

Extended Delegated Decisions Meeting: 20 August 2020

Application No: [W 20 / 0468](#)

Town/Parish Council: Leek Wootton
Case Officer: Andrew Tew

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Registration Date: 24/03/20

Expiry Date: 19/05/20

**The Warwickshire Golf and Country Club, Warwick Road, Leek Wootton,
Warwick, CV35 7QT**

Installation of containerised generator. FOR Euro Site Power Ltd

This application is being presented to Committee due to the number of objections and an objection from the Parish/Town Council having been received.

RECOMMENDATION

This application is recommended to be granted.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the installation of a natural gas fired Combined Heat and Power (CHP) generator, housed in a container. The generator would be sited to the East of the main building.

THE SITE AND ITS LOCATION

The application site is accessed off the Warwick Road roundabout on the approach into Leek Wootton. The site specifically is used as a health and fitness centre with adjoined hotel. Currently there is an indoor swimming pool and sauna complex. In the vicinity of the site is a complex of residential units, The Hayes, and a golf course. The site is within the Warwickshire Green Belt.

The siting of the generator will be to the Southern corner, next to the plant room. The site is at a lower level than the car park.

PLANNING HISTORY

W/98/0863 - Conversion of The Hayes to 11 flats with car parking, erection of a two storey leisure centre and a two storey 58 bedroom block with parking and access roads

W/15/1111 - Extension to health and fitness club lobby to form link to 56-bed hotel permitted by extant planning permission W/98/0863

W/19/2120 - Proposed single-storey extension to provide hotel breakfast room; creation of a spa garden, outdoor pool and associated reconfigured terrace to rear of Health and Fitness building

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- DS18 - Green Belt
- NE5 - Protection of Natural Resources
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Leek Wootton and Guy's Cliffe Neighbourhood Plan (2018-2029)
- LW3 - Protecting and enhancing built heritage

SUMMARY OF REPRESENTATIONS

Leek Wootton and Guy's Cliffe Parish Council – Objection. Concern was expressed by Councillors about the potential for noise and fumes affecting the apartments in The Hayes, which is also clearly of concern to the residents, as indicated by their objections. The decision to locate the equipment at the northern of the two possible sites causes further concern as it is the closest to The Hayes. The PC therefore supports the residents of The Hayes and objects to this application. The addition of enclosing walls, fencing or hedging may overcome some concern and would improve the visual appearance of the equipment in this rural/greenbelt location.

WDC Environmental Health – No objection subject to conditions

Councillors comments – 2 objections on the following grounds:

- contrary to Green Belt policy;
- use of non-renewable fuel to power the generator;
- noise and disturbance; and
- the incremental developments at this site do not benefit the local community.

Public response – 14 letters of objection, summarised as;

- Noise
- Fumes
- Siting
- Not a low carbon solution
- Visual amenity
- Effect on TV signal

ASSESSMENT

Principle of development

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 goes on to state that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, subject to certain exceptions. One such exception is the extension or alteration of a building provided that does not result in disproportionate additions over and above the size of the original building.

The original building provides circa 5,500sqm of floor space. Planning ref; W/15/1111 created an additional circa 55sqm and planning ref; W/19/2120 an additional 280sqm. This application will create circa 13.5sqm. Therefore, the total additional floor space is 348.5sqm. The proposed development would create a 6.3% uplift in size of the original building. The proposed development is viewed as an extension, as it needs to be sited so closely to the main building where the plant room is situated. Therefore the proposal does not amount to a disproportionate addition and is not inappropriate development within the Green Belt.

Therefore, the proposal is considered in accordance with Policy DS18 and the NPPF.

Impact on character of surrounding area

The siting of the proposed development has been queried by the Planning Officer, further to objection from neighbours and the Parish Council. The agent confirmed that the site was chosen as the South of the building is being developed as part of the approved planning application W/19/2120. Furthermore, the CHP unit needs to be in proximity of the boiler room at first floor level.

The area it is proposed to be positioned is near to the flats known as "The Hayes". However, it is circa 19m away from that building and the levels are such that the site is much lower than the property and the adjacent car park. Whilst the top of the generator could be viewed from the apartments at the rear of the Hayes, and the car park, it is considered that the fact that the relationship with the surrounding ground levels provides some degree of screening means that it will not have a significant effect on the character of the surrounding area. As such, the proposal accords with Local Plan Policy BE1 and Neighbourhood Plan Policy LW3.

Impact on local amenity

Whilst the site is a considerable distance from the village of Leek Wootton, there are dwellings near the application site, located in the Hayes.

There have been concerns raised by residents of the Hayes in relation to noise generation, fumes and siting, amongst other issues. Environmental Health have been consulted and issued a holding objection until the applicant had demonstrated the output of the generator accords to Warwick District Councils Air Quality and Planning Supplementary Planning Document (AQ SPD).

Further information supplied by the agent states that the chosen generator can be manufactured to emit NOx below the limits required by WDC's AQ SPD. Environmental Health recommend that, in relation to the emissions, a planning condition that shall require the installation of the plant detailed in the updated document and its retention/maintenance thereafter be imposed, should permission be forthcoming.

Environmental Health also acknowledge the potential impact the development could have on residents of the Hayes in relation to noise. In response to the concerns raised by Environmental Health, the agent submitted further details explaining noise and outputs from the proposed development and a noise report of a supposedly comparable scheme in Dunblane, Scotland. Due to the differences between the location in Dunblane and the application site, it was not viewed as sufficient mitigation by Environmental Health.

Therefore, to ensure the amenity of nearby residents, particularly those in the Hayes, Environmental Health recommend a condition that a noise survey specific to the application site is undertaken prior to first use. Environmental Health also recommend a further condition to impose a limit on noise levels. Subject to these conditions they have no objection.

Subject to the recommended conditions to ensure the amenity of nearby residents is protected, I am satisfied the application accords with Policy BE3 and NE5.

Other matters

Additional comments have been made relating to the effect that the development will have on TV signals and that it is not a low carbon solution. However, these are not material planning considerations for the type of development that has been proposed and therefore cannot be addressed in this report.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the development is considered to comply with the policies listed and therefore the application should be 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) 04 300 C201301 Rev 03 and specification contained therein, submitted on 14 May 2020 and EC5933-100-100 and specification

contained therein, submitted on 22 May 2020 **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.

3 Noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). 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 occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

4 The combined heat and power plant hereby permitted shall not be used unless and until:

- a) an assessment shall be undertaken to assess the impact of noise arising from the combined heat and power plant;
- b) the results of the noise assessment carried out to comply with (a), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority; and
- c) any necessary mitigation measures approved under (b) have been implemented in full accordance with the approved details.

The mitigation measures shall be retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASON: To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

5 The combined heat and power plant hereby permitted shall not be used unless and until details of how it would meet the requirements of the local planning authority's adopted Air Quality and Planning Supplementary Planning Document have been submitted to and approved by the local planning authority. The development shall be carried out and maintained at all times thereafter in strict accordance with the details approved under this condition. **REASON**: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.