

## **Planning Committee: 11 October 2022**

### **Observations received following the publication of the agenda**

#### **W/19/1030 – Deed of Variation to approved Section 106 Agreement**

The applicant should be listed as AC Lloyd Homes Limited, rather than Wilmot Dixon Construction Ltd.

#### **W/22/0178 - Waitrose Foodstore, 51 Bertie Road, Kenilworth, CV8 1JP**

##### Corrections

The following clarifications are to be made following publication of the Committee Report for this application:

The applicant should be listed as Waitrose Ltd, and the application was first considered at the Planning Committee meeting of 17 August.

Condition 15 of planning permission ref: W/16/0851 is proposed to be varied to read *'The use of the service area for the supermarket shall be limited to between 06.00 hours and 23.00 hours Monday to Sunday.'*

The report incorrectly states that planning permission ref: W/16/0851 expanded permitted HGV delivery hours to between 07:00 and 21:30 hours weekdays and Saturdays and 09:00 to 18:30 Sundays. These were in fact the hours permitted under planning permission ref: W/05/2054, and the report should state that planning permission ref: W/16/0851 permitted deliveries between 07:00 and 23:00 hours weekdays and Saturdays and 0800 to 2100 hours Sundays.

The report incorrectly states that Condition 41 will limit HGV delivery hours to between 07:00 and 21:30 each weekday and Saturday and 09:00 to 18:30 on Sundays. Condition 41 will in fact limit HGV delivery hours to between 07:00 and 23:00 Monday to Saturday, and 08:00 to 21:00 on Sundays. This means that HGV deliveries will not change from the currently permitted hours.

The agent has provided a further comment stating that in addition to the justifications for the proposed variation highlighted in the Committee report, the proposal is also being driven by home delivery demand forecasted beyond the pandemic and in turn Waitrose's commitment to enhancing the online services offered by the Kenilworth store.

##### Additional consultation responses

Two additional public objections have been received. One noted potential concern regarding the routing of home delivery vans, while the other raised concern regarding the level of noise the proposal would generate during the early morning.

An objection has been received from Residents of Central Kenilworth Residents' Association raising concerns that HGVs have continued to use both Bertie and Southbank Roads to access the site in contravention of the existing planning permission. If the Council is minded to approve the application, it is requested that condition 29 be expanded to include Southbank Road with Bertie Road and Station Road. It is also requested that liaison between the Waitrose transport division, drivers and the store is strengthened and that sat navs are not relied upon to access and egress the store.

### **W/21/1612 - 12 Piers Close, Warwick, CV34 5HS**

The agent for the application has provided some further information in regard to the parking capacity of the site which has been passed on to WCC Highways for further comment. No updated response has been received.

An additional public objection comment was received, raising concerns regarding the accuracy of vehicle parking/swept path information submitted during the course of the application.

### **W/22/1156/HS2 – Land to the west of No. 1 Stareton Lane**

#### Update to report

Update to conclusion of the Equestrian Development section to include the following:

In the absence of any 'very special circumstances' which clearly outweigh the harm to the openness of the Green Belt, by virtue of the development representing 'inappropriate development' and introducing harm through built form, the principle of the development is not supported by Policy DS18 or paragraphs 147, 148, 149 and 150 of the NPPF.

#### Update to recommendation

To read as follows:

A Positive Certificate be Issued for a Horticultural Building which meets the definition of agriculture:

#### Updated condition

Condition 1 to be updated to 'Limit the use to horticulture which falls within the definition of agriculture'.