

Planning Committee

Minutes of the meeting held on Tuesday 15 August 2023 at the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Boad (Chairman); Councillors R Dickson, Day, Dray, B Gifford, Luckhurst, Margrave, Phillips, Sullivan, and Williams.

Also Present: Committee Services Officer – Sophie Vale; Legal Advisor – Sue Mullins; Principal Planning Officer – Lucy Hammond; Planning Officer – Jack Lynch; and Development Manager – Gary Fisher.

39. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillors Cron and Tangri; and
- (b) Councillor Day substituted for Councillor Noonan.

40. **Declarations of Interest**

Minute Number 43 – W/23/0150 – Land North of A46, Sherbourne Hill, Sherbourne

Councillor Phillips declared an interest because he was part of Barford Sherbourne & Wasperton Joint Parish Council, and it had raised an objection to this application. However, he was not involved in that objection so was not predetermined.

Minute Number 44 – W/23/0195 - Land at Gibbet Hill Road and Westwood Heath Road, Coventry

Councillor Phillips declared an interest because he was an alumnus of Warwick University and Warwick Business School.

Councillor Day declared an interest because, whilst Leader of the Council he had attended tours of the university campus and engaged in discussions with the Vice Chancellor of Warwick University about its Forward Development plans. However, he had an open mind and did not consider himself to be predetermined in any way.

Councillor Williams declared an interest because he was an independent member of the Warwick Manufacturing Advisory Group, which was part of Warwick University, but he had no involvement in this application.

41. **Site Visits**

Councillor R Dickson made independent site visits to W/23/0150 – Land North of A46, Sherbourne Hill, Sherbourne and W/23/0195 – Land at Gibbet Hill Road and Westwood Heath Road, Coventry and did not speak to anyone.

PLANNING COMMITTEE MINUTES (Continued)

42. W/23/0740 - 4b Fieldgate Lane, Kenilworth

This application was withdrawn from the agenda.

43. W/23/0150 - Land North of A46, Sherbourne Hill, Sherbourne

The Committee considered an application from NS Solar 03 for the installation of a solar farm consisting of bi-facial ground mounted solar photovoltaic (PV) panels, new access tracks, battery storage, underground cabling, perimeter fencing with CCTV cameras and access gates, two temporary construction compounds, substation and all ancillary grid infrastructure and associated works.

The application was presented to Committee because of the number of objections received including objections from Barford, Sherbourne & Wasperton Joint Parish Council and Budbrooke Parish Council.

The officer was of the opinion that the principle of development was considered acceptable having regard to the provisions of Policy CC2 of the Local Plan, together with the relevant provisions of the NPPF and other Government publications surrounding the need to promote renewable energy proposals. Conversely, the proposed development constituted inappropriate development in the Green Belt having regard to Section 13 of the NPPF and the demonstration by the applicant of very special circumstances was therefore necessary to justify the development.

The Green Belt assessment in this particular case was made in light of the purposes of including land within the Green Belt, the impacts of the proposals on each of those purposes and the extent to which the development was considered to harm the openness of the Green Belt in both spatial and visual terms. It was considered there would be some conflict with one of the five purposes which sought to safeguard the countryside against encroachment. There would be some impact on openness in spatial terms by reason of developing areas of agricultural fields which were currently undeveloped, although the impact on openness in visual terms was considered to be neutral. Overall, the impact to the Green Belt caused by reason of inappropriateness, together with the impact on openness in spatial terms had to be afforded substantial weight.

Acknowledging this harm, an assessment had then been made of all other impacts likely to arise from the development in the context of relevant material planning considerations. The impacts on both the landscape character and the associated visual impacts were broadly considered to be not significant having regard to the landform, landscape character appraisals and proposed mitigation measures. With no objection from the Landscape Officer and subject to appropriate conditions as recommended, there was considered to be no harm sufficient to justify a refusal of permission in this regard.

There would be significant benefits to biodiversity as well as other economic and environmental benefits, which both attracted substantial weight in favour of the proposal. Other potential benefits included improved soil health and the diversification of a farming business, which attracted limited weight in favour of the scheme.

PLANNING COMMITTEE MINUTES (Continued)

Of the other matters identified, including heritage assets, archaeology, highway safety, amenity, drainage, and air quality impacts, these either resulted in no material harm or raised technical matters that could be adequately addressed through the imposition of appropriate conditions. As such, they neither weighed for nor against the proposal.

The benefits of renewable energy raised substantial benefits in favour of the proposal. The development would provide power for around 7,560 average homes, resulting in a saving of approximately 13,117 tonnes of CO2 annually. The benefits associated with renewable energy generation were recognised at the national and local level and the planning system had an important role in facilitating the delivery of renewable technologies to help tackle climate change.

The policy support for renewable energy and associated development given in the NPPF was caveated by the need for the impacts to be acceptable, or capable of being made so. The Local Plan also recognised that the need for green energy did not automatically override environmental protections.

The main issue was whether the benefits of the development, particularly those arising from the provision of renewable energy, were sufficient to clearly outweigh the harm to the Green Belt and any other harm. If so, this would constitute very special circumstances to justify the proposed development.

