

# Planning Committee

Minutes of the meeting held on Wednesday 26 April 2017 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Cooke (Chairman); Councillors Boad, Mrs Bunker, D'Arcy, Day, Edgington, Miss Grainger, Heath, Mrs Hill, Naimo and Mrs Stevens.

**Also Present:** Senior Committee Services Officer – Mrs Barnes; Legal Advisor – Ms Amphlett; Development Services Manager – Mr Fisher; and Senior Planning Officer – Ms Hammond.

## 179. **Apologies and Substitutes**

- (a) There were no apologies; and
- (b) Councillor D'Arcy substituted for Councillor Weed, Councillor Edgington substituted for Councillor Ashford and Councillor Miss Grainger substituted for Councillor Morris.

## 180. **Declarations of Interest**

### Minute Number 183 – W/17/0269 – 8 Church Street, Warwick

Councillor Edgington declared an interest because he was a member of Warwick Town Council which was in support of the application. He left the room whilst the item was discussed.

Councillors Day and Miss Grainger declared an interest because the applicant was known to them.

### Minute Number 184 – W/17/0270 LB – 8 Church Street, Warwick

Councillor Edgington declared an interest because he was a member of Warwick Town Council which was in support of the application. He left the room whilst the item was discussed.

Councillors Day and Miss Grainger declared an interest because the applicant was known to them.

### Minute 185 – W/17/0203 – 1 St Mary's Crescent, Royal Leamington Spa

Councillor Miss Grainger declared an interest because she was a member of Royal Leamington Spa Town Council and had been present at the meeting when the item was discussed. She left the room whilst the application was considered.

Councillors D'Arcy and Naimo declared an interest because one of the speakers was known to them.

## **PLANNING COMMITTEE MINUTES (Continued)**

### Minute Number 186 – W/16/1830 – 2 Manor Farm House, Lime Avenue, Lillington

Councillor Boad declared an interest because the nearest neighbour to the application site was known to him and he left the room whilst the item was discussed.

Councillor Mrs Stevens declared an interest because the application site was in her Ward.

Councillor Grainger declared an interest because she was a member of Royal Leamington Spa Town Council but had not been present at the meeting when this item was discussed.

### Minute Number 187 – W/17/0303 - Eco House, 51 Hill Street, Warwick

Councillor Cooke declared an interest because the applicant was known to him.

Councillor D'Arcy declared an interest because the application site was in her Ward.

Councillor Edgington declared an interest because he was speaking in objection to the application in his capacity as Ward Councillor.

## **181. Site Visits**

To assist with decision making, Councillors Boad, Mrs Bunker, Cooke, Mrs Hill, Naimo and Mrs Stevens had visited the following application sites on Saturday 22 April 2017:

W/16/1830 – 2 Manor Farm House, Lime Avenue, Lillington  
W/17/0269 & W/17/0270 LB – 8 Church Street, Warwick

Councillor Boad advised that he had not taken any part in the site visit to 2 Manor Farm House, Lime Avenue, Lillington.

## **182. W/17/0260 – 8 Canon Price Road, Barford**

The Committee considered an application from Mr Ball for the erection of a two storey side extension.

The application was presented to Committee because of the number of objections received, including one from Barford Parish Council.

The officer was of the opinion that the proposals were considered to be acceptable in principle, design, scale, proportions, was in accordance with all relevant policies and guidance and would not significantly impact on the amenity of neighbouring properties nor parking provision and therefore the application was recommended for approval.

The following people addressed the Committee:

- Councillor Clay, Barford Parish Council, objecting.

## **PLANNING COMMITTEE MINUTES (Continued)**

- Mrs Barwinskyj, objecting.
- Councillor Rhead, Ward Councillor, objecting.

It was proposed and duly seconded that the application be granted in line with the officer's recommendation. Having been put to the vote, the motion was defeated.

Following consideration of the report, presentation and the representations made at the meeting, it was proposed by Councillor Day and seconded by Councillor Boad that the application should be refused because the scale of the extension within the plot was unneighbourly, the proximity of the extension and the potential visual impact on neighbouring properties, the openness of the area taking into consideration the policies included in the Barford Village Design Statement and the Barford Neighbourhood Plan.

