

# Planning Committee

Minutes of the meeting held on Tuesday 16 September 2014 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Rhead (Chairman); Councillors Boad, Brookes, Mrs Bromley, Mrs Bunker, Doody, Weber, Weed and Williams.

## 75. Substitutes

Councillor Weed substituted for Councillor Wilkinson.

## 76. Declarations of Interest

Minute Number 79 – Agenda Item 5 – W14/0746 – Warwick Printing Co Ltd, Theatre Street, Warwick

All Members declared an interest in the item because the application site was on Council owned land.

Minute Number 84 – Agenda Item 8 – W14/0868 – 66 All Saints Road, Warwick

Councillor Williams declared an interest because the application site was in his Ward.

Minute Number 85 – Agenda Item 12 - W14/1051 – Westend Centre, Hampton Road, Warwick

All Members declared an interest in the item because the application site was on Council owned land.

Minute Number 89 – Agenda Item 10 – W14/0975 – 10 Earl Rivers Avenue, Warwick Gates, Warwick

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

Minute Number 91 – Agenda Item 14 - W14/1086 – 19 Field Barn Road, Hampton Magna, Budbrooke, Warwick

Councillor Rhead declared an interest because the application site was in his Ward.

## 77. Site Visits

To assist with decision making, Councillors Boad, Mrs Bromley, Mrs Bunker, Rhead, Weber and Williams visited the following application sites on Saturday 13 September 2014:

W14/0868 – 66 All Saints Road, Warwick

W14/0746 – Warwick Printing Co Ltd, Theatre Street, Warwick

W14/1051 – Westend Centre, Hampton Road, Warwick

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

W12/1018 – Land west of junction between Mill Lane and Old Warwick Road, Lapworth.

### **78. Minutes**

The minutes of the meeting held on 19 and 20 August 2014 were agreed and signed by the Chairman as a correct record.

### **79. W14/0746 – Warwick Printing Co Ltd, Theatre Street, Warwick**

The Committee considered an application from Waterloo Housing Group for the demolition of the Warwick Printing Company building and single storey building to Bowling Green Street and Market Street, the erection of 37 apartments with associated parking.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### **The Current Local Plan**

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DP6 - Access (Warwick District Local Plan 1996 - 2011)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011)  
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)  
TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)  
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

#### **The Emerging Local Plan**

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)  
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)  
H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)  
HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

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

TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

### **Guidance Documents**

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting proposed that an additional pre-commencement condition requiring the submission of a construction method statement, be added should planning permission be granted.

It was the officer's opinion that the development would result in the significant enhancement of this part of the Warwick Conservation Area, whilst making provision for a substantial number of affordable residential units without unacceptably impacting upon the amenities of nearby residential properties. The proposal was therefore considered to comply with the policies listed.

The following people addressed the Committee:

Mr Mackay, representing the views of Warwick District Conservation Advisory Forum, the Warwick Society and the 20<sup>th</sup> Century Society, objecting; Mrs Astill, objecting; Mr Kambo, on behalf of the applicant; and Councillor Mrs Higgins in her capacity as Ward Councillor.

It was proposed, and duly seconded, that the application be refused because it was too big in mass, spoilt the views of, and was inappropriate development in, the Conservation Area. On being put to the vote, the motion was lost 2 votes to 6.

Members raised concerns that there was little or no pavement or walkway within the site especially considering the parking for cars and potential delivery traffic using the turning area. It was agreed that this issue could be addressed by adding a suitable condition.

The Chairman also requested that a 10% renewal energy provision condition be added along with the construction method statement condition, as detailed in the addendum.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/0746 be **granted** subject to the following conditions:

- (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

## PLANNING COMMITTEE MINUTES (Continued)

(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 drawing numbers 025 Rev D; 026 Rev B; 027 Rev B; 030 Rev D; 14068-D51 Rev P1; 200; 201 and 202 and specification contained therein, submitted on 27 August 2014, 28 August 2014, 2 September 2014 and 4 September 2014. **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) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (5) the development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any

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

development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **Reason:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011;

- (6) the development shall not begin until a scheme detailing the affordable housing provisions has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall be retained as such at all times thereafter and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- (a) the tenure split;
  - (b) the arrangements for the management of the affordable housing;
  - (c) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - (d) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