Officers concluded, in this particular case, that the provision of renewable energy did clearly outweigh the harm to the Green Belt by reason of inappropriateness, the harm to the spatial qualities of the Green Belt in this location and the degree of conflict found with one of the five purposes of including land within Green Belt (encroachment). In reaching this view, Officers had regard to the complete absence of any other demonstrable harm having been identified, in particular with regard to the comprehensive assessment undertaken on the landscape, both in character and visual terms, where any negligible impacts could be easily and satisfactorily mitigated through the proposed landscape mitigation measures.

The harm caused by reason of inappropriateness was not considered, on its own, to equate to an automatic recommendation of refusal and should be carefully balanced against all the other benefits identified that would result from this particular development proposal. This needed to be further balanced against the submission of very special circumstances as presented by the applicant as well as considering any other harm that might result from the proposal and the extent to which such harm carried weight in the decision-making process. The recommendation put forward in this case, should by no means be construed as setting a precedent for any future application which might propose a development similar in scale and nature.

Taking all of the above into account it was Officers' view that the development should be recommended for approval subject to the conditions listed in the report.

PLANNING COMMITTEE MINUTES (Continued)

An addendum circulated at the meeting advised of updates to conditions, additional information received from the applicant, final consultation responses received, and additional third-party representations received.

Councillor Matecki, District Councillor, addressed the Committee, speaking in objection to the application.

In response to questions from Members, the Principal Planning Officer stated that there was no overall strategy for solar farms in the District and that the Local Plan did not include allocated sites for such developments. Every application had to be considered on its own merit, despite similarities with a previous solar farm site application in Honiley. In light of this, Members requested that an internal note be added to encourage the creation of a policy framework regarding solar farm developments as a guide for the consideration of future applications.

This application was technically inappropriate development of Green Belt land, and the applicant would need to provide a submission of very special circumstances to warrant development on such land. However, with no objection from the Landscape Officer and subject to the recommended conditions, officers believed there to be no harm sufficient to justify a refusal of planning permission in this case.

Members questioned the suitability of this particular site and were concerned about potential violation of the Local Plan, of which Green Belt preservation was an important part. It was considered that this application would result in harm to the character of Sherbourne village, and its surrounding natural landscape. The Principal Planning Officer and the Council's Legal Advisor both stated that an Agricultural Land Classification Sequential Analysis had been undertaken to determine acceptability of other potential sites. It was concluded that there were no suitable alternative sites which met the criteria of the analysis. In Officers' view, this lack of alternatives presented a compelling reason constituting very special circumstances to allow such development on Green Belt land.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Day and seconded by Councillor Phillips that the application be refused on the grounds that the application did not meet suitability requirements for very special circumstances and would have a harmful impact on both Sherbourne village and the surrounding conservation area. When put to a vote, this motion was defeated.

It was then proposed by Councillor Dickson and seconded by Councillor Williams that the application should be granted, subject to the inclusion of an internal note regarding the development of a policy framework to inform future similar applications.

The Committee therefore

Resolved that W/23/0150 be **granted**, subject to:

1. an internal note to the Portfolio Holder for Place requesting that they recognise the importance of

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developing a policy framework in the Local Plan regarding solar farms so that future applications (especially those within the Green Belt) can be dealt with in a structured way; and

2. the following conditions:

- | No. | Conditions |
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| (1) | <p>the development hereby permitted shall begin not later than three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);</p> |
| (2) | <p>the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and the following approved drawings:</p> <p>SF-GM101 Rev.A; SF-GM102 Rev.A; SF-GM103 Rev.A; SF-GM104 Rev.A; SF-GM105 Rev.A; SF-GM106 Rev.A; SF-GM108 Rev.A; SF-GM200 Rev.E; SF-GM210 Rev.E; SF-GM220 Rev.D; SF-GM230 Rev.D; SF-GM240 Rev.D; SF-GM250 Rev.D; SF-GM260 Rev.D and SF-GM270 Rev.D and specification contained therein, submitted on 03 February 2023;</p> <p>SF-GM100 Rev.L and specification contained therein, submitted on 23 June 2023;</p> <p>P23-0027_EN_06 (Sheet 1) Rev.A and P23-0027_EN_06 (Sheet 2) Rev.A and specification contained therein, submitted on 18 July 2023;</p> <p>SF-GM010 Rev.H; SF-GM011 Rev.B and SF-GM107 Rev.B and specification contained therein, submitted on 02 August 2023.</p> <p>Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (3) | <p>upon commencement of development, the developer shall submit a Notice of Commencement to the Local Planning Authority, stating the date on which construction/ installation work began. That Notice may be served in advance or</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Conditions |
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| | <p>retrospectively, but no later than one month from the date of commencement.</p> <p>Within one month of First Commercial Export of electricity from the site, the developer shall submit to the Local Planning Authority a Notice of First Export, stating the date on which the First Commercial Export of electricity commenced.</p> <p>Reason: To secure that the identified adverse impacts on Green Belt, rural landscape character and visual amenity from the development only exists for the lifetime of the development in accordance with policies to Policy BE1, CC2, DS18 and NE4 of the Warwick Local Plan 2011 – 2029 and NPPF;</p> |
| (4) | <p>the planning permission hereby granted shall be limited to a period of 40 years commencing from the date electricity generated by the solar panels is first exported to the National Grid. At the end of this 40-year period, the development shall be removed, and the land restored to its previous agricultural use in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority, in accordance with condition 21.</p> <p>Reason: To secure that the identified adverse impacts on Green Belt, rural landscape character and visual amenity from the development only exists for the lifetime of the development in accordance with policies to Policy BE1, CC2, DS18 and NE4 of the Warwick Local Plan 2011 – 2029 and NPPF;</p> |
| (5) | <p>prior to the commencement of the development hereby approved (including all preparatory work), an Arboricultural Method Statement (AMS) and a Tree Protection Plan (TPP), together referred to as the scheme of protection, for the protection of the trees and hedges to be retained shall be submitted to and approved in writing by the Local Planning Authority. The scheme of protection must be prepared in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations (referred to</p> |