The Committee therefore

**Resolved** that W/17/0260 be **refused** because the scale of the extension within the plot is unneighbourly, the proximity of the extension and the potential visual impact on neighbouring properties, the openness of the area taking into consideration the policies included in the Barford Village Design Statement and the Barford Neighbourhood Plan.

### **183. W/17/0269 – 8 Church Street, Warwick**

The Committee considered an application from Mr and Mrs Hawking for the change of use from a shop and flat to a single dwelling house (Use Class C3), the demolition of an existing two storey rear extension and the erection of a new two storey and single storey rear extensions.

The application was presented to Committee because Warwick Town Council supported the proposal and the recommendation from officers was to refuse permission.

The application was considered in conjunction with W/17/0270 LB which dealt with the Listed Building Consent for the property.

The officer was of the opinion that the principle of the change of use of the building from vacant shop and flat above, into a single dwelling was considered acceptable in accordance with saved Policy TCP8 of the Warwick District Local Plan 1996-2011. There would be no harm to the amenity of the neighbouring property and no harm caused to highway safety as a result of the proposals.

It was accepted that the removal of the modern two storey extension would improve the overall character of the building in its context, however, the proposed replacement extensions were not considered to be acceptable on the basis of the resulting impacts these would have on the special architectural and historic interest of the heritage asset. Accordingly, it was recommended that planning permission be refused for the development for the reasons set out in the report.

## **PLANNING COMMITTEE MINUTES (Continued)**

The following person addressed the Committee:

- Mrs Hawking, supporting.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Naimo that the application should be refused, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/17/0269 be **refused**, for the following reason:

- (1) Policy DAP4 of the Warwick District Local Plan 1996-2011 states that consent will not be granted to alter or extend a listed building where those works will adversely affect its special character or historic interest, integrity or setting.

The application building is a markedly historic property in a very prominent location in one of the main medieval streets in the town, and is within the immediate context of highly-graded heritage assets. Notwithstanding the principle of development to revert the building to a single family home being acceptable, objection is raised to the specific detail of the proposed works.

Externally, building a second gable at the rear would involve the removal of a large part of a principle elevation of the property, including the removal of architectural features such as windows. Although this elevation is in need of repair, it remains a key part of the historic form of the property. Furthermore, the proposed single storey lean-to extension would run the full width of the property which would damage the terrace aesthetic, would not work with the architectural lines of the property and would not accord with general conservation principles and good design practice.

Overall, in the opinion of the Local Planning Authority, the proposals would result in unacceptable harm to the special architectural and historic interest of the listed building and are thereby considered to be contrary to the aforementioned policy.

The proposal is considered to result in less  
Item 4b / Page 4

## **PLANNING COMMITTEE MINUTES (Continued)**

than substantial harm to the heritage asset but this is not outweighed by any public benefits and therefore the proposal is contrary to the para 134 of the NPPF.

### **184. W/17/0270 LB – 8 Church Street, Warwick**

The Committee considered an application from Mr and Mrs Hawking for internal works to facilitate change of use from a shop and flat above to a single dwelling house, demolition of the existing two storey rear extension and the erection of a new two storey and single storey rear extensions.

The application was presented to Committee because Warwick Town Council supported the proposal and the recommendation from officers was to refuse permission.

The application was considered in conjunction with W/17/0269 which dealt with the general planning permission for the property.

The officer was of the opinion that the principle of the proposed works, to revert the building to a single dwelling was considered acceptable in heritage terms. However, this was subject to there being no material harm to the special architectural or historic interest, integrity or setting of the listed building. While it was accepted that the removal of the modern two storey extension would improve the overall character of the building in its context, the proposed replacement extensions were not considered to be acceptable on the basis of the resulting impacts these would have on the special architectural and historic interest of the heritage asset. Similarly, an element of the internal works would involve the loss of a main and historically valuable wall which would be harmful to the fabric of the listed building and compromise its integrity.