**Reason:** Since planning permission has only been granted for residential development on this employment site on the grounds that the development is for 100% affordable housing, in accordance with Policies SC1, SC2 & SC11 of the Warwick District Local Plan 1996-2011;

- (7) no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the

## PLANNING COMMITTEE MINUTES (Continued)

applicant and approved in writing by the local planning authority. **Reason:** To ensure that any archaeological remains are recorded in accordance with Policy DP4 in the Warwick District Local Plan 1996-2011;

- (8) the development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. **Reason:** To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution;
- (9) prior to the first occupation of the development hereby permitted, the building shall be insulated in strict accordance with a scheme of works which have been submitted to and approved in writing by the local planning authority and thereafter such works shall not be removed or altered in any way. **Reason:** To ensure that the level of external noise is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of the apartments, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;
- (10) none of the apartments hereby permitted shall be occupied unless and until the car parking provision has been constructed and laid out, and made available for use by the occupants and thereafter those spaces shall be retained for parking purposes. **Reason:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies DP1 & DP8 of the Warwick District Local Plan 1996-2011;
- (11) the development hereby permitted shall not be occupied unless and until a written agreement has been entered into to ensure that residents of the new building have 24 hour access to Linen Street car park for the duration of their occupation, and such agreement has been

## PLANNING COMMITTEE MINUTES (Continued)

submitted to and approved in writing by the Local Planning Authority. **Reason:** To ensure that there is adequate parking is available, in accordance with Policy DP8 in the Warwick District Local Plan 1996-2011;

- (12) the development shall not be occupied until all parts of the existing accesses within the public highway not included in the permitted means of access have been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (13) the gradient of the access for vehicles to the site shall not be steeper than 1 in 15 at any point as measured from the near edge of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (14) the access to the site for vehicles shall not be used in connection with the development until they have been surfaced with a suitable bound material for a distance of at least 15 metres as measured from the near edge of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (15) the access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (16) no Gates/barriers/doors shall be erected at the entrance to the site for vehicles/heavy goods vehicles. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (17) the Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick

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

District Local Plan 1996-2011;

- (18) the development hereby permitted shall not be occupied unless or until a Traffic Regulation Order has been made by the Highway Authority to remove the application property from the existing Traffic Regulation Order thereby securing the removal of the rights of the applicant/ future owner/ tenants of the application property to apply for residents parking permits. **Reason:** To ensure the proposed development does not result in an increase in on-street parking pressure in an area with already high demand to the detriment of highway safety and residential amenity in accordance with Policies DP8, DP2 and the Vehicle Parking Standards SPD of the Warwick District Local Plan 1996-2011;
- (19) a construction method statement be submitted prior to works commencing;
- (20) 10% renewable energy provision be provided; and
- (21) additional pavement/walkways are added within the site, underneath the archway / turning area for vehicles, to ensure pedestrian safety;

### **80. W14/1036 – 134 Warwick Road, Kenilworth**

The Committee considered an application from Mrs Phillips for the erection of a single storey side and rear extension and a one and two storey rear and side extension. Change of use from Use Class C3 (single dwelling house) to use Class D1 (complementary health practice) at ground floor and a studio apartment and one bedroom apartment at first floor.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### The Current Local Plan

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
DP6 - Access (Warwick District Local Plan 1996 - 2011)  
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011)



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

DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)  
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)  
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)  
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

### **The Emerging Local Plan**

BE1, BE3, NE3, TR1, TR2, TR4, CC2, HS4.

### **Guidance Documents**

Sustainable Buildings (Supplementary Planning Document - December 2008)  
Residential Design Guide (Supplementary Planning Guidance - April 2008)  
The 45 Degree Guideline (Supplementary Planning Guidance)  
Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting advised that Warwickshire County Council Highway's department had no objection, subject to the stated conditions. Officers advised that there was a temporary agreement in place between the applicant and a local church, who had agreed to clients of the practice using their parking area.

It was the officer's opinion that the proposal was unlikely to lead to significant harm to highway safety, visual or neighbouring amenity, and the benefits of the scheme were not outweighed by any likely adverse impacts, therefore the proposal would comply with paragraph 14 of the NPPF.