PLANNING COMMITTEE MINUTES (Continued)

No.	Conditions
	here as BS 5837) and shall refer to a retained tree's root protection area (RPA as defined in BS 5837) and to any work that may affect a retained tree above-ground. Specific issues to be considered in the scheme of protection shall include how to control: · the impact that the installation of services/utilities/drainage may have, and · the impact that construction may have (if appropriate) The scheme of protection should make recommendations for: <ol style="list-style-type: none">tree pruning to allow the development to proceed (if appropriate)hedge and tree protection, to be shown on the TPP with offsets from fixed points to confirm the alignment of any protective fencing and the extent of any ground protectionthe specification for the installation of any below ground services/ utilities/drainage connections or the like that encroach over the RPAs of the retained treesthe specification for the construction of any access, driveway, parking area or the like that encroach over the RPAs of the retained treessite setup, including (but not limited to) site access, parking, on-site welfare facilities, temporary buildings, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing, including suitable control measures to protect the retained trees from harm from those facilities or activitiesa site monitoring protocol that will confirm by independent examination by a suitably qualified tree specialist that the agreed scheme of protection is in place.

The development thereafter shall be implemented in strict accordance with the approved scheme of protection, which 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: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029;

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Conditions |
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| (6) | <p>the development hereby permitted, including site clearance work, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (LPA). In discharging this condition, the LPA expect to see details concerning pre-commencement checks for protected or notable species and retained habitats and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.</p> <p>Reason: To ensure that protected species are not harmed by the development, in accordance with the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029;</p> |
| (7) | <p>the development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:</p> <ul style="list-style-type: none">• Details of planting and maintenance of all new planting;• Details of species used and sourcing of plants;• Details of habitat enhancement/creation measures and long-term management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles);• Details on the long-term management and maintenance of hedgerows, particularly along Public Footpath 262/W94a/1, where the hedgerow should be kept at a height that will facilitate continued views out and towards Warwick Castle and St Mary's Church; and |

PLANNING COMMITTEE MINUTES (Continued)

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| | <ul style="list-style-type: none">• Details on the long-term management and maintenance of the proposed scrub planting along the corridor of Public Footpath 262/W94/2. |

Such approved measures shall thereafter be implemented in full.

Reason: To ensure a net biodiversity gain in accordance with NPPF and in the interests of visual amenity having regard to Policies BE1, NE3 and NE4 of the Warwick District Local Plan 2011-2029;

- (8) Notwithstanding the information contained within the application, the development hereby permitted shall not commence unless and until a Landscaping Scheme containing details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include:
- The treatment proposed for all ground surfaces, including hard surfaced areas;
 - Existing trees, hedges or other soft features to be retained;
 - All existing trees, hedges and other landscape features, indicating clearly any to be removed;
 - Planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees;
 - Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
 - Compliance with the biodiversity net gain metric;
 - The continuation of unobstructed movement of species within the site;
 - Finished levels or contours within any landscaped areas;
 - Any structures to be erected or constructed within any landscaped areas means of enclosure; and
 - Functional services above and below ground within landscaped areas;

The works shall be carried out as approved prior to the first exportation to the National Grid, or in the first available planting season following such exportation and retained and

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Conditions |
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| | <p>maintained in accordance with the agreed lifetime of the development.</p> <p>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 the same size and species as that originally planted. 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.</p> <p>Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, to integrate it into the landscape and surrounding area, and reinforce local landscape character in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;</p> |
| (9) | <p>no development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:</p> <ul style="list-style-type: none">a) Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.b) Provide detailed drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are |

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| | designed in accordance with 'The SuDS Manual', CIRIA Report C753. |
| c) | Provide any updated calculations demonstrating the performance of the proposed system. This should include: <ul style="list-style-type: none">• Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals |
| d) | Provide plans supporting the exceedance and overland flow routing provided to date. Such overland flow routing should: <ul style="list-style-type: none">• Demonstrate how runoff will be directed through the development without exposing 3rd parties to flood risk• Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding |

Reason: To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity in accordance with Policy FW1 of the Warwick District Local Plan 2011-2029;

- (10) no development shall take place until:
- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.
 - b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.
 - c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing

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	by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

Reason: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029;

- (11) no works of construction shall be undertaken until an access for vehicles has been provided to the site in accordance with Drawing Number P23-0027 SK01 dated 22nd May 2023 and embedded within the Construction Traffic Management Plan (CTMP) (Pegasus Ref: P23-0027 TR02/A) and dated June 2023, including the provision of visibility splays where indicated. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6m above the level of the public highway carriageway.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (12) prior to their installation, full details of the final design and materials to be used for the energy storage units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and thereafter permanently maintained in the agreed form unless otherwise agreed in writing with the Local Planning Authority.