The following person addressed the Committee:

- Mrs Hawking, supporting.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Naimo that the application should be refused, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/17/0270 LB be **refused**, for the following reason:

- (1) Policy DAP4 of the Warwick District Local Plan 1996-2011 states that consent will not be granted to alter or extend a listed building where those works will adversely affect its special character or historic interest, integrity or setting.

## **PLANNING COMMITTEE MINUTES (Continued)**

The application building is a markedly historic property in a very prominent location in one of the main medieval streets in the town, and is within the immediate context of highly-graded heritage assets. Notwithstanding the principle of development to revert the building to a single family home being acceptable, objection is raised to the specific detail of the proposed works.

Externally, building a second gable at the rear would involve the removal of a large part of a principle elevation of the property, including the removal of architectural features such as windows. Although this elevation is in need of repair, it remains a key part of the historic form of the property. Furthermore, the proposed single storey lean-to extension would run the full width of the property which would damage the terrace aesthetic, would not work with the architectural lines of the property and would not accord with general conservation principles and good design practice.

Internally, an area of work proposed on the first floor would result in the removal of a substantial portion of a main historic wall running through the middle of the property that includes evidence for a historically valuable plan form including vestiges of a chimney stack. This extent of loss of an intrinsically valuable feature would be deleterious to the fabric of the listed building.

Overall, in the opinion of the Local Planning Authority, the proposals would result in unacceptable harm to the special architectural and historic interest of the listed building and is thereby considered to be contrary to the aforementioned policy.

The proposal is considered to result in less than substantial harm to the heritage asset but this is not outweighed by any public benefits and therefore the proposal is contrary to the para 134 of the NPPF.

### **185. W/17/0203 – 1 St Mary's Crescent, Royal Leamington Spa**

The Committee considered a retrospective application from Mr Rivers for the retention of a brick wall 1.6m high and 215mm wide.

## **PLANNING COMMITTEE MINUTES (Continued)**

The application was presented to Committee because of the number of letters of support received.

The officer was of the opinion that the wall was an inappropriate boundary treatment to this prominent site by reason of its height, design and materials which had resulted in areas of dead frontage which was harmful to the street scene and the character of the Conservation Area. The development was thereby considered to be contrary to the National Planning Policy Framework and Policy DAP8 of the Warwick District Local Plan 1996-2011 and was therefore recommended for refusal.

An addendum circulated at the meeting advised that there had been six further letters of support from the public, from five new individuals (taking the total number of letters of support up to 12). Further points made were:

- The wall gave a sense of solidity, stability and stature to the neighbourhood.
- The wall suited the house.
- Surprised that there were objections to the wall.

Again, other non-material planning comments were made.

The following people addressed the Committee:

- Mr Holmes, supporting; and
- Mr Naylor, supporting.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Mrs Bunker and seconded by Councillor Day that the application should be refused, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/17/0203 be **refused**, for the following reason:

- (1) Policy DAP 8 of the Warwick District Local Plan 1996-2011 requires development to preserve or enhance the special architectural and historic interest of the District's Conservation Areas.

The 1.6 metre high wall hereby proposed to be retained would by reason of its prominent positioning, height and design comprise an uncharacteristic and incongruous feature within the surrounding area which would not preserve or enhance the character and appearance of the Royal Leamington Spa Conservation Area.

The development is thereby considered to be contrary to the National Planning Policy

## **PLANNING COMMITTEE MINUTES (Continued)**

Framework and the aforementioned policy.

### **186. W/16/1830 – 2 Manor Farm House, Lime Avenue, Lillington**

The Committee considered an application from Dr Singh for the proposed erection of nine residential properties consisting of three terraced town houses and two apartment blocks comprising of three units each.

The application was presented to Committee because an objection had been received from Royal Leamington Spa Town Council.

The officer was of the opinion that the principle of development was considered to be acceptable having regard to the relevant saved policies of the Development Plan which are consistent with the provisions of the Framework and the emerging Local Plan. The visual impacts of the development were considered to be acceptable and the proposed appearance, finish and character of the development within this vacant site was considered to result in an enhancement to the setting of the adjacent conservation area. The proposed buildings would not result in any material harm to the amenity of existing neighbouring properties and adequate levels of amenity were proposed for the new dwellings and apartments.