The following people addressed the Committee: Mr Woodcock, objecting, and Mrs Phillips the applicant.

Members raised concerns about the traffic disruption and the lack of parking on site but noted that the WCC Highways department had withdrawn their objection subject to the stated conditions.

In addition, Members were worried about the cramped living conditions being proposed in the residential dwellings and felt that there was insufficient space for two flats.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/1036 be **refused** because it was felt that the proposal of two residential dwellings on the top floor was overdevelopment and would lead to cramped living conditions and was contrary to policies DP1 and DP2.

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

### **81. W14/1166 – 11 Wise Grove, Warwick**

The Committee considered an application from Mrs Chatha for the erection of a first floor front extension and a two storey side and rear extension.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 - 2011

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

Warwick District Local Plan 2011-2029 - Publication Draft April 2014

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

An addendum circulated at the meeting advised that the resident at 12 Wise Grove had commented on the 45 degree sight line taken from their front window. Officers confirmed that the proposed extension did not breach the 45 degree sightline.

It was the officer's opinion that the proposed front/side and rear extensions were acceptable in terms of their character and appearance within the street scene and did not significantly impact on the amenities of surrounding neighbours.

The following people addressed the Committee: Mr Emmerson, objecting; Mr Gent, objecting; and Ms Chatha, in support of her application.

Members felt that, having heard the representatives concerns and the potential inaccuracy of the plans, they would be able to make a fair decision if a site visit was undertaken.

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

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/1166 be **deferred** to allow a site visit to take place.

### **82. W14/1202 – Haseley Fields Farm, Haseley Knob, Haseley, Warwick**

The Committee considered an application from Mr and Mrs Lewis for the erection of new gates.

The application was presented to the Committee at the request of the Ward Councillor, Councillor Mrs Gallagher.

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 - 2011

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

Warwick District Local Plan 2011-2029 - Publication Draft April 2014

DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that the proposal would not harm the visual amenity of the surrounding area or have a detrimental impact on highway safety, and would comply with the policies listed.

The following people addressed the Committee: Mr Lewis, the applicant and Councillor Mrs Gallagher, in her capacity as Ward Councillor.

Members sought clarification on the lack of openness of the proposed gates, compared to the traditional five bar style gate and the previous decision to remove permitted development rights from the property.

Following consideration of the report, presentation and the representations made at the meeting, the Committee

**Resolved** that W14/1202 be **granted** subject to the following conditions:

- (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); and

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing titled proposed plans, drawing No.1, and specification contained therein, submitted on 5th August 2014.

**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.

**83. TPO 486 – Provisional Tree Preservation Order, Newlands barn, Five Ways Road, Haseley, Warwick**

The Committee considered a report about a provisional Tree Preservation Order (TPO 486) made following a request from a local resident and a Parish Councillor that this TPO be made following submission of a prior notification proposing the use of a nearby agricultural building for residential purposes.

The subject of the order was an oak tree, approximately 200+ years of age and was located within a native roadside hedgerow in the open countryside.

The Tree Preservation Order was presented to the Committee because an objection to it being confirmed had been received.

The tree was approximately 15m in both height and crown spread, with an attractive asymmetric crown. As a result of its positioning, size and distinctive character as a mature oak tree, officers felt that it significantly contributed towards the visual amenity of the area and the Arden Parkland landscape within which it was situated.

Upon inspection of the tree, there was no evidence of structural weaknesses or the presence of fungal fruiting bodies and it appeared to be in a sound biological state.

The Council had received two objections and two letters supporting the making of the order and these were summarised in the officer's report.

Councillor Mrs Gallagher addressed the Committee in support of the making of the order, in her capacity as Ward Councillor.

Following consideration of the report, presentation and the representation made at the meeting, the Committee

**Resolved** that Tree Preservation Order 486 be **confirmed**, without modification, in accordance with the recommendations in the report.

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

### **84. W14/0868 – 66 All Saints Road, Warwick**

The Committee considered an application from Mr and Mrs Shaw for alterations to 66 All Saints Road and the erection of a dwelling adjacent to the existing property.

The application was presented to the Committee because of the number of objections received including one from Warwick Town Council.

