

Planning Committee: 18 June 2024

Observations received following the publication of the agenda.

Item 04 - W/23/1726 – Land of Thickthorn, Kenilworth

Questions from Committee Members

1. How are the Highways Authority and the applicant planning to monitor the impact of the development (both during construction and on occupation of both the residential and employment land) on traffic volumes and flows on Glasshouse Lane, Birches Lane and at the St John's gyratory?

Response: The applicants are required to monitor all construction traffic and its impact on the road network through the requirements of the Construction Management Plan imposed at outline. This also restricts deliveries and other construction traffic at peak times.

From a County Highways perspective, the District Council provide WCC Highways with build out rates from large developments which enables them to carry out regular surveys which can lead to revisions of the Traffic Model as necessary.

2. I note that a Stage 1 Road Safety Audit is conditioned. What reassurance is available (preferably by condition) that Stages 2-4 Road Safety Audits will be completed?

Response: If the site is offered for adoption there will be stage 2-4 RSAs carried out. These are part of the S38 process and WCC Highways will not adopt the site without them being done.

Additional Comments

2 additional comments received raising concerns regarding the potential for noise reflection from the proposed acoustic barrier.

Response: These concerns have been assessed by the Council's Environmental Protection Officer who sought additional information from the applicant's noise consultant. The response from the Noise Consultant demonstrated that the proposed noise barrier would not result in any demonstrable noise harm to receptors to the south of the application site and no additional mitigation measures are required. This has been assessed by the EPO who concurs with the findings. No additional mitigation measures are therefore required.

Item 05 – W/23/0622 - Pump Room Gardens, Dormer Place, Royal Leamington Spa

Further Consultations

Garden Trust: We have considered the additional information in support of the application. On the basis of this we confirm that we do not wish to comment further on the proposals (1706/2024).

Update to Officer Report

Update to the officer report, on page 8, paragraph 4, penultimate sentence is proposed to be updated to 'The Green Space Development Officer has....' Replacing the 'The Garden Space Development Officer has'.

Item 09 – W/24/0476 - Nos. 1,2,3,4,5,6,7,8 Farriers Court, Wasperton

Comments from Cllr Phillips

Cllr Phillips has referred to a number of previous planning applications within the District where permission has been granted for the reinstatement of permitted development rights. Four cases are given as examples.

In response to the reference made to planning applications - W/18/0106, W/22/0686, W/20/2158 and W/20/1897. Officers consider these applications materially different to this planning application as:

- A) This application relates to several dwellings as opposed to the referenced applications which refer to a single dwelling,
- B) The dwellings in the current case are located in close proximity to one another. If one was to complete works under permitted development, it has the potential to generate harm to the amenity of immediate neighbouring uses.
- C) The application site is unique in its design. The site is a traditional farmhouse with surrounding barn style dwellings and is largely unchanged since its erection. The erection of certain works may have an impact on the original design of these dwellings.

It is normal for permitted development rights to be removed for barn conversions and this has been confirmed in appeal decisions.

Item 07 - W/23/1597 - Former Timber Yard, Old Warwick Road, Lapworth

Additional public representations

Six additional representations have been received in support of the application. The comments do not raise any new matters over and above those detailed within the committee report.

Highway matters

As set out in the committee report, the Local Highway Authority (LHA) has objected to the application and the Applicant has provided a response to this. The LHA has not formally commented on the Applicant's response. Given that highway matters are one of the recommended reasons for refusal, the Applicant

has requested that the application is deferred from the committee agenda to enable the LHA to comment and for the Applicant to provide a further response as may be necessary.

In the circumstances, Officers consider that it would be reasonable for highway matters to be delegated back to Officers to resolve should the Planning Committee consider that the application is acceptable in all other regards – including in relation to the principal recommended reason for refusal which is on Green Belt grounds.

Item 06 - W/23/0739 - Grand Union Farm, Rising Lane, Baddesley Clinton

Consultation responses

Lapworth Parish Council object to this application for the following reasons:

1. inappropriate development for the green belt, it will have a negative impact on the rural area,
2. lack of mitigation to prevent light/noise pollution,
3. concern about the proposed highway access, Rising Lane is a well-used route with vehicles travelling at speed.

Additional objection comment received from a member of the public. Concerns include:

1. Access and parking concerns
2. Appropriateness of watercourse
3. Pollution to watercourse
4. Noise concerns

Access and parking / Highway safety - Updated Drawing

PROPOSED BLOCK PLAN received 13/06/2024.

Alterations include addition of one further parking space, total 15 spaces.

It should be clarified that the recommendation is for permanent permission, and not temporary permission. There are no grounds for a temporary permission on highway matters. 15 Parking spaces have been proposed which is considered to be an appropriate allocation for this scheme.

Item 11 - W/24/0430 - 230 Warwick Road, Kenilworth

Update to Condition 2:

The applicant has submitted amended plans which have reduced the size of the proposed glazed gable. As such Condition 2 will need to be amended to the following to reflect this amendment: "The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 23124 - 1004 REV G and 23124 - 1005 REV C, and specification contained therein, submitted on 04/06/2024 and 13/06/2024 respectively. 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.