

PLANNING COMMITTEE 9 December 2014

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 5 W/14/1340 Land North of Common Lane, Kenilworth

Public Response: Three letters have been received which make the case that Common Lane is a pinch point as the traffic increases and the infrastructure is struggling to cope. Irrespective of traffic light control the likelihood of a possible 186 cars will bring it to breaking point. More consideration needs to be given to the use of such an inappropriately narrow lane, particularly during the 8.30 -9.10am period. Also the diagrams are misleading as they do not show how close to the junction with Woodland Road the traffic lights will be.

Kenilworth Town Council: Remain of the opinion that their objection is maintained and relates to access and secondary access for emergency vehicles. Members, with their local knowledge of this awkward section of road felt that despite the width of the bell mouth it will be difficult for larger vehicles to pass.

Contributions: The following should be added to the list of contributions:

Contributions to the sum of £100,921.84 towards the maintenance of care and to accommodate population growth for South Warwickshire NHS.

Clarification of scheme: The applicant has confirmed the following (which is shown on the drawing):

Width A – along the line of the existing bridge wall/parapet – 8.3m

Width B – the bell mouth at the connection point onto Common Lane – 13.7m

Condition: An additional condition to be added to any approval:

No infill material system material (soil) shall be imported to the site unless and until analytical test results for the material have been submitted to and approved in writing by the District Planning Authority. The analytical results shall demonstrate that the soil is suitable for its final use. Once the material is in place a further report shall be submitted to and approved in writing by the Local Planning Authority to confirm that the soil cover meets or exceeds the agreed capping depth.

REASON: To protect the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

Low Emissions Statement: This has been received from the agent and refers to the methods by which the developer will seek to reduce traffic flow through travel

information in the form of welcome packs, details in respect of cycle routes, public transport, car sharing schemes and walking.

Item 8 W/14/1684 Hampton View, Henley Road, Budbrooke

Item withdrawn from the agenda

Item 9 W/14/1513 Fieldgate Lane, Whitnash

Contract Services: Comments regarding the standards accepted for waste bin collection.

WCC Ecology: Response received regarding condition 10 on original Outline Permission W/13/0858 which covers the whole development is as follows:

'I have now received the final versions of the revised CEMP & Landscape and Ecology Management Plan for the Land off Golf Lane, Whitnash. I can confirm that the plans are now sufficiently detailed and I would recommend the associated conditions can be discharged.'

It is therefore considered that no additional conditions need be attached to the current application in respect to ecology.

Tree Officer: Response regarding Condition 17 on original Outline Planning Permission W/13/0858 which covers the whole development states that this condition can be discharged provided the barriers are erected in accordance with the exact Root Protection Area radii defined by the plan – JBA 14/04/7501D submitted on 5/12/14. It is therefore considered that there is no need to attach a condition in this respect to the current application.

Accordingly, the relevant conditions of the Outline Planning Permission have now been discharged, and the final outstanding condition (renewables) is subject to a Planning Appeal.

Public Response – 2 letters of objection on the following grounds -

1. The original application (W/14/0775) was approved only after Bovis Homes removed the 7 houses in the northwest corner of the site after an assessment of the risks associated with stray golf balls. There is nothing in the application to mitigate the risks even with the houses moved back.

2. The Golf Club has withdrawn its objections to the proposed layout following separate negotiations directly with the applicants, Bovis Homes.
3. 2 Radford houses next to the bungalow (plot 111) - causes a significant loss of light and appears to fall foul of the 45 degree angle for guidance between buildings.
4. The 2nd bedroom of the bungalow is overlooked by the side window of the Radford house (plot 50).
5. The side window at first floor level of the Radford house is to a landing and not to a habitable room and therefore this does not conflict with the Council's Adopted Residential Design Guide.
6. The loss of one communal parking space, which is given to an allocated slot for one of the Radford houses.
7. There is no net loss of car parking spaces from that originally proposed and therefore the proposed development complies with the Adopted Parking Standards. The Highway Engineer has confirmed that there is no objection to this issue.
8. Overdevelopment/Density too high.
9. The source of the USA research provided by the Applicant is not given and therefore the report is less credible. The prevailing wind is not taken into consideration.

Summary/Conclusion: This paragraph is amended to include the following:

'It is considered that the withdrawal of the objection by the Golf Club regarding public safety represents a significant change in circumstances from those considered by the Planning Committee when determining the previous reserved matters application for the whole site. Hence with this issue cleared, it is considered that the proposed development on the area of land in the north west corner of the field near the junction of Fieldgate Lane and Golf Lane can proceed since it has a satisfactory housing mix, level of affordable houses, design, impact on residents, access and parking, ecology and sustainability and therefore the application complies with Adopted Local Plan Policies DP1, DP2, DP3, DP4, DP5, DP6, DP8, DP9, DP11, DP14, DAP3, SC1, the Council's Residential Design Guide and the National Planning Policy Framework.'

Conditions: Condition 5 has been amended as follows:

'Measures shall be installed to the reasonable satisfaction of the Local Planning Authority to prevent mud and debris being deposited on the highway as a result of

construction traffic leaving the site. REASON: To safeguard highways interests in accordance with Adopted Local Plan Policy D6.'

In view of the late negotiations above, Conditions 6, 7 and 8 should be omitted.

Condition 9 has been amended as follows:

Prior to the commencement of the development hereby permitted plans must be submitted to and approved in writing by the Local Planning Authority showing the existing and proposed drainage systems for the site, the location of yard and road gullies, manholes, soak ways, septic tanks, cess pits and pipes, including the size, shape, material, fall and level in relation to ground and building levels to ordinate survey datum.

Prior to the commencement of the development hereby permitted plans must be submitted to and approved in writing by the Local Planning Authority showing the existing and proposed internal property drainage systems for the site including rain water down pipes, showers, sinks, toilets, WCs, wet rooms, wash basins, wash machines, dish washers and pipes, demonstrating how they link up with the external drainage systems. These plans must also show the finished floor levels of the proposed development.

Prior to the commencement of the development hereby permitted plans must be submitted to and approved in writing by the Local Planning Authority showing the precise location of the existing watercourse culvert in relation to the site. This plan must also show the extent of the proposed property curtilages and indicating which of these properties will become Riparian Owners of the watercourse.

The development hereby permitted must only be implemented in strict accordance with these approved plans.

REASON: To safeguard interests in accordance with Adopted Local Plan Policy DP11.

Item 10 W/14/1555 98 Bridge End, Warwick

Withdrawn from agenda

Item 11 W/14/1548 11 York Road, Leamington Spa

Public Response: Six further letters have been received stating that committee should not infer that the amendment addresses any of the neighbour's objections and the fundamental objection stands that a two storey annexe to a dilapidated large HMO is an inappropriate and wholly undesirable development in the

Conservation Area. Urge the committee to make a visit; should the application be granted, please consider adding a further condition to delete the Velux windows. Concerns that this will become an extension to the HMO and the inappropriateness of an addition to this property which is already in a dilapidated condition. Furthermore, there were delays of posting comments on the website and concerns over the Conservation Officer being persuaded to change his mind and why the applicant would go to the expense of inserting four windows into a store.

CAF: The scale and height of the garage would have a detrimental impact on the conservation area. There were concerns from local residents that it could be used as residential accommodation.

Conditions: Condition 2 should refer to condition 5 rather than to condition 3 in the fifth line.