

# Planning Committee

Minutes of the meeting held on Wednesday 30 March 2022 at the Town Hall, Royal Leamington Spa at 6.00pm.

**Present:** Councillors Ashford, Grainger, Jacques, Kennedy, Kohler, Leigh-Hunt, Quinney, Tangri and Tracey.

**Also Present:** Committee Services Officer – Rob Edwards; Legal Advisor – Caroline Gutteridge; Principal Planning Officer - Dan Charles; and Development Manager – Gary Fisher.

## 170. **Appointment of Chair**

In the absence of the Chairman and Vice-Chairman, it was proposed by Councillor Tracey, seconded by Councillor Quinney and

**Resolved** that Councillor Kennedy be appointed as Chair for the 30 March 2022 meeting.

## 171. **Apologies and Substitutes**

- (a) Apologies were received from Councillor Boad.
- (b) Councillor Kohler substituted for Councillor Dickson and Councillor Grainger substituted for Councillor Morris.

## 172. **Declarations of Interest**

Councillor Kohler declared an interest on W/21/1084 – Southfields, 57 Lillington Road, Royal Leamington Spa as he was speaking in objection on behalf of Councillor Bill Gifford as Ward Councillor, and he therefore did not take part in the debate when this application was discussed.

## 173. **Site Visits**

W/21/1084 – Southfields, 57 Lillington Road, Royal Leamington Spa

Councillor Jacques had undertaken an independent site visit when the application was on the agenda for the 1 February 2022 meeting, which was withdrawn prior to the meeting.

W/21/0802 – Land North of Bakers Lane, Knowle

Prior to the 2 March Planning Committee meeting, to assist with decision making, Councillors Boad, Kennedy, Leigh-Hunt, Morris, and Quinney visited the application site for W/21/0263 – Land North of Bakers Lane, Knowle, Solihull - on Monday 28 February 2022. Councillors Falp, Quinney and Dickson also made independent visits to the site. Although this was for a separate application, it was requested that this visit be recorded in the minutes.

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

### **174. W/21/1084 – Southfields, 57 Lillington Road, Royal Leamington Spa**

The Committee considered an application from La Cala Homes Ltd for eight one-bedroom apartments to be formed within the existing roof space with external alterations including dormer windows and solar panels, plus the reconfiguration of the existing accommodation at Southfields providing 38 apartments (22 x 2 bed and 16 x 1 bed units, which involved internal alterations only and was not development within the meaning of Section 55 of the Act), resulting in a total of 46 apartments, alterations to the existing car park layout, provision of external covered bicycle shelter, external alterations to include cladding and render and Juliet balconies.

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

The officer was of the opinion that the development was acceptable in principle having regard to Policy H1 of the Local Plan as the site was within a sustainable area within the Urban Boundary of Royal Leamington Spa.

The proposal was considered to have an acceptable impact on the character and amenity of the local area and adjacent Conservation Area.

Residential amenity of both existing residents and future occupants of the premises was considered to be acceptable.

The scheme was not considered harmful to highway safety and a range of conditions could mitigate site specific matters.

For the above reasons and subject to conditions, it was recommended that the application should be approved.

An addendum circulated before the meeting advised Members of additional public responses listing objections to the application and detailed an update to Condition 9 which made reference to water efficiency based upon an occupation rate of 2.4 people. As the flats were one bedroom only, this was to be reduced to two people.

(At 6.15pm, the meeting was adjourned to allow technical difficulties to be resolved and reconvened at 6.25pm.)

The following people addressed the Committee:

- Councillor McAllister, Town Councillor, objecting;
- Mrs Foley, objecting;
- Mr Frampton, supporting; and
- Councillor Kohler, District Councillor, objecting.

In response to questions from Members, the Legal Officer advised Members that the officers' view was the building was a C3 use class; officers had looked at different components of the use and history of the building in reaching that view. The flats themselves were self-contained, and there was a minimal amount of communal areas, and no restriction on the occupation for people in need of care. C2 use class was for people in need

## PLANNING COMMITTEE MINUTES (Continued)

of care which was described as personal care for people in need, and there had never been a restriction for this property to be used by people in need, so it was officers' view that the property had always been C3 class use – dwelling house use as opposed to care home use.

