

Planning Committee

Minutes of the remote meeting held on Tuesday 11 August 2020 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillor Boad (Chairman); Councillors Ashford, R. Dickson, Heath, Jacques, Kennedy, Leigh-Hunt, Morris, Murphy, Tangri and Weber.

Also Present: Committee Services Officer – Mr Edwards; Civic & Committee Services Manager– Mrs Tuckwell (observing only); Legal Advisor – Mrs Gutteridge; and Development Services Manager – Mr Fisher.

The Development Services Manager explained to Members that two applications had been withdrawn from the agenda:

- Item 5 – W/19/1200 – Land at South Crest Farm, Crewe Lane, Kenilworth. This had been withdrawn from the agenda by officers for the reasons indicated in the report (i.e. that the related land sale having not been completed and therefore the site not being confirmed to be surplus to education requirements); and
- Item 7 – W/20/0486 – 49 St Michaels Road, Saltisford, Warwick. This had been withdrawn from the agenda because the anticipated consultation response from the Highways Authority had not been received.

30. **Apologies and Substitutes**

- (a) There were no apologies made; and
- (b) There were no substitutes.

31. **Declarations of Interest**

There were no declarations of interest.

32. **Site Visits**

There were no site visits made.

33. **Minutes**

The minutes of the meetings held on 8 July, 14 July and 15 July 2020 were taken as read and signed by the Chairman as a correct record.

34. **W/19/2112 – Land South of Lloyd Close, Hampton Magna**

The Committee considered an application from Bellway Homes South for Reserved Matters pursuant to condition 1 of planning permission ref: W/17/2387, for details of access, appearance, landscaping, layout and scale of 147 dwellings together with associated works, including vehicular/pedestrian access from Daly Avenue, green infrastructure including a play area, open space and other landscaping and sustainable drainage.

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The application was presented to Committee because of the number of objections that had been received, including one from Budbrooke Parish Council.

The officer emphasised that as this was an application for the approval of reserved matters, it was not possible to reconsider the principle of development. This was considered in the assessment of the outline planning application (W/17/2387) and was found to be acceptable. Since the principle of development therefore could not be re-visited, consideration of the current application could only include issues related to the detailed access, appearance, landscaping, layout and scale of the 147 dwellings proposed by Bellway Homes.

Officers considered the proposed development would provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing, where the affordable housing was distributed evenly across the site. The dwellings themselves were varied in their architectural styles, and a predominant use of red brick was proposed which was characteristic of the local area. The development would be well landscaped, with the various typologies set out in the open space SPD all being met, with an additional over-provision of open space over and above that which was necessary for the size and type of development. The additional open space was positioned along the southern edge of the site, which provided the green buffer and transition from the built edge to the adjoining countryside.

There would be no harm caused to the amenity of existing neighbouring properties, and future occupiers of the development would be provided for with garden sizes and distance separation that would either meet or exceed the standards set out in the Council's adopted guidance.

There would be no detriment to highway safety, flood risk / drainage or ecology and biodiversity offsetting. While a number of non-material planning considerations had been raised, which were not relevant to the determination of the application, some of these had been referenced for completeness and clarification purposes above.

Having regard to all of the above, officers considered the scheme complied with the relevant policies of the Development Plan, and accordingly, it was recommended that planning permission should be approved.

An addendum circulated at the meeting advised that additional third party representations had been received, which largely reiterated comments already made during the course of the application. These were in respect of parking, number of dwellings proposed, density, impact on village infrastructure and character of the area.

Comments were also raised in relation to lighting, and the absence of a lighting scheme with this application, however this was covered by condition in pursuance of the outline application (W/17/2387) which needed to be discharged prior to the commencement of development.

An additional comment was also received regarding the potential loss of a public footpath. This matter was covered in the report but for the avoidance of doubt, the development did not propose to stop up or divert the public

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right of way, either of which would require the requisite legal directive to do so.

The addendum also advised that throughout the course of both outline and reserved matters applications, the County Rights of Way Team maintained the need for the public right of way to remain open and unobstructed at all times and an advisory note would be added to any forthcoming permission to that effect to ensure this remained the case. The granting of planning permission would not grant the right to stop up or divert any public right of way.

The following people addressed the Committee:

- Councillor A Thomas, Parish Councillor, objecting;
- Mr Mills, objecting; and
- Statement on behalf of Mr Earley, supporting, read out by the Committee Services Officer.