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### Warwick District Local Plan 1996 - 2011

DP8 - Parking (Warwick District Local Plan 1996 - 2011)  
Distance Separation (Supplementary Planning Guidance)  
Open Space (Supplementary Planning Document - June 2009)  
Vehicle Parking Standards (Supplementary Planning Document)  
Residential Design Guide (Supplementary Planning Guidance - April 2008)  
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)  
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)  
The 45 Degree Guideline (Supplementary Planning Guidance)  
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)  
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)  
DP6 - Access (Warwick District Local Plan 1996 - 2011)  
Sustainable Buildings (Supplementary Planning Document - December 2008)  
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

#### Warwick District Local Plan 2011-2029 - Publication Draft April 2014

HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)  
H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)  
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)  
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

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

TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that, the proposed house was considered acceptable in principle and design. The proposed house accorded with the adopted Supplementary Planning Guidance with regards to separation distances; bulk and massing. The proposed extensions to No.66 would not have an impact on the occupiers of the new house through visual intrusion or loss of light. Whilst the Council would resist the development of garden land, due to the lack of housing land supply and the design of the new house, it was considered acceptable. The proposed house would not have a detrimental impact on highway safety and was therefore considered to be in accordance with the aforementioned policies.

Members raised concerns that the drawings were misleading and the proposed new dwelling would not run flush within the street scene. Members also discussed the small separation distance between the proposed new dwelling and the existing property at 68A All Saints Road.

It was proposed, and duly seconded, that the application be refused but having been put to the vote, the motion was lost.

Members sought advice on the possibility of restricting the ridge height of the new dwelling, to help minimise the loss of sunlight to number 68A.

Following consideration of the report and presentation, the Committee agreed that the application should be granted, subject to an additional condition restricting the height of the new dwelling to the ridge height of number 68A All Saints Road. It was therefore

**Resolved** that W14/0868 be **granted** subject to the following conditions:

- (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 356.01GB dated 12th August 2014; 356.02GB, 356.03GB, 356.04GB, 356.05GB, 356.06GB, 356.07GB, 356.08GB dated 5th August 2014 and 356.09 dated 12th August 2014 and specification contained therein, submitted on 5th August 2014 **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;

## PLANNING COMMITTEE MINUTES (Continued)

- (3) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of the new dwelling and the extensions to No.66 will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this 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. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in 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 dwelling 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-

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

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) the development (specifically relating to the new dwelling) hereby permitted shall be carried out only in full accordance with sample details of the external facing brick and roof tiles which have been submitted to and approved in writing by the local planning authority. **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) 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 been implemented.

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

- (7) no facing and roofing materials shall be used on the extensions hereby approved other than materials similar in appearance to those used in the construction of the exterior of the existing building in association with the extensions for No.66 All Saints Road. **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



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

District Local Plan 1996-2011;

- (8) the extensions to No.66 as detailed on plan No. 356.09 dated 12th August 2014 hereby permitted shall be completed before the commencement of the construction of the detached dwelling hereby approved. **Reason:** Without the extensions completed to No.66 the proposed dwelling would infringe the 45 degree sightline which would be contrary to DP2 of the Warwick District Local Plan 1996 – 2011;
- (9) the dwellinghouse hereby permitted shall not be occupied unless and until the car parking areas indicated on the approved drawings have been provided 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;
- (10) The height of the proposed dwelling be restricted to the ridge height of the existing dwelling at 68A All Saints Road.

### **85. W14/1051 – Westend Centre, Hampton Road, Warwick**

The Committee considered an application from West Midlands Reserve Forces and Cadets Association for a single storey modular building for Joint Army Cadet Force (ACF) and Air Training Corps Youth Organisation (ATC).

The application was presented to the Committee because the proposal was contrary to the development plan due to it being sited within the Area of Restraint, and because the site was on Warwick District Council land.

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### **The Current Local Plan**

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
DP6 - Access (Warwick District Local Plan 1996 - 2011)  
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011)  
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)  
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)  
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

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

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)

DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)

DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

### **The Emerging Local Plan**

DS5, PC0, CT1, CT7, SC0, BE1, BE3, TR1, TR2, TR4, HS1, HS6, HS7, CC1, CC2, CC3, FW1, FW2, FW3, FW4, HE1, HE2, NE2, NE4, NE5.