The Legal Officer also explained that officers judged that the application was not a material change of use; although it was currently marketed and had been in the past for over 55's, there had been nothing to stop the owners from renting flats out to other age groups.

In response to question from Members, the Principal Planning Officer advised that the residential design guide made reference to separation distances for circumstances where the distance between a two or three storey building and a three-storey building with upper floors consisting of rooms other than bedrooms stated that a separation distance of 32 metres would be required. However, where the upper floor was made up of just bedrooms, the separation distance would be 27 metres.

In the residential design guide, the first instance above stipulated a blanket 32 metres so there would be a shortfall against this standard. The reference to 27 metres was because at that point of the measured window to window distance, the room within the proposed development was a bedroom which would, if there were only bedrooms located on that floor, be subject to the separation distance of 27 metres. Officers had assessed in the report the separation distance of 29.5 metres as being below the standard but acceptable because of the mitigating factors. Therefore, there were two ways of reading the separation distance guidance.

Members were of the view that if they were to accept there were two ways of reading the distance separation guidelines, there was the possibility that there was a breach of that standard.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Quinney and seconded by Councillor Tracey that the application should be refused.

The Committee therefore

**Resolved** that W/21/1084 be **refused**, contrary to the recommendation in the report on the grounds of the impact on the neighbouring property due to substandard distance separation contrary to policy reference BE3.

(At 7.33pm the meeting was adjourned to allow for a comfort break and resumed at 7.43pm)

### 175. **W/21/0802 – Land North of Bakers Lane, Knowle**

The Committee considered a part-retrospective application from Mr Flaherty for the construction of new canal-side moorings at Helmsley Court Farm, Bakers Lane, Knowle, with associated access and parking arrangements for the provision of car parking.

## PLANNING COMMITTEE MINUTES (Continued)

The application was presented to Committee because of the number of objections received, including from Lapworth Parish Council and Chadwick End Parish Council.

The officer was of the opinion that the development was proposed as an over-wintering storage facility for canal boats, with no residential occupation of the boats. If the boats were to be used as residential accommodation, this would be contrary to Local Plan policy H1 which directed new housing. Moreover, the absence of an objection from WCC Highways was in part based on the boats not being used for residential accommodation. It was therefore necessary to add a condition which limited their use for the purposes of the development.

In conclusion, the development was considered to comply with relevant local and national policies and therefore it was recommended that the application should be approved.

An addendum circulated prior to the meeting advised Members of additional public responses of objection.

The addendum also advised that as a point of clarification, officers wished to confirm that the maximum number of moorings at the site was 20. This was the same as the maximum number of moorings under the previous application.

A query was raised regarding an alternative access to the site. Officers had confirmed with the applicant that this was part of the forestry operations only and would not be used in any capacity in connection with the moorings. It was currently provided with a locked gate at the access onto Bakers Lane and this would continue. A condition was also proposed in the report to ensure that only the proposed access was used in association with the moorings.

It was recommended that an additional condition be included as follows:

"There shall be no vehicular access to the site, other than that which is shown on the approved drawings.

**Reason:** Alternative vehicular access to the site could have a detrimental impact on highway safety and would be contrary to policy TR1 of the Warwick District Local Plan 2011-2029".

It was recommended that Condition 4 be updated to the following:

"No further development nor use of the site shall be carried out until details of the arrangements for the **removal of any temporary structures associated with the development and** retention and restitution of the top soil over the area of spoil deposit, including details of surface water drainage works have been submitted to and approved by the Local Planning Authority. **No further development nor use of the site shall be carried out until the development has been carried out in full accordance with such approved details**".

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

The following people addressed the Committee:

- Councillor Henderson, Lapworth Parish Councillor, objecting;
- Mr Gregory, objecting;
- Mr Flaherty, supporting; and
- Councillor Illingworth, District Councillor, objecting.

