

Planning Committee

Minutes of the meeting held on Wednesday 27 May 2015 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Ashford, Boad, Mrs Bunker, Cain, Cooke, Mrs Falp, Miss Grainger, Mrs Hill, Mrs Knight, Morris and Weed.

1. **Substitutes**

Councillor Miss Grainger substituted for Councillor Mrs Stevens.

2. **Appointment of Chairman**

It was moved by Councillor Mrs Knight, and duly seconded that Councillor Boad be appointed Chairman of Planning Committee.

It was also moved by Councillor Ashford, and duly seconded that Councillor Cooke be appointed Chairman of Planning Committee.

Resolved that Councillor Cooke be elected Chairman of Warwick District Council's Planning Committee for the municipal year 2015/16.

The Chairman welcomed returning councillors and new councillors onto the Planning Committee.

3. **Appointment of Vice-Chairman**

It was moved by Councillor Mrs Knight, and duly seconded that Councillor Boad be appointed Vice-Chairman of Planning Committee.

It was also moved by Councillor Mrs Bunker, and duly seconded that Councillor Ashford be appointed Vice-Chairman of Planning Committee.

Resolved that Councillor Ashford be elected Vice-Chairman of Warwick District Council's Planning Committee for the municipal year 2015/16.

4. **Declarations of Interest**

Minute Number 7 – W15/0297 – Land East of Radford Semele, North of Southey Road, Radford Semele

Councillor Boad declared an interest on realising that one of the objectors was known to him after the first public speaker had spoken. He left the room immediately and returned once the decision was made.

Councillor Mrs Knight declared an interest because she knew people living at "The Greswoldes".

Minute Number 8 – W15/0305 Woodside Farm, Harbury Lane, Bishop's Tachbrook

PLANNING COMMITTEE MINUTES (Continued)

Councillor Ashford declared an interest because he was Chairman of Warwick Town Council's Planning Committee when this had been discussed. He left the room whilst this application was discussed.

Councillor Mrs Falp informed the Committee that she was on Whitnash Town Council's Planning Committee, but had not been present when the Town Council had discussed the application.

Minute Number 9 – W15/0256 – Units 3 and 5A Princes Drive, Kenilworth

Councillor Mrs Bunker declared an interest because she was a Kenilworth Town Councillor and the application site was in her Ward as a District Councillor.

Councillor Cooke declared an interest because he was present at Kenilworth Town Council when this application was discussed. However, he was not involved with the decision and had an open mind.

Councillor Mrs Hill declared an interest because she lived near to the application site.

Minute Number 11 – W15/0449 – Between 25-27 Shakespeare Avenue, Warwick

Councillor Ashford declared an interest because he was Chairman of Warwick Town Council's Planning Committee when this had been discussed. He left the room whilst this application was discussed.

Minute Number 12 – W15/0528 – 36 Berenska Drive, Royal Leamington Spa

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

Minute Number 13 – W15/0570 – 36 Berenska Drive, Royal Leamington Spa

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

Minute Number 14 – W15/3054 – Site 4200/4300 Poseidon Way, Trident Park, Warwick

Councillor Ashford declared an interest because he was Chairman of Warwick Town Council's Planning Committee when this had been discussed. He left the room whilst this application was discussed.

Minute Number 16 – W15/0334 – 62 The Fairways, Royal Leamington Spa

Councillor Miss Grainger declared an interest because the application site was in her Ward. She also declared that she had been appointed to the Planning Committee for Royal Leamington Spa Town Council, but had not yet attended one of its meetings.

PLANNING COMMITTEE MINUTES (Continued)

5. Site Visits

To assist with decision making, Councillors Ashford, Mrs Bunker, Cain, Cooke, Mrs Falp, Mrs Hill, Mrs Knight and Ms Weed had visited the following application sites on Saturday 23 May 2015:

W15/0297 – Land East of Radford Semele, North of Southey Road, Radford Semele

W15/3054 – Site 4200/4300 Poseidon Way, Trident Park, Warwick

W15/0305 – Woodside Farm, Harbury Lane, Bishop's Tachbrook

W15/0256 – Units 3 and 5A Princes Drive, Kenilworth

W15/0178 – 24 Church Hill, Bishop's Tachbrook

W15/0334 – 62 The Fairways, Royal Leamington Spa

6. Minutes

The minutes of the meeting held on 28 April 2015 were agreed and signed by the Chairman as a correct record.

