Planning Committee: 27 May 2015 **Item Number:** **8**

Application No: W 15 / 0354

Registration Date: 06/03/15
Town/Parish Council: Warwick **Expiry Date:** 05/06/15
Case Officer: Rob Young
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Site 4200/4300 Poseidon Way Trident Park Warwick CV34 6SW
Erection of a bus depot to include a workshop, chassis wash, bus wash / fuelling lane, offices, stores and ancillary accommodation with associated landscaping and parking. FOR A.C. Lloyd (Holdings) Ltd

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

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the erection of a bus depot to include a workshop, chassis wash, bus wash / fuelling lane, offices, stores and ancillary accommodation with associated landscaping and parking. The depot is intended to be used by Stagecoach and would replace their existing depot on Station Approach, allowing that site and the wider "Station Area" to be redeveloped. The relocation of the bus depot is key to achieving the Council's aspirations for a comprehensive redevelopment of that area.

The following amendments have been made to the application:

- boundary fence reduced from 3m to 2.4m in height; and
- further information has been submitted in relation to ecology, noise and air quality.

THE SITE AND ITS LOCATION

The application relates to a vacant plot of land on Trident Park, a business park situated to the north of Heathcote Lane and west of Tachbrook Road. The site is situated on the northern side of Poseidon Way. Commercial premises adjoin the site to the west and north. Further commercial premises are under construction on the adjoining site to the east. A building for Warwickshire College is under construction on the opposite side of Poseidon Way. The nearest dwellings are situated 100m to the south on the opposite side of Heathcote Lane and 160m to the east on the opposite side of Tachbrook Road.

PLANNING HISTORY

In 1993 outline planning permission was granted for "Commercial and industrial development including office and hi-tech use at corner Heathcote Lane/Tachbrook Road" (Ref. W88/0124).

In 1996 planning permission was granted for "Erection of two warehouses with ancillary offices, parking, service areas and access road" (Ref. W96/0193). This included the current application site and adjacent land to the east and south, which have subsequently been developed to provide the public house and college premises (to the south) and the B1, B2, B8 development (to the east).

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- 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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- EC3 - Protecting Employment Land and Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- 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)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Town Council: Object. The high number of large vehicles exiting and egressing the site from Poseiden Way to Heathcote Lane will be the source of traffic congestion within the industrial estate and at the Heathcote Lane cross roads. Recommend a site visit.

Public Response: Two objections have been received. One objector is concerned about the height of the boundary fence and its position hard up against the pavement, outside the landscaping. The other objector is concerned that the use of the main access road for the Trident Park development will make this area very unsafe. They suggest that a better place to access the bus depot would be directly from Poseidon Way where the existing access is located.

Environment Agency: Provide generic best practice advice.

WCC Highways: No objection, subject to conditions.

WCC Fire & Rescue: No objection, subject to a condition.

WCC Ecology: Recommend conditions in relation to biodiversity offsetting and protected species as well as an informative note.

WDC Community Protection: No objection, subject to a condition.

WDC Environmental Health: Accept the findings of the land contamination report. Require mitigation for air quality impacts. Request further information in relation to noise. Recommend various conditions.

ASSESSMENT

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

- the principle of development;
- impact on the living conditions of nearby dwellings;
- impact on the character and appearance of the area;

- car parking and highway safety; and
- ecology.

The principle of development

The application relates to a vacant plot on an established business park. Outline planning permission was granted for employment development in 1993 (Ref. W88/0124), with reserved matters approval given for warehousing in 1996 (Ref. W96/0193). There has been no change in policy or circumstances since then to indicate that an employment development would not now be appropriate.

Whilst a bus depot is not strictly an "employment use" under the Local Plan definition (i.e. B1, B2 or B8 uses), it is very similar in character to a B2 or B8 use. Furthermore, the nature of the use is such that the most suitable sites are going to be within employment areas. The site is situated within an established employment area and therefore the proposals would be in accordance with the principles of Local Plan Policy UAP2.