### **Guidance Documents**

Vehicle Parking Standards (Supplementary Planning Document)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the development would have an acceptable impact on upon openness, would preserve the appearance of the Conservation Area, and would not cause harm to highway safety or flood risk, and should therefore be approved.

Members asked for clarity on the lack of a response so far from the Environment Agency regarding the Flood Risk Assessment (FRA). Following advice from officers, it was agreed that officers should be given delegated authority to grant the application on acceptance of the FRA by the Environment Agency.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/1051 be **granted** subject to the approval of a Flood Risk Assessment by the Environment Agency, authority for which to be delegated to officers and subject to the following conditions:

- (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 drawing(s) (2K1405 01/E Rev.C submitted on 10 July 2014. 959.03.A submitted on 25 July 2014. 959.02.A

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

submitted on 30 July 2014), 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;

- (3) 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 structure may extend within the site and which are within the Warwick District Council Conservation Area. 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;

- (4) the building shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority. **Reason:** To ensure that a satisfactory provision of off-street car parking and turning facilities are

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

maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011;

- (5) the building shall be used only by the Army Cadet Force (ACF) and the Air Training Corps (ATC) only and by no other persons or group.  
**Reason:** Since the proposed use is only acceptable on the basis of the likely associated vehicle movements, in the interests of highway safety in accordance with Policies DP6, DP7 and DP8 of the Warwick District Local Plan 1996-2011; and
- (6) the development hereby permitted shall only be undertaken in strict accordance with drainage details, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan, which have been submitted to and approved in writing by the local planning authority. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details. **Reason:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

### **86. W12/1018 – Land west of junction between Mill Lane and Old Warwick Road, Lapworth, Solihull**

The Committee considered an application from Mr Vincent for the erection of eight dwellings following partial demolition of one existing building.

The application was presented to the Committee because an objection had been received from Lapworth Parish Council. In addition, the application had been on hold whilst archaeological investigations were carried out.

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### The Current Local Plan

RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)  
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)

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

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)  
SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)  
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011)  
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)  
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)  
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)  
DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)  
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)  
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)  
DP5 - Density (Warwick District Local Plan 1996 - 2011)  
DP6 - Access (Warwick District Local Plan 1996 - 2011)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

### **The Emerging Local Plan**

Policies: DS2, DS3, DS5, DS6, DS7, DS10, DS11, HO, H1, H2, H4, SC0, BE1, BE2, BE3, TR1, TR2, TR3, TR4, HS1, HS4, HS5, HS6, HS7, CC1, CC2, CC3, FW2, FW3, FW4, HE6, NE2, NE3, NE4, NE5, W1, DM1.

### **Guidance Documents**

The 45 Degree Guideline (Supplementary Planning Guidance)  
Distance Separation (Supplementary Planning Guidance)  
Residential Design Guide (Supplementary Planning Guidance - April 2008)  
Open Space (Supplementary Planning Document - June 2009)  
Vehicle Parking Standards (Supplementary Planning Document)  
Sustainable Buildings (Supplementary Planning Document - December 2008)  
Affordable Housing (Supplementary Planning Document - January 2008)

An addendum circulated at the meeting advised of comments received from a Lapworth Parish Councillor, in a personal capacity. The concerns related to Highway issues and safety concerns on the access to the site. Members noted however, that the County Highways department had no objection subject to satisfactory conditions.

It was the officer's opinion that the proposal would not have an adverse impact on the visual amenity of the rural area or character of the village, would not cause harm to highway safety, and would make appropriate provision for affordable housing. The development was therefore recommended for approval.

Members also received advice regarding the need for the applicant to submit a satisfactory Section 106 agreement by 19 September 2014 and it was agreed that this could be covered by a condition.