7. W15/0297 – Land East of Radford Semele, North of Southam Road, Radford Semele

The Committee considered a reserved matters application from Bovis Homes Limited for the approval of appearance, landscaping, layout and scale for 60 dwellings granted under Outline Application W14/0322.

The application was presented to the Committee at the request of Councillor Doody.

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)

DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)

DP5 - Density (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)

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

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

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

SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
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)
Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)

The Emerging Local Plan

FW1 - Development in Areas at Risk of Flooding (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)
DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS6 - Level of Housing Growth (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)
H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR3 - Transport Improvements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

PLANNING COMMITTEE MINUTES (Continued)

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 development provided a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing and acceptable dwelling house and layout design solutions, including public open space. The scheme therefore complied with the policies listed.

An addendum provided at the meeting stated that both Radford Semele Parish Council and Councillor Doody had not raised any objections to the meeting but had requested a number of conditions be applied. Officers had confirmed to both the parish council and Councillor Doody that these conditions had already been addressed at outline application stage and did not need to be imposed again. Construction working hours were not imposed at the outline stage; however these could be controlled through separate Environmental Health legislation.

In terms of the tenure mix for the 40% affordable housing, this would either be shared ownership (intermediate), social rent or affordable rent. This needed to be agreed with the Council as required by the Section 106 legal agreement.

The following people addressed the Committee:

Mrs Steele, a local resident spoke in opposition to the application followed by Mr Gatfield who also spoke in opposition. Mrs Steele had been incorrectly registered to speak as a parish councillor.

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

Resolved that application W15/0297 be **granted** subject to the following conditions:

- (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) HTPD_P501VT TYPE F - RENDER Rev A, HTPD_C3003 TYPE D 2 of 2 Rev A, HTPD_P306 TYPE C REV A, HTPD_P301VT TYPE B REV A, HTPD_2B BUNG TYPE A REV A HTPD_C200V_S5 REV A, HTPD_S351_TYPE S3 REV A, HTPD_s241_TYPE S2 REV A, HTPS_S1 REV A, RADF-02-300 A, RADF-02-200 B, RADF-02-100 C, RADF-03-100 REV B (1 of 2), RADF-03-100 REV B (2 of 2), Radford Semele LEAP and specification contained therein, submitted on 13th May 2015 and 18th May 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)

- (2) the development 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. **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;
- (3) the landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of each phase of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted.
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) 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) no windows or openings, including dormer windows (apart from any shown on the approved drawings) shall be formed in the rear roof slopes of Plots 40 and 49-50 hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011;
- (5) 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), no development shall be

PLANNING COMMITTEE MINUTES (Continued)

carried out on Plot 40, which comes within Class A of Part 1 of Schedule 2 of this Order, without the prior permission of the Local Planning Authority. **Reason:** To retain control over future development of this property in the interests of residential amenity, given its close relationship with the adjoining property Amberwood and to help meet the objectives of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (6) the fence height be increased from 1.8 metres to 2 metres; and
- (7) the level of the site nearest the existing neighbours to the west be controlled.

8. W15/0305 – Woodside Farm, Harbury Lane, Bishop’s Tachbrook

The Committee considered an application from Permisson Homes South Midlands on reserved matters for the erection of 234 units (Phase 2) associated with the outline planning consent for up to 280 units, public open space, landscaping, new access and highways and associated and ancillary development.

The application was presented to the Committee because of the number of objections that had been 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)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (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)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Open Space (Supplementary Planning Document - June 2009)
Vehicle Parking Standards (Supplementary Planning Document)
Warwickshire Landscape Guidelines SPG
Sustainable Buildings (Supplementary Planning Document - December 2008)
Affordable Housing (Supplementary Planning Document - January 2008)
Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)

The Emerging Local Plan

DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS6 - Level of Housing Growth (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)
H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR3 - Transport Improvements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

PLANNING COMMITTEE MINUTES (Continued)

CC1 - Planning for Climate Change Adaptation (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)

FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that the proposed development was considered to provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market (subject to amendments) and affordable housing and acceptable dwelling house and layout design solutions, including public open space, relevant to this particular phase of the development. The scheme therefore complied with the policies listed.

An addendum provided at the meeting gave comments from the County Ecologist who was concerned that the proposed layout had the potential to disturb or destroy the habitat of a protected species (further survey work was required to establish this). The notes in the addendum from Warwick District Council Planning Officers explained the mechanisms in place for protection. The addendum also gave details of the amended plans to provide an appropriate mix of houses on the site plus details of further comments received from the public.