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- | No. | Conditions |
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| | <p>Reason: In order to minimise the visual impact of the development and to secure an appropriate visual and satisfactory external appearance in this rural location in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029 and the NPPF;</p> |
| (13) | <p>no external lighting, including lighting required for construction and decommissioning, shall be installed at the site until such time as a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be installed in accordance with the approved strategy and shall be maintained thereafter in accordance with the approved details. No additional external lighting shall be installed without prior written consent from the Local Planning Authority.</p> <p>Reason: In order to minimise the visual impact of the development in this rural location and to safeguard the nature conservation value of the site in accordance with Policy BE1 and NE2 of the Warwick District Local Plan 2011-2029 and the NPPF (2021);</p> |
| (14) | <p>the access to the site for vehicles shall not be used in connection with the construction of the development hereby permitted until it has been surfaced with a bound macadam material for a distance of 20m as measured from the near edge of the public highway carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;</p> |
| (15) | <p>the access to the site for vehicles shall not be used in connection with the development hereby permitted until permanent road signage has been provided which is to include warning signs located along Hampton Road (B4463) to clearly show that no right turns will be permitted into the access, together with additional route information on both the A46 and A4189 approaches to the site to re-enforce this restriction.</p> <p>Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Conditions |
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| (16) | <p>No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the LPA in consultation with the LLFA. Such maintenance plan should:</p> <ol style="list-style-type: none">1. Provide the name of the party responsible, including contact name, address, email address and phone number.2. Include plans showing the locations of features requiring maintenance and how these should be accessed.3. Provide details on how surface water each relevant feature shall be maintained and managed for the lifetime of the development.4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance. |

Reason: To ensure the future maintenance of the sustainable drainage structures in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029;

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| (17) | <p>no occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Strategy Drawing (P23-0027-PEG-XX-XX-DR-C20000_P3 Rev P3) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:</p> <ol style="list-style-type: none">1. Demonstration that any departure from the agreed design is in keeping with the approved principles.2. Any As-Built Drawings and accompanying photos3. Results of any performance testing undertaken as a part of the application process (if required / necessary)4. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.5. Confirmation that the system is free from defects, damage and foreign objects. |
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Reason: To secure the satisfactory drainage of the site in accordance with the agreed

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| | strategy, the NPPF and Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029; |
| (18) | <p>the development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details.</p> <p>Reason: In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (19) | <p>the development hereby permitted shall be carried out strictly in accordance with the Construction Traffic Management Plan (CTMP) (Pegasus Ref: P23-0027 TR02/A) and dated June 2023, noting that the Site Manager must strictly manage the arrival and departure of HGVs, with the site construction compound(s) used to ensure that departing HGVs are held within the site should another HGV be arriving.</p> <p>Reason: In the interests of highway safety and to ensure the safe operation of the A46 trunk road as well as in the interests of the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029;</p> |
| (20) | <p>the development hereby permitted shall be carried out strictly in accordance with the mitigation proposals as set out in the Glint & Glare Assessment report and its addendum(s) produced by Neo Environmental Ltd and dated 30th November 2022. Once implemented the mitigation measures shall be retained thereafter and shall not be removed or altered in any way without the prior written approval of the Local Planning Authority.</p> <p>Reason: To reduce the potential incidence of glint and glare on road and residential receptors in the interests of amenity and</p> |

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| | highway safety and in accordance with Policies BE3 and TR1 of the Warwick District Local Plan Review 2011-2029; |
| (21) | <p>no works of decommissioning of the proposal shall be undertaken until a Decommissioning Traffic Management Plan has been submitted to and approved by both the Planning and Highway Authorities. The plan shall contain details of:</p> <ul style="list-style-type: none">• HGV routeing.• Temporary warning signage to be implemented on the approaches to the highway accesses to the site.• Measures to prevent mud and debris on the public highway.• Suitable areas for the parking of contractors and visitors and the loading and storage of materials. |

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (22) if the solar farm ceases to export electricity to the grid for a continuous period of twelve months, the applicant/developer shall notify the Local Planning Authority in writing within 10 working days of the end of that twelve month period and a scheme shall be submitted to the Local Planning Authority for its written approval within three months from the end of the twelve-month period for the removal of the solar farm and associated equipment and the restoration of the site to agricultural use. The details shall include the following:
- a) a programme of works;
 - b) a method statement for the decommissioning, dismantling and removal of the solar farm and all associated above ground works/ surfacing and foundations below ground;
 - c) details of any items to be retained on site;
 - d) a method statement for restoring the land to agriculture;
 - e) timescale for the decommissioning, removal and reinstatement of the land;
 - f) a method statement for the disposal/recycling of redundant

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No. **Conditions**
equipment/structures and any associated infrastructure.

The approved scheme of restoration shall then be fully implemented within nine months of the written approval being given.