There would be no detriment to highway safety and other matters relating to landscaping, ecology, archaeology and open space could either be secured or suitably mitigated through the imposition of appropriately worded conditions. Overall, the proposals represented a sustainable form of development that would result in no significant or demonstrable harm. For all the above reasons, it was recommended that planning permission be approved subject to conditions.

An addendum circulated at the meeting advised that a revised section plan had been received showing the reduced height of Apartment Block B; this now concurred with the revised elevations already on the file.

The following person addressed the Committee:

- Councillor Morrison, Royal Leamington Spa Town Council, objecting.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Edgington and seconded by Councillor Mrs Bunker that the application should be granted, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/16/1830 be **granted**, subject to:

- (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);



## **PLANNING COMMITTEE MINUTES (Continued)**

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 3342-101 Rev.A, 3342-102 and 3342-106, and specification contained therein, submitted on 10th October 2016, 3342-105 submitted on 26th October 2016 and 3342-107 Rev.C submitted on 27th March 2017. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall

## PLANNING COMMITTEE MINUTES (Continued)

be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;

- (5) no part of the development hereby permitted shall be commenced until a combined ecological and landscaping scheme has been submitted to and agreed in writing by the Local Planning Authority in conjunction with advice from WCC Ecological Services. The scheme must include all aspects of landscaping including details of native tree planting and other biodiversity enhancements such as installation of bird and bat boxes, log pile, creation of wildflower area. The development shall thereafter be carried out in accordance the approved scheme. **Reason:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011;
- (6) no development shall take place within the application site, unless and 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 work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken and a a report detailing the result f of this fieldwork shall be submitted to the local planning authority,
  - c) an Archaeological Mitigation Strategy document shall be 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 results of the archaeological evaluation.

## PLANNING COMMITTEE MINUTES (Continued)

The development and any archaeological fieldwork post-excavation analysis, publication of result 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 DP4 of the Warwick District Local Plan 1996-2011;

- (7) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO<sup>2</sup> emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

- (8) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

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

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

Item 4b / Page 11

## **PLANNING COMMITTEE MINUTES (Continued)**

been implemented.

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

- (9) prior to the commencement of the development hereby permitted protective measures for all retained trees including tree protective fencing and/or ground protection shall be installed in accordance with BS 5837:2012 and thereafter maintained throughout the lifespan of the building operations. **Reason:** To protect the existing trees on the site in accordance with Policy DAP3 of the Warwick District Local Plan 1996-2011; and

- (10) the access to the site for vehicles shall not be used unless and until a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. **Reason:** To ensure safe access to the site and in the interests of highway safety in accordance with Policies DP6 and DP8 of the Warwick District Plan 1996 – 2011.

### **187. W/17/0303 – Eco House, 51 Hill Street, Warwick**

The Committee considered an application from Mr Hands for the variation of condition 2 (approved plans) and condition 4 (landscaping scheme) of previously approved application reference W/10/1237, to allow an alternative landscaping scheme to be carried out/maintained.

The application was presented to Committee because an objection had been received from Warwick Town Council.

The officer was of the opinion that the proposed variation of the above conditions was considered to be acceptable and would cause no harm to the street scene. It was therefore recommended that the application should be approved.

The following person addressed the Committee:

- Councillor Edgington, Ward Councillor, objecting.

Following consideration of the report, presentation and the representations made at the meeting, it was proposed by Councillor Heath and seconded by Councillor Boad that the application should be granted, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/17/0303 be **granted**, subject to:

- (1) notwithstanding the details required by condition 4, the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 2006/III/2 Rev A and 2006III/3 submitted on 15th July 2005, and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (2) the development hereby permitted shall be constructed from the agreed sample external facing materials which were submitted to the local planning authority on 25th April 2014 (Brick - Hanson Village Sunglow; Render- Weber Pral M 016 Ivory; Slate - Cembrit Jutland fibre -cement slate). **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;
- (3) the development hereby permitted shall be carried out in accordance with the approved landscaping scheme detailed in drawing number 10 submitted to the local authority on 17th February 2017. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. **Reason:** To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;
- (4) the development hereby permitted shall be carried out in accordance with the approved details of boundary treatment which were submitted to District Planning Authority 17th February 2017. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (5) the development hereby permitted shall not be brought into use until the proposed means of access has been constructed in strict