Mr Weber, representing Cycleways, addressed the Committee with suggested additional conditions for the proposal; he pointed out that he had observations to make and was not speaking in opposition.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, the Committee

Resolved that application W15/0305 be **granted** subject to the following conditions:

- (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) P-2-01 REV A, 03, 04, 05, 06, 07, 08, 09, P-2-10, P-2-10-1, P-2-10-2, P-2-10-3, P-2-11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, P-2-22, P-2-22-1, P-2-23, P-2-24-1, P-2-24-2, P-2-24-3, P-2-24-4, P-2-25, P-2-26, P-2-28, P-2-29, P-2-31, P-2-32, and specification contained therein, submitted on 27/02/15 and 13/05/15. **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 shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have

PLANNING COMMITTEE MINUTES (Continued)

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;

- (3) the landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of each phase of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted.
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) vehicular access to the allotments and two car parking spots at the allotments;
- (5) a scheme for a shed per plot on the allotments; and
- (6) A scheme for cycleway provision with the site.

9. W15/0256 – Units 3 and 5A Princes Drive, Kenilworth

The Committee considered an application from Grafton Merchanting Green Belt Limited for the demolition of the existing warehouse (Class B8) and the replacement with a storage yard, storage building, access vehicle parking and conversion of the existing building to provide builders merchants (Sui Generis).

The application was presented to the Committee because of the number of objections received. The application was deferred at the previous Planning Committee on 28 April to allow for a site visit by Members.

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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

SC2 - Protecting Employment Land and Buildings (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)

DS8 - Employment Land (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

It was the officer's opinion that the proposed development involving the retention of local employment and the reuse of vacant buildings within the Kenilworth area was acceptable and that sufficient evidence had been provided to weigh in favour of granting planning permission.

An addendum provided at the meeting stated that Warwickshire County Council Highways did not object to the proposals. The addendum advised that the opening times of the site for Saturdays should have stated 8.00am to 4.00pm in the report. The applicant had clarified that the change in levels within the site between the storage area and the delivery access was 0.5 metres, the retaining walls within the site would be faced with concrete modular blocks; palisade security fencing of 2.4 metres in height would be used; and that a 5 metre high lighting column would be provided in the centre of the storage area timed to switch off 30 minutes after closing.

The following people addressed the Committee:

Mr Mead, representing residents of Crackley, spoke in opposition to the proposals; and

Mr Welchman, representing the planning agents for the applicant.

Councillor Miss Grainger advised that she had conducted a site visit on her own that day.

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

Resolved that application W15/0256 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);

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 drawing numbers 004B; 007H, 009A and 010B, and specification contained therein, submitted on 19 February 2015 and 12 May 2015. **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) 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 CO² 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;
- (4) prior to the commencement of development hereby permitted, details of landscaping for the rear (south-east) boundary of the site showing means of enclosure, new planting and retained trees shall be submitted to and approved in writing by the Local Planning Authority. Any trees or shrubs removed without consent of the local planning authority or which die, become seriously damaged or diseased within a period of 5 years from the completion of the development, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with

PLANNING COMMITTEE MINUTES (Continued)

Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;

- (5) there shall be no deliveries (incoming or leaving) between the hours of 17.00pm and 7.30am Monday to Friday. There shall be no deliveries (incoming or leaving) on Saturdays, Sundays or Bank Holidays. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;
- (6) the opening hours of the premises shall be limited to: Monday to Friday: 0730 – 1700, Saturday 0730-1600. No opening on Sundays or Bank Holidays. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;
- (7) the storage area identified on drawing number 007H shall not exceed 5 metres in height. **Reason:** To protect the visual amenities of the area in accordance with Policy DP1 in the Warwick District Local Plan 1996-2011;
- (8) lighting on site being switched off 30 minutes after closure; and
- (9) reinforcing planting along the south-east boundary of the site.

10. W15/0178 – 24 Church Hill, Bishop’s Tachbrook

The Committee considered an application from Mr Edworthy for the demolition of an existing attached garage and the construction of a two storey side extension.

The application was presented to the Committee because an objection from Bishop’s Tachbrook Parish Council had been received. This application was deferred from the previous committee meeting held on 28 April 2015 pending a site visit from Members.