Councillor Quinney raised a question in response to comments made by a public speaker who spoke in objection, whether it was possible for the tightening of conditions relating to preventing the installation of lighting, controlling/limiting the number of cars on the site, and limiting the number of boats.

The Development Manager advised Members that the conditions could be tightened to prevent the installation of any lighting or illumination, and an additional condition restricting the maximum number of boats to 20 would be acceptable, as well as the revision of the conditions relating to car parking to restrict the maximum number of cars to be parked on the site at any one time. In response to a question from Councillor Kohler, he also suggested that officers could explore whether it was possible to require the installation of EV charging points by condition, which would then be reported back to the Chairman of the Committee before any decisions was taken. In response to a question from Councillor Quinney, the Development Manager suggested that revisions to the proposed conditions to require the submission of a timetable for the completion of the development including all remedial actions would be acceptable, along with a note advising the applicant that the Committee wished to see the development progressed and completed as speedily as possible.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Ashford and seconded by Councillor Quinney that the application should be granted.

The Committee therefore

**Resolved** that in respect of W/21/0802

- (1) it be **granted** in accordance with the recommendation in the report and addendum, subject to the following conditions:

<b>No.</b>	<b>Condition</b>
(1)	the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan submitted on 16th December 2021 and approved drawing(s) 26280D-5 and MANOEUVERING PLAN-U-TURN IN REV A. submitted on 26th April 2021 and drawing IMA-19-194 TR02 submitted on 16th February 2022 and the specification contained therein.

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | <p><b>Reason:</b> For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;</p>   |
| (2)        | <p>no further development than already commenced and recorded by the local planning authority or use of the site shall be carried out until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. In discharging this condition, the local planning authority expect to see details concerning pre-commencement checks for protected species (<i>detail as appropriate, i.e. badgers, bats, breeding birds and otter</i>) and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.</p> <p><b>Reason:</b> To ensure that protected species are not harmed by the development, in accordance with the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029;</p> |
| (3)        | <p>no further development than already commenced and recorded by the local planning authority nor use of the site shall be carried out until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of</p>   |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full.<br><br><b>Reason:</b> To ensure a net biodiversity gain in accordance with NPPF and to ensure that the proposed development has an acceptable impact on the character and appearance of the locality, including the setting of the canal, in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;  |
| (4)        | no further development nor use of the site shall be carried out until details of the arrangements for the removal of any temporary structures associated with the development and retention and restitution of the topsoil over the area of spoil deposit, including details of surface water drainage works, and a timetable for the completion of all of the aforementioned works, have been submitted to and approved by the Local Planning Authority. No further development nor use of the site shall be carried out until the development has been carried out in full accordance with such approved details.<br><br><b>Reason:</b> To protect the openness of the Green Belt and ensure that surface water drainage is adequately dealt with, in accordance with Policies DS18 and FW2 of the Local Plan; |
| (5)        | the development hereby permitted shall not be brought into use unless and until the car parking and manoeuvring areas indicated on the approved drawing IMA-19-194 TR02 submitted on 16th February 2022, have been provided and thereafter those areas shall be kept marked out and available for such use at all times.<br><br><b>Reason:</b> To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029;  |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
| (6)        | the car park hereby permitted shall not be brought into use unless and until a car park access control and management system has been implemented to: (a) prohibit unauthorised access other than by those legitimately attending the mooring or in connection with the forestry business; (b) manage parking demand so that it does not exceed the maximum capacity as shown on the approved drawings and (c) prohibit access by unsuitable vehicles, in accordance with details that shall have been submitted to agreed in writing by the Local Planning Authority. The development shall only be operated in strict accordance with the approved details. |

**Reason:** To ensure safe and controlled access to the site in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029;

- |     |   |
|-----|---|
| (7) | the car parking area hereby permitted shall not created unless and until samples of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. |
|-----|---|

**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 BE1 of the Warwick District Local Plan 2011-2029;

- |     |   |
|-----|---|
| (8) | there shall be no lighting or illumination installed or operated at the site. |
|-----|---|

**Reason:** To ensure the protection of the Green Belt and protected species in accordance with Policies DS18 and NE2 of the Warwick District Local Plan 2011-2029.