## **PLANNING COMMITTEE MINUTES (Continued)**

compliance with details approved in writing by the District Planning Authority. **Reason:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;

- (6) the development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;
- (7) the car park hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in accordance with details which have previously been approved by the District Planning Authority. **Reason:** To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;
- (8) the development hereby permitted shall not be brought into use unless there is available vehicular turning space within the site so that vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose. **Reason:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011; and
- (9) the ground floor windows in the southern and northern elevations of the property hereby permitted shall be obscure glazed and retained as such at all times thereafter. **Reason:** To protect the amenity of the occupiers of nearby properties in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.

188. **W/17/0115 – 32 Combroke Grove, Hatton Park, Hatton**

## **PLANNING COMMITTEE MINUTES (Continued)**

The Committee considered an application from Mrs Finerty for the erection of a two storey side extension.

The application was presented to Committee because an objection had been received from Hatton Parish Council.

The officer was of the opinion that the proposed extension amounted to a 22.3% increase over and above the existing floor space and as such represented an appropriate form of development within the Green Belt. There would be no material visual harm arising from the proposals and similarly no material harm resulting to the residential amenity of neighbouring properties. No detriment would be caused to highway safety and overall, officers were satisfied that the development accorded with the relevant saved policies of the Local Plan and for the above reasons it was recommended that permission be approved.

An addendum circulated at the meeting advised that on page 1 of the report, W/17/0355 was referred to, which was a Lawful Development Certificate for a loft conversion and this had since been approved on 12.04.2017.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Mrs Stevens and seconded by Councillor Mrs Bunker that the application should be granted, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/17/0115 be **granted**, subject to:

- (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 002, 003 and 004 and specification contained therein, submitted on 23rd January 2017. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Item 4b / Page 15

## **PLANNING COMMITTEE MINUTES (Continued)**

Warwick District Local Plan 1996-2011.

### **189. W/17/0142 – The Stables, Lyon Farm, Rouncil Lane, Beausale**

The Committee considered an application from Mr Bates for the conversion of existing garage, installation of new velux window, alterations to existing windows and the formation of new windows and a new oak porch and canopy.

The application was presented to Committee because Beausale, Haseley, Honiley and Wroxall Joint Parish Council supported the application and it was recommended for refusal.

The officer was of the opinion that the Agricultural Barn Conversion SPG sought to retain the character of the barns. Their conversion was acceptable as long as non-traditional elements were not added. The property was a barn which had been converted sensitively. The application proposed to install bi-folding doors and create additional openings where none existed before, adding urban features which were not associated with barns. The proposed works would result in material harm to the character and appearance of the barn conversion and would be contrary to Policy RAP7 and the adopted Agricultural Buildings Conversion SPG.

An addendum circulated at the meeting advised that, for the purposes of clarification, the description of development included one roof light to the front elevation; the inclusion of a porch; the conversion of the garage and associated fenestration changes along with fenestration changes to the rear of the property.

With the exception of the roof light, all of those proposed external changes were considered to urbanise and detrimentally impact upon the character and integrity of this former barn contrary to the Barn Conversion SPG.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Mrs Bunker and seconded by Councillor D'Arcy that the application should be refused, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/17/0142 be **refused**, for the following reason:

- (1) policy RAP7 of the Local Plan and the Agricultural Barn Conversion SPG seek to retain the original character and integrity of barns. Their conversion is acceptable as long as non-traditional elements are not added. The application property is a barn which has been converted sensitively. The application proposes to install bi folding doors and create additional openings where none existed before adding in alien and incongruous features not associated
- Item 4b / Page 16



## **PLANNING COMMITTEE MINUTES (Continued)**

with barns which would result in material harm to the character and appearance of the barn conversion and would be contrary to the aforementioned policies.