The officer considered the following policies to be relevant:

National Planning Policy Framework

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)

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

PLANNING COMMITTEE MINUTES (Continued)

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

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

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

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)

CC2 - Planning for Renewable Energy and Low Carbon Generation (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)

TR4 - Parking (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)

Guidance Documents

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

It was the officer's opinion that the proposed two storey side 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 amenity of neighbouring properties which would support a reason for refusal.

Councillor Bullen from Bishop's Tachbrook Parish Council, addressed the Committee in opposition to the application. The parish council sought a change to the ridge line of the proposal, but as the proposal was in line with District Council policy, this request was not considered.

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

Resolved that application W15/0178 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

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approved drawing P001, and specification contained therein, submitted on 9th March 2015. **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 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 CO² 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;
- (5) if an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to

PLANNING COMMITTEE MINUTES (Continued)

the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011; and

- (6) Prior to the occupation of the development hereby permitted, the first floor rear facing windows in the South West elevation of the proposed development shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **Reason:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

11. W15/0449 – Between 25-27 Shakespeare Avenue, Warwick

The Committee considered an application from Mr Dhesi for a two bedroomed dwelling with land of No. 25 and 27 Shakespeare Avenue.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework (NPPF)

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)

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

DP6 - Access (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)

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

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

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

PLANNING COMMITTEE MINUTES (Continued)

TR4 - Parking (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)

H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

Guidance Documents

Residential Design Guide (Supplementary Planning Guidance - April 2008)

Vehicle Parking Standards (Supplementary Planning Document)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents or highway safety. The proposal was therefore considered to comply with the policies listed.

An addendum provided at the meeting stated that the Environment Agency did not object to the application.

Councillor Littlejohn, representing Warwick Town Council, addressed the Committee in opposition to the application.

Councillor Morris stated that he knew the road reasonably well and questioned whether the proposal was fitting too much in but the Committee noted that the proposal complied with the District Council's space requirements.

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

Resolved that application W15/0449 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(s) 003 Rev B, 004 Rev A, and specification contained therein, submitted on 23/03/15 and 18/04/15. **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) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building No.25 Shakespeare Avenue.
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 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 CO² 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;
- (5) if an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011; and

PLANNING COMMITTEE MINUTES (Continued)

- (6) the development hereby approved shall not be occupied unless and until the existing vehicle access has been widened and the approved off-street car parking spaces have been provided in accordance with the approved details on drawing No.003 Rev B. Thereafter car parking facilities shall remain available for use at all times. **Reason:** To ensure that a satisfactory provision of off-street car parking is 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.

12. W15/0528 – 36 Berenska Drive, Royal Leamington Spa

The Committee considered an application from Mr Smoult for the erection of a two storey dwelling to the side of the existing property.

The application was presented to the Committee at the request of Councillor Ms Goode and because of 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)

DP6 - Access (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (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)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

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

The Emerging Local Plan

H1 - Directing New Housing (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)

TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

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

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

PLANNING COMMITTEE MINUTES (Continued)

HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

Residential Design Guide (Supplementary Planning Guidance - April 2008)

Vehicle Parking Standards (Supplementary Planning Document)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the proposal would retain the open character of the existing plot and the size and design of the proposed dwelling was in keeping with that of the existing dwelling and the site and overall character of the surrounding area and provided an acceptable level of amenity for existing and future occupants and therefore complied with the Policies listed and the NPPF.

An addendum provided at the meeting advised that Royal Leamington Spa Town Council had not objected to the application. A resident in Lillington Road requested that any trees that were lost to the proposal were replaced and an amended plan showing vehicle tracking had been received.

The following people addressed the Committee:

Mr Suther, representing residents living in the cul-de-sac, in opposition to the application; and

Mr Smoult, the applicant.

Councillor Cain stated that he had visited the site and was happy that it was a very large plot and was concealed.

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

Resolved that application W15/0528 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 ref:1068-0200, and specification contained therein, submitted on 8th April 2015 and approved drawing ref:1068-

PLANNING COMMITTEE MINUTES (Continued)

0505-A, and specification contained therein, submitted on 6th May 2015. **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) 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 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;
- (4) 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

PLANNING COMMITTEE MINUTES (Continued)

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 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;

- (5) the development hereby permitted shall not be first occupied unless and until the renewable energy 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 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;
- (6) 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)

- (7) 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) no windows or openings (apart from any shown on the approved drawings) shall be formed at first floor level in the southern facing elevation of the dwelling hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **Reason:** To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011; and
- (8) the development hereby permitted 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. **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.