It is worth reiterating here that the proposals would provide for the relocation of Stagecoach from their existing site on Station Approach which is key to the Council's aspirations for the redevelopment of the Station Area. Therefore, the development of this site to provide a bus depot is considered to be acceptable in principle. Indeed, the development is considered to generate significant benefits associated with the redevelopment of the existing Stagecoach site.

Impact on the living conditions of nearby dwellings

The application site is situated well away from the nearest residential properties (100m from the nearest dwellings on the opposite side of Heathcote Lane and 160m from the nearest dwellings on the opposite side of Tachbrook Road). The site is also separated from those dwellings by the existing commercial and institutional premises on adjacent sites.

The main potential impact on those dwellings is noise. Environmental Health have requested further information to supplement the noise report that was submitted with the application. This is awaited from the applicant and an update on this issue will be included in the addendum report to Committee. On this issue it is important to bear in mind that the proposed depot is further away from dwellings than the existing depot on Station Approach.

The proposals would have an acceptable relationship with other surrounding uses, including the adjacent public house and nearby employment uses.

Impact on the character and appearance of the area

The surrounding area contains a range of commercial development, much of which is industrial in character. The design and form of the proposed buildings are considered to be appropriate for this context, as is the visual impact of the parked buses.

The proposed fence along the Poseidon Way frontage would be a departure from the style of front boundary treatments on other sites in the locality. Other sites

have open landscaped frontages with low fences set back from the road. In contrast, the fence proposed for the application site would be situated on the back of the pavement. Whilst the height of the fence has now been reduced from 3m down to 2.4m, it would still be higher than other front boundary fences in Poseidon Way. However, the applicant has advised that this height of fence is necessary to provide the level of security that they require. This is due to the fact that high value buses and fuel will be stored on the site. The applicant also argues that the fence is comparable to the boundary treatment that they have at their current depot.

These considerations are unique to these proposals for a bus depot and are unlikely to be repeated for other developments in the locality. Furthermore, the weldmesh design of the fence would limit its visual impact, as would the fact that it would be green.

In terms of the location of the fence, the applicant has advised that it cannot be repositioned behind the landscaping because then it would be hard up against the vehicle manoeuvring area. In that position it would be liable to be struck by vehicles moving around the site.

All things considered, it is concluded that the proposed fence would not cause such harm to the character and appearance of the area as to outweigh the benefits associated with relocating the existing Stagecoach depot.

Car parking and highway safety

The Town Council and a neighbouring commercial occupier have raised concerns about traffic congestion and about the proposed access arrangements. However, there has been no objection from the Highway Authority. Therefore, the proposals are considered to be acceptable from a highway safety / traffic impact point of view.

With regard to car parking, this is a unique use and therefore it does not fit within any of the categories in the Council's Parking Standards. The applicant considers that the bus and car parking provision is sufficient for their unique operational requirements and there is no reason to consider otherwise. The proposals include cycle parking provision.

Ecology

The applicant has submitted a Landscape and Ecological Management Plan which details ecological enhancements on land at the end of Poseidon Way to compensate for the loss of biodiversity from the application site. Given the uncertainties about whether this has been agreed by the neighbours, WCC Ecology have suggested a condition that will allow for alternative solutions to this issue. WCC Ecology have also recommended further conditions to protect nesting birds and other protected species. Subject to these conditions, it is considered that the proposals would have an acceptable ecological impact.

Health and well-being

The proposals would generate health and well-being benefits in terms of assisting with the provision of public transport within the District.

Other matters

Environmental Health have referred to mitigation measures that will be required to address the impact of the development on air quality. On this issue it is important to bear in mind that the proposals are for the relocation of an existing bus depot. Therefore it is unlikely that the proposals would cause an overall increase in adverse air quality impacts. It would therefore be appropriate for the air quality mitigation measures sought by Environmental Health to be secured by condition.

Environmental Health have accepted the findings of the land contamination report that was submitted with the application. Therefore the site is considered to be suitable for the proposed use from a contamination land point of view.

The application was accompanied by an Energy Statement which proposes energy efficiency measures to achieve a 10% reduction in energy use. This meets the requirements of Local Plan Policy DP13 and a condition is recommended to secure the implementation of these measures.