**Reason:** To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the



## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | occupiers of nearby properties and the canal in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;   |
| (9)        | the boats moored in the facility hereby permitted shall not be occupied overnight and shall not be used for residential accommodation.<br><br><b>Reason:</b> To protect the character of the Green Belt and to ensure a sustainable form of development, in accordance with Policies DS18 and H1 of the Local Plan;                  |
| (10)       | there shall be no vehicular access to the site, other than that which is shown on the approved drawings.<br><br><b>Reason:</b> Alternative vehicular access to the site could have a detrimental impact on highway safety and would be contrary to policy TR1 of the Warwick District Local Plan 2011-2029; and                      |
| (11)       | there shall be no more than 20 moorings serving the site.<br><br><b>Reason:</b> To ensure that adequate parking can be provided and to limit traffic generation so that the development would not have a detrimental impact on highway safety, in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029. |
| (2)        | the inclusion of a note advising the applicant that the Committee wishes to see the development progressed and completed as speedily as possible.  |

(At 8.47pm the meeting was adjourned to allow for a comfort break and reconvened at 8.57pm).

### 176. **W/21/0527 – Four Brothers Farm, Five Ways Road, Shrewley**

The Committee considered an application from Mr Burton for the demolition of an agricultural building and erection of two dwelling houses as an alternative scheme to extant permission under Class Q Prior Approval (ref: W/19/1373) for the conversion of the agricultural building to three dwelling houses.

## PLANNING COMMITTEE MINUTES (Continued)

The application was presented to Committee because an objection had been received from Shrewley Parish Council.

The proposal related to the demolition of a barn with an extant residential consent for three dwellings and the erection of a single building consisting of two attached dwelling houses of a similar size and scale to the existing building. In addition, the remaining site was to be turned into a wildflower meadow/grassland area.

The officer was of the opinion that the proposed dwellings were acceptable in principle and was considered to be appropriate development within the Green Belt. Site specific matters could be controlled by condition, and it was therefore considered that the scheme was acceptable.

An addendum circulated prior to the meeting advised Members of the following updates to Conditions 3, 4 and 6:

Condition 3 to be updated to read "Development in Accordance with the recommendations set out within submitted Preliminary Ecological Appraisal".

Condition 4 to be updated to be "No works above slab level until....".

Condition 6 to be updated to "No works above slab level until....".

The following people addressed the Committee:

- Councillor Westbury, Shrewley Parish Councillor, objecting; and
- Mr Burton, supporting.

In response to questions from Members, the Principal Planning Officer advised that Members could require a condition to secure the provision of a parking area for six vehicles and maintained in perpetuity to prevent it being lost to the garden area, as well as a condition requiring details to set out where cycles would be stored. In relation to the provision of EV charging points, officers had conditioned a sustainability statement to provide details of sustainability measures of which EV charging points could be incorporated, or this could be provided as a standalone condition.

Following consideration of the report, presentation, and the representations made at the meeting, it was proposed by Councillor Jacques and seconded by Councillor Ashford that the application should be granted.

The Committee therefore

**Resolved** that W/21/0527 be **granted** in accordance with the recommendation in the report and addendum, and subject to the following conditions:

<b>No.</b>	<b>Condition</b>
(1)	the development hereby permitted shall begin no later than three years from the date of this permission.

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | <b>Reason:</b> 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) 044(08)01 Rev X, 044(08)02 Rev X, 044(08)04 Rev X, 044(08)06 Rev X and 044(08)07 Rev X and specification contained therein, submitted on 11 November 2021.<br><br><b>Reason:</b> For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;   |
| (3)        | the development hereby permitted (including ground clearance works) shall be carried out strictly in accordance with the methodology and recommendations set out within the Phase 1 Preliminary Ecological Appraisal reference 4BroFarm0721_PEA prepared July 2021 and received by the Local Planning Authority on 14 July 2021.<br><br><b>Reason:</b> To ensure that protected species are not harmed by the development;   |
| (4)        | no development above slab level shall commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full. |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | <b>Reason:</b> To ensure a net biodiversity gain in accordance with NPPF;  |
| (5)        | notwithstanding details contained within the approved documents, prior to commencement of development other than site clearance, preparation works, or demolition works, a Sustainability Statement including a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include: <ul style="list-style-type: none"><li>(a) How the development will reduce carbon emissions and utilise renewable energy;</li><li>(b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;</li><li>(c) Details of the building envelope (including U/R values and air tightness);</li><li>(d) How the proposed materials respond in terms of embodied carbon; and</li><li>(e) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading.</li></ul> |