Therefore, following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Kennedy and seconded by Councillor Heath that the application should be granted.

The Committee therefore

Resolved that W/19/2112 be **granted** subject to the addition of a sustainability plan condition, the wording of which is delegated to officers to agree in consultation with the Chairman, the conditions below, together with advisory notes as recommended by relevant statutory consultees (in respect of ecology, highways for example).

Conditions:

- (1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings ECO2 'Ecology 02 Plan' submitted on 15 May 2020 and PL_ENG_024 'Pump Station Details' submitted on 12 May 2020 as well as the following approved drawings received by the Local Planning Authority on the following specified dates:

20 April 2020

SO2+_PLAN_01, S03_PLAN_01, S04_PLAN_01, S08_PLAN_01, S12_PLAN_01, JO-2B-2S-P1, JO-2B-2SCB-E, MA-3A-2S-P1, MA-3B-2S-CB-E, SC-4B-2S-P1 Rev.A, SC-4B-2S-CB-E Rev.A, BL-2B-2S-P1, BL-2B-S-CB-E, WO-2B-1S-P1, WO-2B-1S-CB-E, FR-3B-2S-P1, FR-3B-2S-CB-E, SY-3B-2S-P1, SY-B-2S-CB-E, BO-4B-2S-P1, BO-4B-2S-CB-E, GO-4B-2S-P1, GO-4B-2S-CB-E, LO-

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4B-2S-P1 Rev.A, LO-4B-2S-CB-E, WE-4B-2S-P1, WE-4B-2S-CB-E, A/plcGa/00/001 Rev.F, A/plcGa/00/001 Rev.C, A/plcGa/00/002 Rev.B, A/plcGa/00/003, A/plcGa/00/004.

30 June 2020

1496-02 Rev.R, 1496-04 Rev.F, 1496-05 Rev.E, 1496-06 Rev.E, 1496-07 Rev.E, 1496-08 Rev.E.

16 July 2020

16-125-03 Rev.B, 19-125-04 Rev.B, 19-125-05 Rev.C, 19-125-06 Rev.C; and specification contained therein.

Reason: 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;

- (2) the development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **Reason:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029;

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- (3) no development shall be carried out above slab level unless and until samples of the external facing 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;
- (4) notwithstanding the details submitted with the application, no development shall be carried out above slab level unless and until further details of the soft landscaping, specifically the proposed species and planting mix, shall be submitted to and approved in writing by the Local Planning Authority. 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 accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;
- (5) no development shall be carried out above slab level unless and until details of the proposed boundary treatment to be installed around the perimeter of the pumping station have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with those 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;
- (6) the arboricultural control measures that are described and illustrated in the 'Tree Survey,

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Constraints Advice and Retention & Removal Assessment' dated 18 December 2017 and undertaken by Midland Forestry, and the tree protection measures illustrated on the Tree Protection Plan 19-125-02 submitted on 13 December 2019 should be fully implemented in a timely fashion and properly maintained throughout the duration of the development.

The integrity of the arboricultural control measures should be monitored by a competent arboriculturist throughout the development to ensure their compliance with the arboricultural assessment, and the reports submitted to the local planning authority for verification.

Reason: 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;

- (7) the development hereby permitted shall not be occupied until the access has been laid out and constructed in accordance with drawing no. 1496-02 Rev R Planning Layout. **Reason:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;
- (8) each dwelling of the development hereby permitted shall not be occupied unless and until the car parking for that dwelling has been provided and thereafter those areas shall be kept available for such use at all times. **Reason:** To ensure adequate off-street car parking facilities in the interests of both highway safety and visual amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029;
- (9) no dwellings/buildings here permitted shall be occupied until the estate roads including footways serving it, have been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority. **Reason:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;
- (10) the construction of the estate roads serving the development including footways, verges and footpaths shall not be other than in accordance with the standard specification of the Highway Authority. **Reason:** In the interest of highway

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safety in accordance with Policy TR1 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 gate, fence, wall or other means of enclosure shall be erected within the curtilage of any dwellinghouse fronting a highway or footpath. **Reason:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties; and
- (12) an additional condition relating to the addition of a sustainability plan condition, the wording of which was delegated to officers to agree in consultation with the Chairman.

35. Appeals Report

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

Resolved that the report be noted.

(The meeting ended at 7.13pm)

CHAIRMAN
8 September 2020