CONCLUSION / SUMMARY

This employment area is an appropriate location for a bus depot. The proposals will have an acceptable impact on the living conditions of nearby dwellings and on the character and appearance of the area. The proposals are also considered to be acceptable in terms of car parking and highway safety. Furthermore the proposals would have an acceptable ecological impact and suitable conditions will address any other issues. Therefore it is recommended that planning permission is granted.

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) 2183/4H, 2183/5G, 2183/6G, 2183/7F, 2183/8D, 2183/9H, 2183/10B, 2183/11B, 2183/13D, 2183/14D & 6516-100 Rev P0, and specification contained therein, submitted on 6 March 2015 & 1 May 2015. **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 The development shall be carried out only in full accordance with sample details of all facing and roofing materials which shall have been

submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

4 The development hereby permitted shall not commence until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

5 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 Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **REASON:** In the interests of fire safety.

6 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. 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.

7 No development shall commence unless and until a CCTV condition

survey of the existing culverted watercourse through the site has been submitted to and approved in writing by the local planning authority. Within 1 month of the first occupation of the development a further CCTV condition survey of the culverted watercourse together with details of any repair works, if necessary, shall be submitted to and approved in writing by the local planning authority. Any repair works shall be completed in strict accordance with the approved details within 6 months of the first occupation of the development. **REASON :** To safeguard against damage to the existing watercourse culvert, in accordance with Policy DP11 of the Warwick District Local Plan.

8 Prior to the commencement of development a scheme for the offsetting of biodiversity impacts at the site shall be submitted to the Local Planning Authority. The offsetting scheme shall include:

1. The identification of receptor site(s);
2. Details of the offset requirements of the development in accordance with the recognised offsetting metrics standard;
3. The provision of contractual terms to secure the delivery of the offsetting measures; and
4. A management and monitoring plan (to include for the provision and maintenance of such offsetting measures for not less than 25 years from the date of this permission).

The development shall not commence until the Local Planning Authority has approved the scheme in writing. The applicant shall secure and implement such offsetting measures in accordance with the requirements of the approved scheme.

REASON: To ensure no net loss of biodiversity in accordance with NPPF paragraph 118, principles and guidance documents.

9 The development hereby permitted shall either:

a) be timetabled and carried out to avoid the bird nesting season (March to September inclusive); or

b) not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds (immediately prior to works commencing). If evidence of nesting birds is found works shall not proceed within 20m of the nesting site until outside of the bird nesting season (March to September inclusive).

REASON: To prevent possible disturbance to nesting birds, in accordance with Policy DP3 of the Warwick District Local Plan.

10 All ground clearance works shall be supervised by a qualified ecologist. **REASON:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

11 The development hereby permitted shall not be first occupied unless and until the renewable energy / energy efficiency 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 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.

12 Best practical means shall be employed at all times to control noise and dust during construction works. There shall be no demolition or construction works likely to give rise to noise nuisance before 0730 hours or after 1700 hours on Monday to Friday nor before 0730 hours or after 1300 hours on Saturdays nor at any time on Sundays, or Bank Holidays. **REASON:** To protect the living conditions of nearby residents, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

13 Delivery vehicles shall not be permitted to arrive on site before 0900 hours or after 1600 hours on Monday to Friday nor before 0800 hours or after 1300 hours on Saturday and not at any time on Sundays or Bank Holidays. **REASON:** In the interests of highway safety and to protect the living conditions of nearby residents, in accordance with Policies DP2, DP6 & DP9 of the Warwick District Local Plan 1996-2011.