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

Following consideration of the report, presentation and information contained in the addendum, the Committee

**Resolved** that W12/1018 be **granted** subject to the following conditions

- (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 application form, site location plan and approved drawing(s) (01, 03A, 04A, 05A, 06A submitted on 17 December 2012. 02C submitted on 24 January 2013), 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;
- (3) prior to commencement of the development hereby approved, details of a porous surface treatment for the drive or where a non-porous surface treatment is proposed, details of the provision to be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, shall have been submitted to and approved by the District Planning Authority. The drive shall be constructed and surfaced, in full accordance with the approved details. **Reason:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan;
- (4) no part of the development hereby permitted shall be commenced until a scheme for the provision of suitable bat boxes and bird boxes (the latter being suitable for use by house sparrow, starling or swift), to be erected on trees/buildings within the site as appropriate, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **Reason:** In accordance with National Planning Policy Framework and ODPM Circular 06/2005

## PLANNING COMMITTEE MINUTES (Continued)

and Policies DP3 and DAP3 of the Warwick District Local Plan;

- (5) no development shall be carried out on the site which is the subject of this permission, until large scale details of boundary walls and fences (including materials and finishes) fronting the canal have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **Reason:** To ensure an appropriate standard of design and appearance adjoining the canal, and to satisfy Policy DP1 of the Warwick District Local Plan 1996-2011;
- (6) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any construction works are commenced. Development shall be carried out in accordance with the approved details. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (7) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;
- (8) the dwellings hereby approved shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter

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

those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority. **Reason:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011;

- (9) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), the garaging shown on the plans hereby approved shall be retained and kept available for such purposes and shall not be altered either internally or externally without the prior consent of the District Planning Authority. **Reason:** To ensure that there are adequate parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;
- (10) the development shall not be occupied until visibility splays have been provided to the vehicular access to the site (passing through the limits of the site fronting the public highway) with an 'x' distance of 2.4 metres and 'y' distances of 90 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **Reason:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (11) the access to the site for vehicles shall not be used in connection with the development hereby permitted until it has been surfaced with a bound material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority (in consultation with the Highway Authority). **Reason;** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011; and



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

(12) No part of the development hereby permitted shall be commenced until a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) has been completed in order to secure the following matters:-

1. The appropriate provision of affordable housing within the site and the management of such affordable housing;
2. Where appropriate the provision of an appropriate commuted sum in lieu of the provision of any such affordable housing;
3. The appropriate provision of or improvement of open space within the catchment area of the application site or alternatively the provision of an appropriate commuted sum towards the provision of offsite public open space serving the development; and
4. The provision of an appropriate commuted sum towards the provision of library facilities serving the development.

**REASON:** In order to ensure the provision of appropriate affordable housing and infrastructure to serve the development in accordance with policies SC11 and SC13 of the Warwick District Local Plan 1996 - 2011.

87. **W14/0467 – Corner of Mill Lane and Old Warwick Road, Lapworth, Solihull**

The Committee considered an application from Mr Potterton for the demolition of the existing shop, chiropody office and apartment over, the erection of a new shop, chiropody office, apartment over plus three number two bedroom houses and one number three bedroom houses with ancillary parking.

The application was presented to the Committee because it was recommended that an existing legal agreement relating to the approved application be varied.

The application was originally considered by Planning Committee in September 2010 when it was resolved to grant planning permission subject to a legal agreement requiring three out of the four proposed new dwellings to be affordable. Prior to the completion of the agreement, in February 2012 the applicant asked Planning Committee to consider a revised proposal which provided two affordable dwellings out of four. Planning Committee agreed this revised proposal and the permission was issued following the completion of the legal agreement in April 2012.

This S106 agreement was then agreed to be varied by Planning Committee in October 2013, to allow for a financial contribution of £68,750 in lieu of the affordable housing provision on site, with 50% to be paid on completion

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

of the sale of the first dwelling, and the remaining 50% on completion of the sale of the second unit. However, this variation was not signed due to administrative delays.

This report requested a variation to the legal agreement previously agreed in October 2013, to require the payment to be index linked and paid within two years of completing the deed.

The officer considered the following policies to be relevant:

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)  
National Planning Policy Framework

It was the Housing Development Officer's opinion that, the sum of £68,750 was acceptable in lieu of affordable housing. 50% could be paid on completion of the sale of the first dwelling, with the remainder on completion of the sale of the second unit. The officer therefore requested the payment to be index linked and paid within two years of completing the deed and supported the recommendation in the report.