Reason: To protect and restore the visual amenity and character in this rural location and Green Belt, to ensure that no environmental harm is caused during decommissioning and ecological value of the countryside in accordance with policies DS18, BE1, NE2 and NE3 of the Warwick District Local Plan 2011-2029 and the NPPF; and

- (23) no later than six months prior to the expiry of the planning permission, or within six months of the cessation of electricity generation by this solar PV park, whichever is the sooner, a detailed scheme of works for the removal of the development (excluding the approved landscaping and biodiversity works) shall be submitted to and approved in writing by the Local Planning Authority. The scheme of works shall include the following:
- a) a programme of works;
 - b) a method statement for the decommissioning and dismantling of all equipment and surfacing on site;
 - c) details of any items to be retained on site;
 - d) a method statement for restoring the land to agriculture;
 - e) timescale for the decommissioning, removal and reinstatement of the land;
 - f) a method statement for the disposal/recycling of redundant equipment/structures.

The scheme of works shall be undertaken in accordance with the approved details and timescales. The operator shall notify the Local Planning Authority in writing within five working days following the cessation of electricity generation.

Reason: In the interests of the visual amenity of the site, to ensure that no environmental harm is caused during decommissioning, and to protect and restore the visual amenity and character and

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	ecological value of the countryside and Green Belt in accordance with policies DS18, BE1, NE2 and NE3 of the Warwick District Local Plan 2011-2029 and the NPPF.

(Councillor Gifford arrived during consideration of this item and therefore could not vote.)

44. **W/23/0195 - Land at Gibbet Hill Road and Westwood Heath Road, Coventry**

The Committee considered an application from the University of Warwick for the outline application (with all matters reserved) for the creation of University of Warwick Social Sciences Quarter (Use Class F.1(a)) through the provision of up to 32,000 sq.m. of floor space together with all associated works and infrastructure.

The application was presented to Committee because of the number of objections received and also because it was recommended that planning permission should be granted subject to the completion of a legal agreement.

The officer was of the opinion that this was an outline planning application, with all matters reserved for subsequent approval, seeking permission for the creation of the University of Warwick's new Social Sciences Quarter through the provision of up to 32,000 sq.m. of new floor space together with all associated infrastructure. No indicative details had been presented at this stage in relation to the possible siting or appearance, but a Parameters Plan indicated the parts of the site in which built form was expected to be located and where, within the site, built form should be restricted, i.e. around the perimeter of the site within a 'Clear Area Zone'. The Parameters Plan also set out the maximum scales of development within different parts of the site, i.e. where scales and heights should be lower and where it might be more appropriate to provide a building of greater height and scale.

The principle of development was considered acceptable having regard to Policy MS1. The absence of an up-to-date Masterplan for the University was not a reason not to consider a particular development proposal, providing the application was justified and accordingly assessed in accordance with the relevant bullet points stipulated within the policy.

Having regard to all the possible impacts of the proposed development, in relation to visual and landscape impacts, the setting of heritage assets, residential amenity, highway safety and traffic, drainage, ecology, sustainability measures and air quality, Officers were satisfied that the site could accommodate the proposed quantum of development without causing demonstrable harm to the aforementioned matters. In making this assessment, regard had been made to a number of proposed mitigation measures, necessary conditions to secure such measures which would form part of any approved outline permission and a S.106 Agreement that further sought to ensure the impacts of the development were properly mitigated.

PLANNING COMMITTEE MINUTES (Continued)

Subject to such conditions being imposed and the subsequent reserved matters applications having regard to the considerations and requirements set out in the report, it was recommended that planning permission should be approved subject to the conditions set out in the report, as well as the relevant terms of the S.106 Agreement which were summarised in the report.

An addendum circulated at the meeting advised of a correction to condition 7, a clarification to the report, additional information received from the applicant, and additional representations received.

In response to questions from Members, the Principal Planning Officer explained that local policy only required a good/very good BREEAM rating, so the Committee had no policy basis to add a condition to require a higher rating. However, the university had its own requirements and was striving to achieve an excellent BREEAM rating. Members wanted to further encourage the university to set an example for future major developments of this kind by including a note to request that the university aimed for the best standards of sustainability and the highest BREEAM rating possible.

As this application was only for outline permission, Members were keen to see any future reserved matters applications come back to Planning Committee for consideration. The Principal Planning Officer stated that under the Scheme of Delegation in the Council's Constitution, the Head of Place, Arts and Economy could require that any future applications be reviewed by the Planning Committee.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Day and seconded by Councillor Gifford that the application should be granted, subject to a note to the applicant regarding environmental standards.

