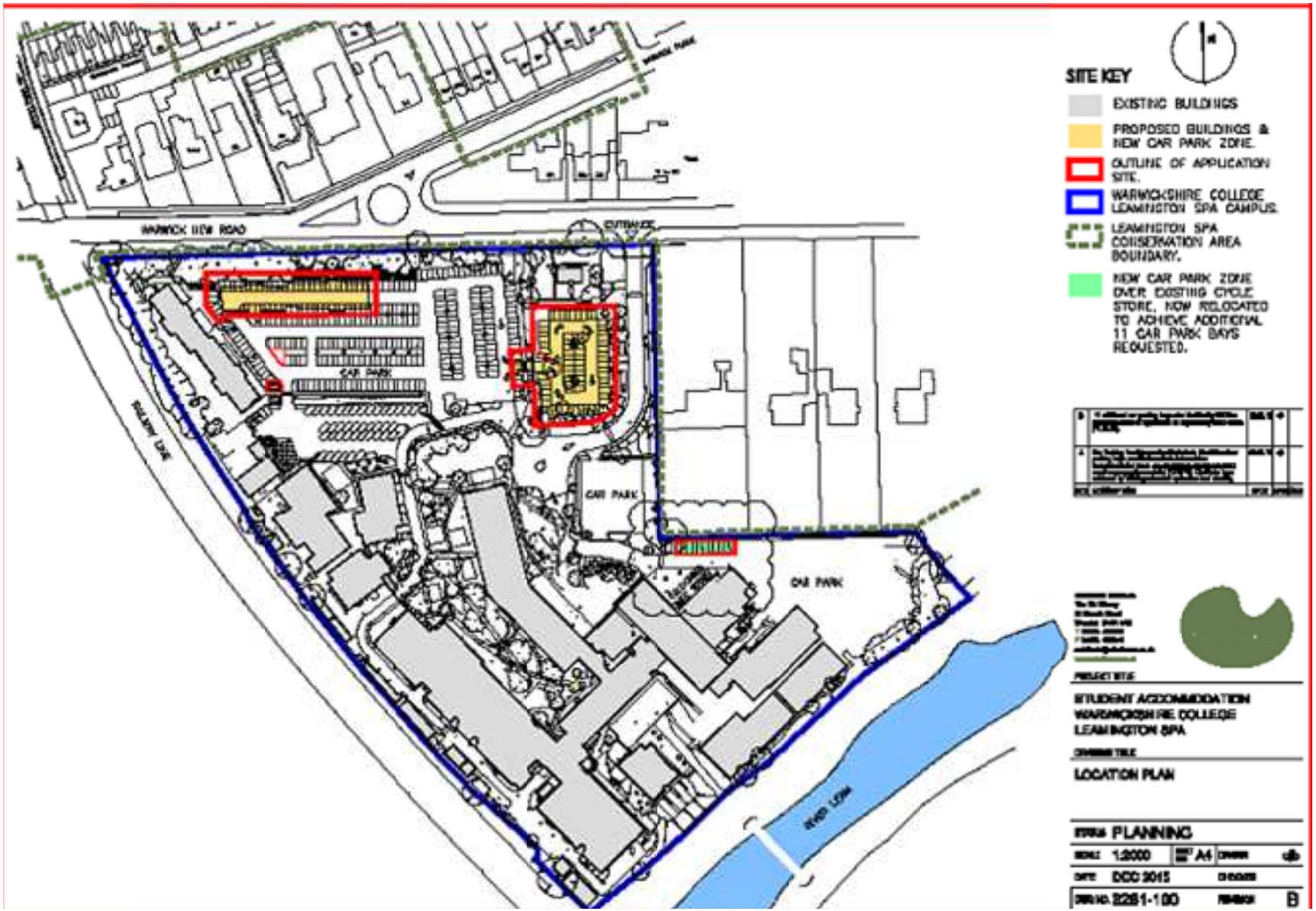
in the Warwick District Local Plan 1996-2011.

9 The development hereby permitted 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. **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.

10 The cycle provision shown on the approved plans shall be completed before the development hereby permitted is first occupied and thereafter, kept free of obstruction and available for the parking of cycles associated with the development. **REASON**: To ensure that there is adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.

11 No external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON:** To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

12 The bin stores shown on the approved plans shall be completed before the development hereby permitted is first occupied and thereafter, kept free of obstruction and available for refuse associated with the development. **REASON**: To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.


SITE KEY
EXISTING BUILDINGS
PROPOSED BUILDINGS & NEW CAR PARK ZONE.
OUTLINE OF APPLICATION SITE.
WARWICKSHIRE COLLEGE LEAMINGTON SPA CAMPUS.
LEAMINGTON SPA CONSERVATION AREA BOUNDARY.
NEW CAR PARK ZONE OVER EXISTING CYCLE STORE, NOW RELOCATED TO ACHIEVE ADDITIONAL 11 CAR PARK BAYS REQUESTED.
WARWICK NEW ROAD
CAR PARK
CAR PARK
CAR PARK
RIVER LEAM
STUDENT ACCOMMODATION
WARWICKSHIRE COLLEGE
LEAMINGTON SPA
LOCATION PLAN
PLANNING
1:2000
A4
DEC 2015
2261-100
B

BLOCK 3
BLOCK 4
Rear Elevation (NORTH)
BLOCK 4
BLOCK 3
Front Elevation (SOUTH)
Privacy Window Illustration n/a
NEW EXTERNAL CLADDING MATERIALS KEY
STUDENT ACCOMMODATION
WARWICKSHIRE COLLEGE
LEAMINGTON SPA
NEW ACCOMMODATION AND CAR PARK PROVISION
ELEVATIONS
PLANNING
3281-100
A

Flat 5
Flat 6
Flat 11
Flat 12
SECOND FLOOR PLAN
SECOND FLOOR PLAN
Flat 3
Flat 4
Flat 9
Flat 10
FIRST FLOOR PLAN
FIRST FLOOR PLAN
Flat 1
Flat 2
Flat 7
Flat 8
BLOCK 4
GROUND FLOOR PLAN
BLOCK 3
GROUND FLOOR PLAN
N
STUDENT ACCOMMODATION
WARWICKSHIRE COLLEGE
LEAMINGTON SPA
NEW ACCOMMODATION AND
REVISED CAR PARK PROVISION
GA FLOOR PLANS
PLANNING
DEC 2015
3251-102
A