Following consideration of the report and presentation, the Committee

**Resolved** to vary the Section 106 agreement relating to planning permission W11/0467 and to accept a financial contribution of £68,750 in lieu of the affordable housing provision on site, with 50% to be paid on completion of the sale of the first dwelling, and the remaining 50% on completion of the sale of the second unit (as previously agreed by Planning Committee in October 2013), with the amount to be index linked and with a deadline for payment within two years of the deed of variation.

### **88. W14/0965 – 16 Alderman Way, Weston under Wetherley, Royal Leamington Spa**

The Committee considered an application from Mr Edwards for a loft conversion with velux rooflights and raising ridge line of the existing rear gable.

The application was presented to the Committee because an objection had been received from Weston under Wetherley Parish Council.

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### Current Local Plan policies

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

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

DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

### **Emerging Local Plan Policies**

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

### **Guidance**

Sustainable Buildings (Supplementary Planning Document - December 2008)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

It was the officer's opinion that the development respected the scale, design and character of the original dwelling and did not harm the general openness or rural character of the green belt/rural area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the report and presentation, the Committee

**Resolved** that W14/0965 be **granted** subject to the following conditions:

- (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 drawing number 14/04/14-03 Rev D, and specification contained therein, submitted on 5 August 2014. **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 Warwick District Local Plan 1996-2011.

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

### **89. W14/0975 – 10 Earl Rivers Avenue, Warwick Gates, Warwick**

The Committee considered a retrospective application from Mr Dulay for the erection of a boundary wall.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 – 2011

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

The 45 Degree Guideline (Supplementary Planning Guidance)

The Emerging Warwick District Local Plan 2011 - 2029

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

An addendum circulated at the meeting advised of further comments from neighbouring residents.

It was the officer's opinion that, the retrospective application for the brick built boundary wall was considered to be of acceptable design and scale which did not impact adversely on the character or appearance of the street scene and did not substantially impact on the amenity of neighbouring properties.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/0975 be **granted** retrospectively subject to the following conditions:

- (1) the development hereby permitted relates strictly with the details shown on the site location plan and approved amended drawing No. 2, and specification contained therein, submitted on 28th July 2014. **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
- (2) the existing hedge to the front boundary of the application site shall not be cut down, grubbed out or otherwise removed. If the hedge is

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

removed without consent or is dying, or becomes severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the date of this permission, it shall be replaced within the next planting season with hedging of such size and species details of which must be submitted to and approved by the local planning authority.

**Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

### **90. W14/1062 – 1 Oak Tree Close, Royal Leamington Spa**

The Committee considered an application from Mr Liddar for erection of a single storey detached games room / gym in the rear garden.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

#### **Warwick District Local Plan 1996 - 2011**

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

#### **Warwick District Local Plan 2011-2029 - Publication Draft April 2014**

CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that, the proposed building was satisfactory in regard to Design, Impact on Neighbours, Impact the Streetscene and Sustainability, and therefore the application complied with Adopted Local Plan Policies DP1, DP2 and DP13, and Draft Local Plan Policies BE1, BE3 and CC2, and the National Planning Policy Framework (2012).

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

Members raised concerns that the building should only be used ancillary to the main house and not be used as a separate dwelling and suggested adding a condition to ensure this.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/1062 be **granted** subject to the following conditions:

- (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 1519-14B, 1519-15B, 1519-LOC and 1519-BL, and specification contained therein, submitted on 17/7/14. **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) 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 Warwick District Local Plan 1996-2011;
- (4) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this 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. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy

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

resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011; and

- (5) The proposed building should only be used ancillary to the main dwelling.

91. **W14/1086 – 19 Field Barn Road, Hampton Magna, Budbrooke, Warwick**

The Committee considered an application from Mr Wood for the erection of a replacement front porch.

The application was presented to the Committee because the applicant was related to a Warwick District Council employee.

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 – 2011

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

The Emerging Warwick District Local Plan 2011 - 2029

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that, the proposed single storey ground floor front extension was considered to be of acceptable design and scale which would not impact adversely on the character or appearance of the street scene and did not substantially impact on the Green Belt or amenity of neighbouring properties which would support a reason for refusal.

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

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/1086 be **granted** subject to the following conditions:

- (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); and
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 1868A, and specification contained therein, submitted on 15th July 2014. **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.

(The meeting ended at 9.20 pm)