The Committee therefore

Resolved that W/23/0195 be **granted** subject to:

1. a note to encourage the applicant to go above and beyond in their environmental standards to achieve the highest BREEAM rating and to set an example for other developments in the future; and
2. the following conditions:

No.	Condition
(1)	details of the means of access to the building(s) and site, appearance of the building(s), landscaping of the site, layout of the site and its relationship with adjoining development, and the scale of building(s) (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | development begins and the development shall be carried out in full accordance with these reserved matters as approved.
Reason: To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended); |
| (2) | application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended); |
| (3) | the development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended); |
| (4) | the development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide for: temporary measures required to manage traffic during construction, plans and details for the turning, unloading and loading of vehicles within the site during the construction, the parking of vehicles of site operatives and visitors; site working hours and delivery times; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction, together with any details in relation to noise and vibration, restrictions on burning; a scheme for recycling / disposing of |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | waste resulting from demolition and construction works and details of all temporary contractors buildings. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. |
| | Reason: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029; |
| (5) | the development hereby permitted shall not commence until: <ol style="list-style-type: none">1. A site investigation has been designed for the site using the information obtained from the approved desk-top / preliminary study and any diagrammatical representations (conceptual model). The investigation must be comprehensive enough to enable:<ul style="list-style-type: none">• A risk assessment to be undertaken relating to human health• A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected• An appropriate gas risk assessment to be undertaken• Refinement of the conceptual model 2• The development of a method statement detailing the remediation requirementsa) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.b) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.
2.	All development of the site shall accord with the approved method statement.
3.	If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.
4.	Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029;

- (6) the development hereby permitted shall not commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	<ol style="list-style-type: none">1. Undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site2. Where infiltration is demonstrated to not be feasible, limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 11.1l/s for the site in line with the approved surface water drainage strategy (ref: 8339-BDP-ZZ-ZZ-DR-C-5201, revision P03, dated 16 January 2023).3. Where the drainage scheme proposes to connect into a 3rd party asset, for example a public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of land ownership plans showing riparian ownership, land drainage consent, flood risk activity permit or agreement under Section 106 of the Water Industry Act (1991).4. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.5. Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.6. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:

PLANNING COMMITTEE MINUTES (Continued)

No.

Condition

- a) Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
 - b) Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
 - c) Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period
 - d) Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
7. Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should:
- a) Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
 - b) Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels
 - c) Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

Reason: To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029;

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
(7)	<p>notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications, a Sustainability Statement including an energy hierarchy scheme for that phase and a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;</p> <ul style="list-style-type: none">a) How the development will reduce carbon emissions and utilise renewable energy;b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;c) How proposals will de-carbonise major development;d) Details of the building envelope (including U/R values and air tightness);e) How the proposed materials respond in terms of embodied carbon;f) Consideration of how the potential for energy from decentralised, low carbon and renewable energy sources, including community-led initiatives can be maximised;g) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading,

For the avoidance of doubt, the scheme must accord with any relevant Development Plan Document and Supplementary Planning Document relating to sustainability which has been adopted by the Council at the time the scheme is submitted.

No building shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
(8)	<p>Reason: To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019);</p> <p>the development hereby permitted shall not be commenced unless and until a Design Stage Assessment by an accredited BREEAM assessor demonstrating how the development will be designed and constructed to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details. A Completion Stage Assessment by an accredited BREEAM assessor demonstrating that the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent) shall be submitted to the Local Planning Authority within 3 months of first occupation.</p> <p>Reason: To deliver reductions in carbon dioxide emissions, building running costs, energy consumption and water use in accordance with the provisions of Policy CC3 in the Warwick District Local Plan 2011-2029;</p>
(9)	<p>the development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted on the building and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:</p> <ul style="list-style-type: none"><li data-bbox="783 1827 1425 1890">• Lighting should be directed away from vegetated areas<li data-bbox="783 1899 1425 2033">• Lighting should be shielded to avoid spillage onto vegetated areas The brightness of lights should be as low as legally possible;

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | Lighting should be timed to provide some dark periods; |
| | <ul style="list-style-type: none">• Connections to areas important for foraging should contain unlit stretches. |

Reason: In accordance with NPPF, ODPM Circular 2005/06 and Policy NE2 of the Warwick District Local Plan 2011-2029;

- (10) the development hereby permitted, including site clearance work, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the LPA expect to see details including:
- existing habitat and protected/notable species information, including a clear site plan;
 - updated and detailed protected and notable species surveys as required prior to work starting on site, together with any appropriate follow-up measures to be taken;
 - details of tree and shrub protection;
 - care should be taken when clearing the ground prior to development to ensure protected and/or notable species are not adversely affected during or after the construction period. If evidence of reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services or Natural England are contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010;
 - any holes or trenches shall be covered over at night & other periods when the site is undisturbed, to prevent animals falling into them. Any materials stored during such times should be raised above ground (eg on pallets) to prevent animals sheltering underneath them, and building waste put in skips and not left lying around for animals to

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	<p>take refuge in it. Concrete not to be left unset during such times unless suitable barriers are erected;</p> <ul style="list-style-type: none">• breathable roofing membranes, BRMs, started to be used from 2004 onwards. Research has shown that all BRMs pose a threat of entanglement to bats. Only traditional Type 1F bitumen roofing felt is safe for bats. Further advice and information can be obtained from the Bat Conservation Trust (BCT); and• any proposed habitat enhancements such as tree & shrub planting should also be detailed, and should be of native species, and in line with the Warwickshire Landscape guidelines. Aftercare details to be included, such as avoidance of harmful pesticide use.