13. **W15/0570 – 36 Berenska Drive, Royal Leamington Spa**

The Committee considered an application from Mr Smoult for the erection of a detached bungalow.

The application was presented to the Committee at the request of Councillor Ms Goode.

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)

PLANNING COMMITTEE MINUTES (Continued)

DP8 - Parking (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)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

H1 - Directing New Housing (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)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC3 - Buildings Standards Requirements (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)
NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

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

It was the officer's opinion that the proposed dwelling would be visible from the road and due to its size, design and layout would be out of keeping with its surrounds and would fail to improve the character and quality of the area and was therefore considered to be contrary to the aforementioned policies.

An addendum provided at the meeting informed that Royal Leamington Spa Town Council had not objected to the application. One objection had been received from a resident in Wathen Road which stated that the proposal was contrived and was contrary to Policies DP1, DP2 and DAP8.

The following people addressed the Committee:

Mr Suther, representing residents living in the cul-de-sac, in opposition to the application; and

Mr Smoult, the applicant.

PLANNING COMMITTEE MINUTES (Continued)

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

Resolved that application W15/0570 be **refused** for the following reasons:

- (1) Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 state that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The application property lies within a carefully planned residential estate consisting predominately of similarly designed two-storey, semi-detached properties that are regularly spaced in a staggered arrangement forming a regular rhythm and character of development. The proposed dwelling fails to recognise or respond to this established character and due to its siting, design, scale and form will appear as an an alien and incongruous addition to the streetscene to the detriment of the character of the surrounding area.

The development is thereby considered to be contrary to the aforementioned policies; and

- (2) policy DAP8 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 application site is situated on the boundary with the Royal Leamington Spa Conservation Area. The proposed development, due to its siting and design would infringe into the existing undeveloped buffer between the modern estate and the traditional character of the terraced houses within the conservation area, failing to preserve or enhance its setting.

The development is thereby considered to be contrary to the aforementioned policy.

14. W15/0354 – Site 4200/4300 Poseidon Way, Trident Park, Warwick

The Committee considered an application from A.C. Lloyd (Holdings) Limited for the erection of a bus depot to include a workshop, chassis wash, bus wash / fuelling lane, offices, stores and ancillary accommodation with associated landscaping and parking.

PLANNING COMMITTEE MINUTES (Continued)

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

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)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (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)
SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
EC3 - Protecting Employment Land and Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
SC0 - Sustainable Communities (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)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

PLANNING COMMITTEE MINUTES (Continued)

NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

Vehicle Parking Standards (Supplementary Planning Document)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that this employment area was an appropriate location for a bus depot. 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. Furthermore, the proposals would have an acceptable ecological impact and suitable conditions would address any other issues. Therefore, it was recommended that planning permission was granted.

An addendum provided at the meeting stated that Environmental Health did not object to the application, but it had recommended an additional condition to require that the external building fabric of the depot building provided a sound reduction of 35dB and the workshop shutter doors provided a sound reduction of 20dB when closed. The applicant had also submitted further information in relation to air quality, which was subject to one of the recommended conditions in the report. An objector had pointed out that the fence for the existing bus depot was 2.2 metres high.

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

Resolved that application W15/0354 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(s) 2183/4H, 2183/5G, 2183/6G, 2183/7F, 2183/8D, 2183/9H, 2183/10B, 2183/11B, 2183/13D, 2183/14D & 6516-100 Rev P0, and specification contained therein, submitted on 6 March 2015 & 1 May 2015. **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) the development shall be carried out only in full accordance with sample details of all facing

PLANNING COMMITTEE MINUTES (Continued)

and roofing materials which shall 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;

- (4) the development hereby permitted shall not commence until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **Reason:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011;
- (5) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **Reason:** In the interests of fire safety;
- (6) 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. 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

PLANNING COMMITTEE MINUTES (Continued)

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;

- (7) no development shall commence unless and until a CCTV condition survey of the existing culverted watercourse through the site has been submitted to and approved in writing by the local planning authority. Within 1 month of the first occupation of the development a further CCTV condition survey of the culverted watercourse together with details of any repair works, if necessary, shall be submitted to and approved in writing by the local planning authority. Any repair works shall be completed in strict accordance with the approved details within 6 months of the first occupation of the development. **Reason:** To safeguard against damage to the existing watercourse culvert, in accordance with Policy DP11 of the Warwick District Local Plan;
- (8) prior to the commencement of development a scheme for the offsetting of biodiversity impacts at the site shall be submitted to the Local Planning Authority. The offsetting scheme shall include:
1. The identification of receptor site(s);
 2. Details of the offset requirements of the development in accordance with the recognised offsetting metrics standard;
 3. The provision of contractual terms to secure the delivery of the offsetting measures; and
 4. A management and monitoring plan (to include for the provision and maintenance of such offsetting measures for not less than 25

PLANNING COMMITTEE MINUTES (Continued)

years from the date of this permission).