14 Noise arising from any plant or equipment, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

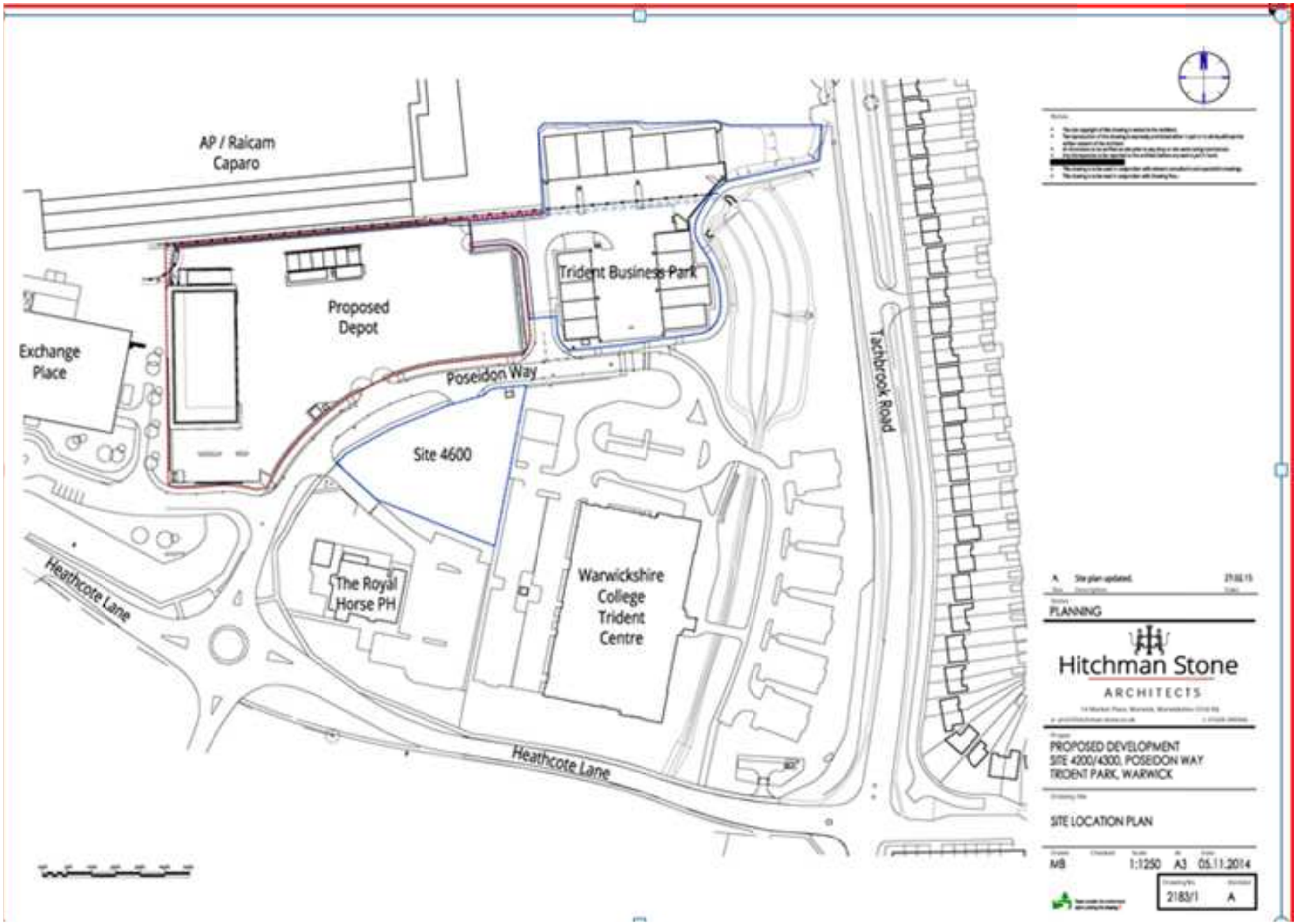
15 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. The remediation scheme must thereafter be completed in full. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing of the local planning authority. **REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are