No dwelling shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

**Reason:** To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019);

- |     |  |
|-----|--|
| (6) | no development above slab level shall commence unless and until details of surface and foul water drainage works have been submitted to and approved in writing by the local planning authority. The development |
|-----|--|

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | shall be carried out in strict accordance with the approved details.<br><br><b>Reason:</b> To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029;  |
| (7)        | the dwellings hereby permitted shall not be occupied unless and until the existing agricultural building has been demolished and the concrete base removed. Thereafter the area shall be planted in accordance with the approved plans within the first planting season following the first occupation of the dwelling.<br><br><b>Reason:</b> To define the terms of the planning permission and in the interest of visual amenity and openness of the Green Belt in accordance with Policies BE1 and DS18 of the Warwick District Local Plan 2011-2029;  |
| (8)        | no part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been put in place to include the erection of stout protective fencing in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered, or any excavation take place without the prior consent in writing of the LPA. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.<br><br><b>Reason:</b> In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029; |
| (9)        | no development shall be carried out above slab level unless and until samples of the external facing materials to be used have  |

## PLANNING COMMITTEE MINUTES (Continued)

<b>No.</b>	<b>Condition</b>
	been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. <b>Reason:</b> 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 BE1 of the Warwick District Local Plan 2011-2029;

(10) no development above slab level shall commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include all boundary treatments, including full details of the proposed boundary fencing; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. Details of soft landscaping shall include details of all new tree species; details of the species to be used for gapping up the hedgerow; details of wildflower mix; and details of the proposed planting for the garden area of the dwelling.

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 the same size and species as that originally planted. 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

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;   |
| (11)       | notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of the dwellinghouses hereby permitted without first seeking permission from the Local Planning Authority. |

**Reason:** The dwellings are justified as a replacement for the extant permission on the site for the proposed barn conversion which is subject to restrictions on future development. It is considered appropriate to restrict Permitted Development Rights to ensure that the proposal remains proportionate to the barn it replaces in the interests of visual amenity and openness of the Green Belt having regard to Policies BE1, BE3 and DS18 of the Warwick District Local Plan 2011-2029;

- |      |   |
|------|---|
| (12) | the development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. |
|------|---|

**Reason:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029;

- |      |  |
|------|--|
| (13) | the development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) has been submitted to and approved in writing by the |
|------|--|

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter.   |
|            | <b>Reason:</b> To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan;   |
| (14)       | 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.   |
|            | <b>Reason:</b> 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 TR1 and TR3 of the Warwick District Local Plan 2011-2029;  |
| (15)       | the development hereby permitted shall not be occupied unless and until the external refuse storage areas for the development have been constructed or laid out and made available for use by the occupants of the development and thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse associated with the development. |
|            | <b>Reason:</b> To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;  |
| (16)       | a condition to secure the provision of a parking area for 6 vehicles and maintained in perpetuity to prevent it being lost to the garden area;   |
| (17)       | a condition requiring details to be set out where bicycles will be stored; and   |
| (18)       | a condition relating to the provision of EV charging points.   |



## PLANNING COMMITTEE MINUTES (Continued)

### 177. **Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

**Resolved** that the report be noted.

It was the final meeting where Warwickshire County Council Legal Services provided legal support, and the Committee took the opportunity to put on record its thanks and gratitude for all their support at Planning Committee since 2007.

(The meeting ended at 9.25pm)

CHAIRMAN  
4 May 2022