### **190. W/17/0168 – Plot 8001, Tournament Fields, Stratford Road, Warwick**

The Committee considered an application from AVL Powertrain Ltd for approval of reserved matters against outline planning permission no. W/13/0758 for the erection of a two storey building (B1 unit) to include offices, laboratories, workshops, Hardware in the Loop Simulation (HIL) environment, soak areas for vehicle testing, Powertrain Test Bed modules, reception, rest rooms, toilets and showers, as well as an external service yard, car parking and landscaping.

The application was presented to Committee because of the number of objections received.

The officer was of the opinion that the proposals would have an acceptable impact on the living conditions of nearby dwellings and on the character and appearance of the area. The proposals were also considered to be acceptable in terms of car parking and highway safety. Therefore, it was recommended that the reserved matters application be approved.

An addendum circulated at the meeting advised that there had been minor changes to the recommended conditions to change the requirements from "pre-commencement" to "pre-occupation" where appropriate. The remaining "pre-commencement" conditions had been amended to exclude the construction of the access road from the restrictions so that the developer was able to commence work on this part of the scheme sooner. This would enable the development on the application site to come forward in a more timely manner as well as opening up access to other vacant plots.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Mrs Bunker and seconded by Councillor Heath that the reserved matters application should be approved, in accordance with the officer's recommendation.

The Committee therefore

**Resolved** that W/0168 be **approved**, subject to:

- (1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) DR-1-010G, DR-1-011F, DR-1-012, DR-1-017, DR-1-020D, DR-1-021D, DR-1-130A, DR-1-131A & DR-5-650, and specification contained therein, submitted on 1 February 2017, except as required by Condition 8 below. **Reason:** For the avoidance  
Item 4b / Page 17

## PLANNING COMMITTEE MINUTES (Continued)

of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (2) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO<sup>2</sup> emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

**Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

- (3) detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **Reason:** To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

- (4) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard
- Item 4b / Page 18

## **PLANNING COMMITTEE MINUTES (Continued)**

surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;

- (5) other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;
  - (6) no development shall commence until details of the access road to the site from the existing roundabout on Edge Hill Drive have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the access road has been completed in strict accordance with the approved details. **Reason:** For the avoidance of doubt and to ensure an appropriate for vehicular, cycle and pedestrian access, in
- Item 4b / Page 19

## **PLANNING COMMITTEE MINUTES (Continued)**

accordance with Policy DP6 of the Warwick District Local Plan;

- (7) no development shall commence until details of all ancillary buildings shown on the site layout plan (transformers, HV switch, fuel farm and gas storage modules) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the details approved under this condition.

**Reason:** For the avoidance of doubt and to ensure a satisfactory standard of design and appearance for the development, in accordance with Policy DP1 of the Warwick District Local Plan;

- (8) notwithstanding the details indicated on the approved plans, no development shall commence until details of boundary treatment have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details.

**Reason:** To ensure a satisfactory standard of design and appearance for the development, in accordance with Policy DP1 of the Warwick District Local Plan;

- (9) the development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in strict accordance with the approved details and shall remain in force at all times thereafter.

**Reason:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012;

- (10) no development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root
- Item 4b / Page 20

## PLANNING COMMITTEE MINUTES (Continued)

structure may extend within the site. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **Reason:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

- (11) all existing trees shall be retained and shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **Reason:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;

- (12) the premises hereby permitted shall not be occupied unless and until the cycle parking, car parking and manoeuvring areas indicated on the approved drawings have been provided
- Item 4b / Page 21

## **PLANNING COMMITTEE MINUTES (Continued)**

and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011;

- (13) no person shall use and no activity shall take place within the development hereby permitted before 0700 hours or after 1900 hours unless:

(a) a noise assessment (including details of noise mitigation measures if deemed appropriate) has been submitted to and approved in writing by the local planning authority; and

(b) any noise mitigation measures approved under (a) have been implemented in strict accordance with the approved details.

Any noise mitigation measures shall thereafter be retained and maintained in strict accordance with the approved details at all times that the development is used before 0700 hours or after 1900 hours.

**Reason:** To protect the living conditions of the nearby dwellings and hotel, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan; and

- (14) no lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **Reason:** To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

### **191. Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

**Resolved** that the report be noted.

**PLANNING COMMITTEE MINUTES (Continued)**

(The meeting ended at 8:45 pm)