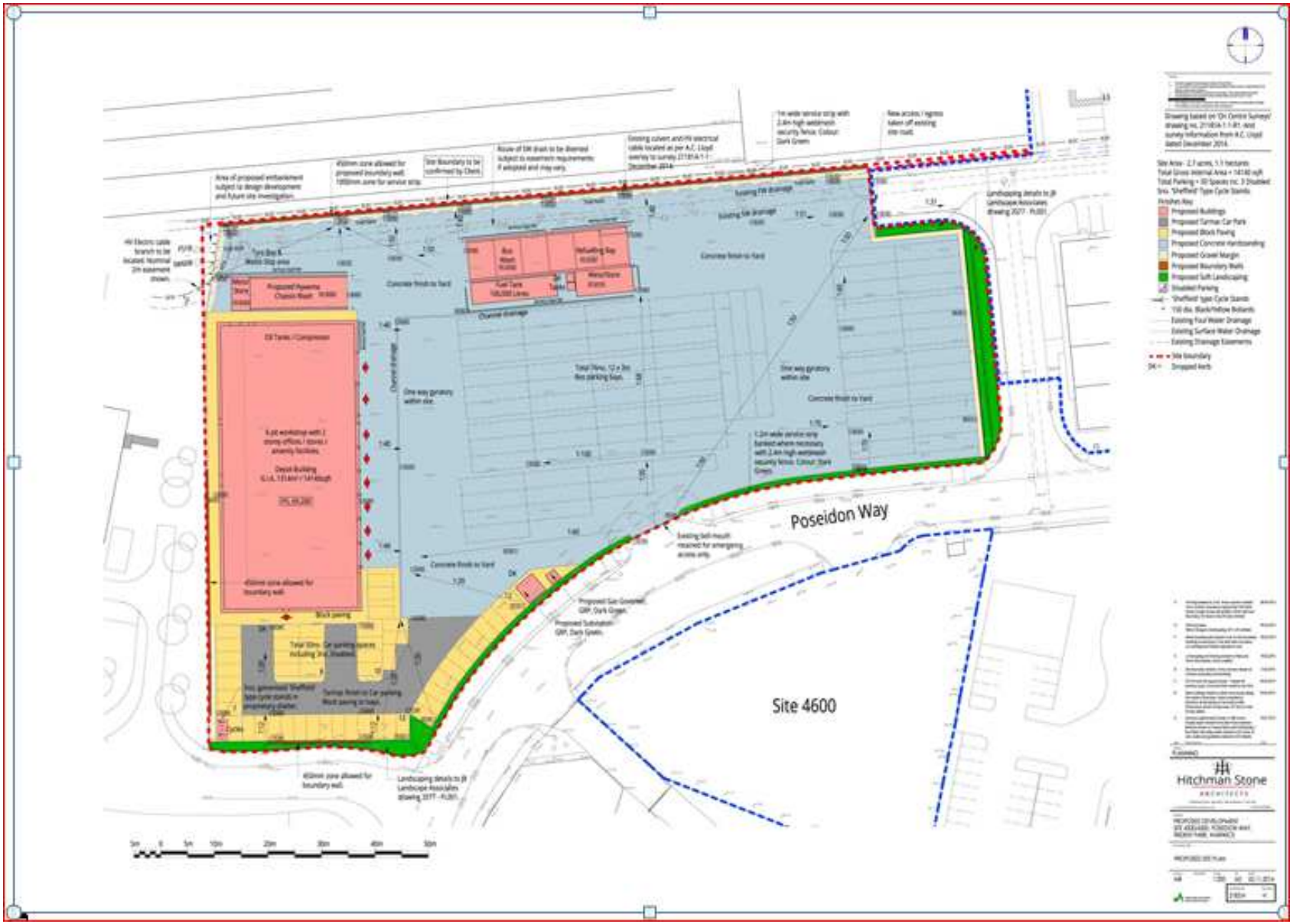
minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011.

16 The development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in strict accordance with the approved details and shall remain in force at all times thereafter. **REASON**: To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.

17 No part of the development shall be occupied unless and until the bus parking, car parking, cycle 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 that a satisfactory provision of 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.

18 The development hereby permitted shall not be occupied until gates have been installed across the access to Poseidon Way in accordance with drawing nos. 2183/4 Rev H and 2183/14 Rev D. The gates shall be retained at all times thereafter and this access shall only be used as an emergency access. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.