The development shall not commence until the Local Planning Authority has approved the scheme in writing. The applicant shall secure and implement such offsetting measures in accordance with the requirements of the approved scheme.

Reason: To ensure no net loss of biodiversity in accordance with NPPF paragraph 118, principles and guidance documents;

(9) the development hereby permitted shall either:

a) be timetabled and carried out to avoid the bird nesting season (March to September inclusive); or

b) not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds (immediately prior to works commencing). If evidence of nesting birds is found works shall not proceed within 20m of the nesting site until outside of the bird nesting season (March to September inclusive).

Reason: To prevent possible disturbance to nesting birds, in accordance with Policy DP3 of the Warwick District Local Plan;

(10) all ground clearance works shall be supervised by a qualified ecologist. **Reason:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

(11) the development hereby permitted shall not be first occupied unless and until the renewable energy / energy efficiency 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. 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

PLANNING COMMITTEE MINUTES (Continued)

1996-2011;

- (12) best practical means shall be employed at all times to control noise and dust during construction works. There shall be no demolition or construction works likely to give rise to noise nuisance before 0730 hours or after 1700 hours on Monday to Friday nor before 0730 hours or after 1300 hours on Saturdays nor at any time on Sundays, or Bank Holidays. **Reason:** To protect the living conditions of nearby residents, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;
- (13) delivery vehicles shall not be permitted to arrive on site before 0900 hours or after 1600 hours on Monday to Friday nor before 0800 hours or after 1300 hours on Saturday and not at any time on Sundays or Bank Holidays. **Reason:** In the interests of highway safety and to protect the living conditions of nearby residents, in accordance with Policies DP2, DP6 & DP9 of the Warwick District Local Plan 1996-2011;
- (14) noise arising from any plant or equipment, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;
- (15) in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. The remediation scheme must thereafter be completed in full. Following completion of

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measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing of the local planning authority. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011;

- (16) 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;
- (17) no part of the development shall be occupied unless and until the bus parking, car parking, cycle 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 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;
- (18) the development hereby permitted shall not be occupied until gates have been installed across the access to Poseidon Way in accordance with drawing nos. 2183/4 Rev H and 2183/14 Rev D. The gates shall be retained at all times thereafter and this access shall only be used as an emergency access. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011; and

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(19) the external building fabric of the depot building provides a sound reduction of 35dB and the workshop shutter doors provide a sound reduction of 20dB when closed.

15. W15/0335 – Former Honiley Airfield, Oldwich Lane East, Wroxall

This item was taken off the agenda because the parish council withdrew its objection as a result of amendments to the application. Following this, the application was granted under delegated authority.

16. W15/0334 – 62 The Fairways, Royal Leamington Spa

The Committee considered an application from Mr Singh Malhi for the erection of a two storey rear extension, erection of a front porch and roof alterations including the erection of a pitched roof front dormer to replace existing.

The application was presented to the Committee because of the number of objections received and because an objection had been received from Royal Leamington Spa Town Council had been received. The application was deferred at the previous planning committee on 28 April 2015 to allow for a site visit by Members.

The officer considered the following policies to be relevant:

National Planning Policy Framework

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

The Current Local Plan

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)

DP8 - Parking (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)

CC2 - Planning for Renewable Energy and Low Carbon Generation (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)

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

Guidance Documents

Vehicle Parking Standards (Supplementary Planning Document)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

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Distance Separation (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the proposed two storey rear extension, pitched roof dormer window extension to the front roof slope and front porch extension were 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 amenity of neighbouring properties which would support a reason for refusal.

Following consideration of the report, and presentation, the Committee

Resolved that application W15/0334 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 GD1486/02, and specification contained therein, submitted on 4th March 2015. **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 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 CO² 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

PLANNING COMMITTEE MINUTES (Continued)

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; and

- (5) if an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

17. Current Appeals Report

The Committee received a written update from Development Services which advised of the current list of planning and enforcement appeals either awaiting decision or where a decision had been received.

Resolved that the report is noted.

(The meeting ended at 8.39 pm)