The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that trees and shrubs, together with protected species are not harmed by the development, and to enhance the nature conservation value of the site in accordance with the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029;

- (11) the development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include:
- Details of planting and maintenance of all new planting;
 - Details of species used and sourcing of plants should be included;
 - Details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles);

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	<ul style="list-style-type: none">• Description and evaluation of features to be managed;• Ecological trends and constraints on site that might influence management;• Aims and objectives of management;• Appropriate management options for achieving aims and objectives;• Prescriptions for management actions;• Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period);• Details of the body or organisation responsible for implementation of the plan; and• Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Such approved measures shall thereafter be implemented in full.

Reason: To ensure a net biodiversity gain, and to ensure that habitat (including trees, shrubs and hedgerows) together with protected species are not harmed by the development and to enhance the nature conservation value of the site itself, and as part of the wider landscape in accordance with the NPPF;

- (12) prior to the submission of any reserved matters an arboricultural method statement and tree retention and protection plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the routing of any underground services. The development shall

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | thereafter be carried out in strict accordance with the approved measures, which must remain in place for the duration of construction works.
Reason: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029; |
| (13) | prior to the submission of any Reserved Matters applications for any phase of development: <ol style="list-style-type: none">a) A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work, to include trial trenching, shall be submitted to and approved in writing by the Local Planning Authorityb) The programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the Local Planning Authorityc) An archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the result of the archaeological evaluation. |

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

Reason: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded,

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | preserved and protected were applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029; |
| (14) | <p>prior to the submission of any reserved matters, notwithstanding the details set out within the 'Landscape and Visual Appraisal: University of Warwick, Social Sciences Quarter: July 2023' Ref. UNIQ3114, further details of the proposed landscape mitigation measures to be implemented shall be submitted to and approved in writing by the Local Planning Authority. These shall include sketch proposals and/or supporting text to expand on what is envisaged to be achieved by the proposed additional mitigation which should in turn influence the design process. The development shall thereafter be carried out in strict accordance with the approved measures.</p> <p>Reason: In the interest of visual amenity and the impact on the rural landscape setting in accordance with Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029;</p> |
| (15) | <p>the development hereby permitted shall not be occupied unless and 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 and the approved scheme has been implemented in full in strict accordance with the approved details.</p> <p>Reason: In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (16) | <p>the development hereby permitted shall not be occupied until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment (8339-BDP-ZZ-XX-RP-C-001 Rev. P03) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:</p> |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	<ol style="list-style-type: none">1. Demonstration that any departure from the agreed decision is in keeping with the approved principles2. Any as built drawings and accompanying photos3. Results of any performance testing undertaken as a part of the application process (if required / necessary)4. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc5. Confirmation that the system is free from defects, damage and foreign objects

Reason: To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Policy FW1 of the Warwick District Local Plan 2011-2029;

(17) the development hereby permitted shall not be occupied or brought into first use until a detailed, site specific maintenance plan has been provided to the Local Planning Authority in consultation with the LLFA. Such maintenance plan should:

1. Provide the name of the party responsible, including contact name, address, email address and phone number
2. Include plans showing the locations of features requiring maintenance and how these should be accessed
3. Provide details on how surface water of each relevant feature shall be maintained and managed for the life time of the development
4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance

Reason: To ensure the future maintenance of the sustainable drainage structures in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029;

(18) prior to any part of the development being brought into use and occupied a detailed Car Parking Management Strategy for the control, management and enforcement of on-site parking shall be submitted to and approved in writing by the Local Planning Authority.

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | Thereafter car parking associated with the development shall be managed in full accordance with the approved Strategy. |
| | Reason: In the interest of highway safety and the promotion of sustainable transport choices in accordance with Policies TR1, TR2 and TR3 of the Warwick District Local Plan 2011-2029; |
| (19) | any Reserved Matters application shall, where relevant: <ol style="list-style-type: none">a) Demonstrate that the proposals accord with the approved Parameters Plan drawing number 8339-BDP-XX-00-SK-A-0001 Rev.D and the principles set down in the Design & Access Statement forming part of the approved documentation;b) Define principles regarding building design, materials, elevational detailing and public realm hard/soft landscaping;c) Define principles regarding building height, mass and bulk aimed at reducing any harm caused to heritage assets;d) Identify those trees to be retained or removed as part of the development and the number and location of new trees to be provided as compensation;e) Show the location of SUDs ponds;f) Include landscape design principles aimed at ensuring that soft landscaping is satisfactorily integrated with neighbouring land;g) Contain principles in respect of disabled access throughout the development; andh) Detail principles on how crime prevention matters will be addressed in respect of the development. |

Reason: In the interest of urban design in accordance with Policies BE1 and HS7 of the Warwick District Local Plan 2011-2029;

- (20) as part of any reserved matters application, a revised assessment of flood risk should be submitted. This should consider any updates relevant to the existing hydraulic model of the Westwood Heath Brook (evidenced as part of the outline application) alongside

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | information demonstrating how the reserved matters for approval respond to any residual flood risk to the site.
Reason: To ensure new development is resilient to flooding and to prevent the increased risk of flooding, in accordance with Policy FW1 of the Warwick District Local Plan 2011-2029; |
| (21) | the Reserved Matters to be submitted in accordance with Condition 1 shall include details of all earthworks, mounding and the finished floor levels of all buildings and structures, together with details of existing and proposed site levels and the relationship with adjacent land and buildings and such details shall accord with approved Parameters Plan drawing number 8339-BDP-XX-00-SK-A-0001 Rev.D forming part of the approved application documentation.

