

## **Planning Committee: Tues 4<sup>th</sup> November 2025**

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

#### **Item 05 – Milverton House, Court Street, Leamington Spa**

##### Public Response

An additional 2 public responses received making the following comments;

- There has been no public engagement with adjacent land owner regarding noise mitigation despite content of the Section 106 Agreement. Can measures be adequately addressed?
- No cycle parking areas are identified. Is this acceptable?
- Report references Bellway in regards to Conditions.
- Enough accommodation on Court St and the whole area.

##### Officer Response:

- The Section 106 Agreement requires mitigation to be provided to the satisfaction of the Environmental Protection Team.
- Detailed cycle parking will be provided at Reserved Matters stage
- The reference to Bellway is a drafting error and they have no involvement nor interest in this site.

##### Update to Conditions

The time limit condition incorrectly states 7 December 2021. This has been amended to 7 December 2022.

#### **Item 06 – Land on the South Side of Chesterton Drive, Sydenham, Leamington Spa**

##### Comment from Matt Western MP

As the MP for Warwick and Leamington, I wish to formally object to the proposed variation of Conditions 30 and 31 of planning application W/25/1214, which seeks to amend the triggers for the delivery of the completed site access and traffic management scheme. These conditions were originally imposed to ensure that critical infrastructure was in place before any occupation of the site. Therefore, I believe that relaxing these requirements would pose a serious risk to public safety and entirely undermine the integrity of the planning process.

I am particularly concerned by the significant safety implications associated with delaying the implementation of the traffic management scheme. The proposed amendment would allow development to proceed without the permanent site access being completed, meaning that construction vehicles and potentially early residential car users would be navigating an area not yet equipped to safely manage such traffic. This raises serious questions about pedestrian safety, especially for children and vulnerable residents, and increases the likelihood of accidents on roads that are already under pressure.

The original conditions were put in place precisely to mitigate these risks. Conditions that the Planning Inspector deemed to be 'necessary' for highway safety - as laid out in their decision in August 2021 (APP/T3725/W/21/3270663). These conditions also recognised that without a fully operational access point and traffic controls, the development would place an unacceptable burden on the surrounding road network.

St Fremund Way and Chesterton Drive are not designed to accommodate the volume and type of traffic that would result from the premature occupation of a site with 'temporary' access. Delaying the traffic management scheme risks creating a hazardous environment, with inadequate signage, poor visibility, and insufficient pedestrian crossing. Such conditions will have real-world consequences for residents.

Moreover, altering these conditions post-approval sets a concerning precedent. Planning conditions are binding commitments made to the community to ensure that development is safe, sustainable, and in the public interest. To change them without compelling justification undermines public trust in the planning system and sends a message that the council will prioritise developer convenience over public safety.

I implore Warwick District Council to uphold the original conditions and reject this application to vary them. The safety of residents must remain the highest priority, and infrastructure must be delivered in full and on time before any occupation is permitted.

However, should the Planning Committee be minded to approve this application, I would urge members of the committee to carefully consider the safety implications of delaying the delivery of the permanent site access and traffic management scheme. These measures were put in place to ensure the development could be safely accessed and integrated into the local road network.

Not only would removing or postponing these safeguards inevitably increase the risk of traffic-related incidents, it would also undermine the precedent set by the planning applications these conditions were established by. Notably, the outline application (W/20/0617), the appeal associated with this outline app (APP/T3725/W/21/3270663) and the reserved matters application (W/23/1766).

### Public Response

An additional 11 public responses reiterating comments already covered in the report summary.

### Update to Condition 30

Following technical assessment by Warwickshire County Council Highways, an updated access is proposed to be provided. As such updated condition wording is proposed as follows;

*Prior to first occupation of the first dwelling in the development, a temporary site access shall be delivered in accordance with details agreed with the Local Planning Authority in conjunction with the Highway Authority. Prior to occupation of the final dwelling in the development. the permanent site access shall be delivered in accordance with drawing 20376-01 Rev E, or as amended following Technical Approval of the details by the Highway Authority,*

**Item 07 – Sheldon Bosley Knight, 28, 29 and 34 Denby Buildings, Regent Grove, Leamington Spa**

No updates to report.

**Item 08 – W/25/0819 – 126 Cubbington Road, Lillington, Royal Leamington Spa, CV32 7AH**

The application has been withdrawn from the agenda.

**Item 09 – 3 Clemens Street, Royal Leamington Spa, CV31 2DW**

Further public responses received;

- An additional 37 objection comments have been received on similar grounds to those listed within the report, alongside concerns relating to the retrospective nature of the development itself.