AP / Raicam
Caparo
Proposed
Depot
Trident Business Park
Exchange
Place
Poseidon Way
Tachbrook Road
Site 4600
Heathcote Lane
The Royal
Horse PH
Warwickshire
College
Trident
Centre
Heathcote Lane
A Site plan updated 21.02.15
PLANNING
Hitchman Stone
ARCHITECTS
PROPOSED DEVELOPMENT
SITE 4200/4300, POSEIDON WAY
TRIDENT PARK, WARWICK
SITE LOCATION PLAN
MB 1:1250 A3 05.11.2014
2183/1 A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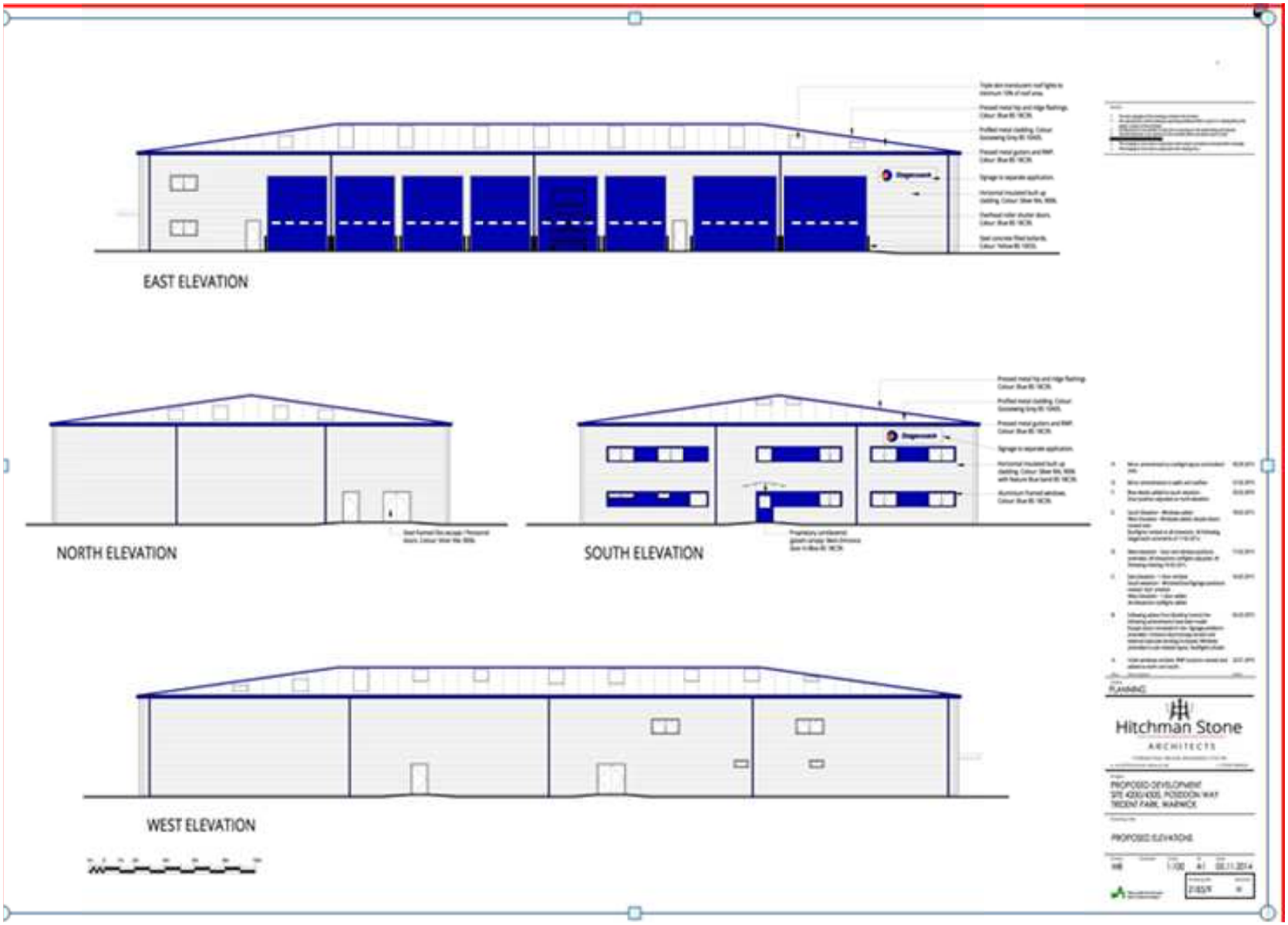
EAST ELEVATION
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PLANNING
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