Reason: In the interests of urban design and to ensure the proposals do not harm the amenity of nearby buildings and they are in keeping with the surrounding landscape in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; |
| (22) | the Reserved Matters to be submitted in accordance with Condition 1 shall include samples of facing, roofing and hard surfacing materials. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the Local Planning Authority.

Reason: In the interests of urban design in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029; |
| (23) | the Reserved Matters to be submitted in accordance with Condition 1 shall include detailed visuals to include contextualised elevations looking east from the Grade II listed St Johns Church. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the Local Planning Authority.

Reason: To assist with understanding the extent to which the scale, mass and bulk of |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | the development may impact on designated heritage assets, principally the Grade II listed St Johns Church in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029; |
| (24) | <p>the Reserved Matters to be submitted in accordance with Condition 1 shall include details of footpaths and cycleways for pedestrians and cyclists, including details of how new links will connect into the existing footpath/cycleway network. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of urban design and the promotion of sustainable transport choices in accordance with Policies BE1 and TR1 of the Warwick District Local Plan 2011-2029;</p> |
| (25) | <p>any soft landscaping referred to in Condition 1 shall be completed in all respects within 6 months of the substantial completion of development. Any such landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with landscaping of a similar size and species to that which they replace. Any replacement hedging, trees or shrubs shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations.</p> <p>Reason: To ensure a satisfactory standard of appearance of the development in there interest of visual amenity in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (26) | <p>unless work starts within 2 years of the current survey (dated 24.4.2023) an updated extended phase 1 habitat survey shall be carried out by an appropriately qualified ecologist prior to any work (including site clearance) starting on site. The survey should determine the quality of habitats and species present and shall be carried out in accordance</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | with established guidance including Phase 1 Habitat survey.

Reason: To ensure that habitat (including trees, shrubs and hedgerows) together with protected species are not harmed by the development and to enhance the nature conservation value of the site itself, and as part of the wider landscape in accordance with the NPPF and policies NE2 and NE3 of the Warwick District Local Plan 2011-2029; |
| (27) | notwithstanding condition 13 above the development hereby permitted shall be carried out in accordance with the landscape mitigation measures set out in the 'Landscape and Visual Appraisal: University of Warwick, Social Sciences Quarter: July 2023' Ref. UNIQ3114.

Reason: In the interest of visual amenity and the impact on the rural landscape setting in accordance with Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029; |
| (28) | in respect of the Reserved Matters to be submitted in accordance with Condition 1, the building ridge heights and footprints of all building floorspace shall be within the maximum limits set down in approved Parameters Plan drawing number 8339-BDP-XX-00-SK-A-0001 Rev.D forming part of the approved application documentation.

Reason: To define the terms of the permission in the interests of urban design as well as highway safety and capacity in accordance with Policies BE1 and TR2 of the Warwick District Local Plan 2011-2029; |
| (29) | in respect of the Reserved Matters to be submitted in accordance with Condition 1, no built development shall take place within the 'Clear Area Zone' set down in approved Parameters Plan 8339-BDP-XX-00-SK-A-0001 Rev.D forming part of the approved application documentation.

Reason: In the interests of visual amenity having regard to the character of the surrounding area and edge of campus location in accordance with Policies BE1 and |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | NE4 of the Warwick District Local Plan 2011-2029; |
| (30) | the development hereby permitted shall not exceed a maximum of 32,000 square metres (GFA). |

Reason: To define the terms of the permission and to ensure that the development does not compromise the characteristics of the edge of campus location in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029; and

- | | |
|------|---|
| (31) | if it is essential to fell or lop any trees or shrubs, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats prior to work starting. |
|------|---|

Reason: Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

It was then proposed by Councillor Boad and seconded by Councillor Williams that the Committee request that the Head of Place, Arts & Economy use his discretion to ensure that any future reserved matters applications relating to this site came back to be considered by the Committee.

Resolved that an internal note be written to request that the Head of Place, Arts and Economy uses his discretion, as set out in the Scheme of Delegation within the Council's Constitution, to ensure that any future reserved matters applications relating to this site are considered by the Planning Committee.

PLANNING COMMITTEE MINUTES (Continued)

45. **W/23/0900 - Tennis Pavilion, Victoria Park, Archery Road, Royal Leamington Spa**

The Committee considered an application from Warwick District Council for the proposed change of use from Tennis Pavilion in Victoria Park to permit the first floor of the building to be used as office space from current use (storage).

The application was presented to Committee because the District Council was the applicant.

The officer was of the opinion that the specific circumstances associated with the nature of this application meant that the change of use from first floor storage to office accommodation in this location was acceptable in principle.

It was therefore recommended that the proposed development should be approved.

Following consideration of the report and presentation, it was proposed by Councillor Gifford and seconded by Councillor Williams that the application should be granted.

The Committee therefore

Resolved that W/23/0900 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|--|
| (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 drawings 001 REV A, and specification contained therein, submitted on 28/07/2023.

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029. |

PLANNING COMMITTEE MINUTES (Continued)

(The meeting ended at 8.11pm)

CHAIRMAN
12 September 2023