

Planning Committee

Minutes of the meeting held on Tuesday 18 July 2017 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Cooke (Chairman); Councillors Boad, Mrs Bunker, D'Arcy, Day, Edgington, Mrs Evetts, Heath, Mrs Hill, Mrs Stevens and Weed.

Also Present: Committee Services Officer – Mrs Dury; Legal Advisor – Mr Gregory; Head of Development Services – Mrs Darke; Development Services Manager – Mr Fisher; and Enforcement Manager – Ms Lalli.

38. **Apologies and Substitutes**

(a) There were no apologies.

(b) Councillor Mrs Evetts substituted for Councillor Morris.

39. **Declarations of Interest**

Minute Number 47 – W/17/0925 LB – 19 Mill Street, Warwick

Councillor Edgington declared an interest because he had been a member of the Warwick Town Council Planning Committee when this application had been discussed. He left the room for this item and remained outside for the next when these were discussed at the District Council's meeting.

Minute Number 48 – W/17/0602 – 10 The Paddocks, Warwick

Councillor Edgington declared an interest because he had been a member of the Warwick Town Council Planning Committee when this application had been discussed. He remained out of the room whilst this item was discussed at the District Council's meeting.

40. **Site Visits**

There were no site visits.

41. **Minutes**

The minutes of the meeting held on 20 June 2017 were taken as read and signed by the Chairman as a correct record.

42. **W/17/0465 – 3 George Street, Royal Leamington Spa**

The Committee considered an application from Mr Dhesi for the conversion of an existing building and erection of a new second floor to provide four no. two bedroom flats and two no. one bedroom flats, with a new shop front to the ground floor.

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

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The officer was of the opinion that the proposal would provide a sensitively designed redevelopment of a prominent corner plot in Royal Leamington Spa Town Centre which would provide six additional residential units. The proposed development was considered to provide a bookend style development which better reflected the architectural design at the cross roads, whilst enhancing the Conservation Area and respecting the character of nearby listed buildings. The proposed development provided adequate waste and cycle storage and, subject to a unilateral undertaking, would not put any additional strain on nearby on street parking.

An addendum circulated at the meeting advised that a further public response had been received from 22 Radford Road, objecting to the absence of a resolution to the Private Sector Housing objection (means of escape), waste storage and parking. It also advised of the details of when and where the Parking Survey submitted with the application was conducted; and that Environmental Health had raised questions regarding the management of communal bins, and the transfer of noise between the residential properties and the retail unit. These questions had subsequently been resolved following the provision of further information.

The following people addressed the Committee:

- Councillor Knight, representing Royal Leamington Spa Town Council which objected to the application;
- Mr Richmond, objecting to the application on behalf of himself and other residents; and
- Councillor Quinney, Ward Member, who spoke against the application.

Members were mindful that the objectors had concerns about parking issues, but noted that Warwickshire County Council Highways had not made any objections in respect of this providing a unilateral undertaking to remove the rights of future occupiers of the development to parking permits was imposed.

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

The Committee therefore

Resolved that W/17/0465 be **granted** in accordance with the recommendations in the report, subject to the following conditions and a unilateral undertaking to remove rights of future occupiers of the development to parking permits:

- (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);

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- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved amended drawings 3075-03 C submitted on 14th March 2017 and 3075-02K submitted on 19th June 2017, and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (4) other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall 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 DP1 of the Warwick District Local Plan 1996-2011;
- (5) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:
 - (i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and

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works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

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

- (6) the development hereby permitted (including demolition) shall not commence until a bat survey of the building, including appropriate building inspection and activity surveys in accordance with BCT Bat Surveys – Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development;
- (7) 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;
- (8) 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
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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;

- (9) 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. **Reason:** 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 DP1 of the Warwick District Local Plan 1996-2011; and
- (10) the development hereby permitted shall not be occupied unless and until the cycle storage for the development has 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 cycles associated with the development. **Reason:** In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC4 & DP8 of the Warwick District Local Plan 1996-2011.

43. **W/17/1009 – Durham Ox, 111 Shrewley Common**

The Committee considered an application from Mr Harvey for the erection of a single storey rear extension and relocation of the front porch.

The application was presented to Committee because the recommendation was to refuse planning permission, but support for the proposals had been received from Shrewley Parish Council.

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The officer was of the opinion that the proposed development, when taking the existing extensions into consideration would represent a total increase in gross floor space above the original building of 221.6% which was considered to represent a disproportionate addition to a building located within the Green Belt. No very special circumstances had been presented which would outweigh the harm caused to the openness of the Green Belt as a result of the proposed development, which was considered to be contrary to paragraph 87 of the NPPF. It was therefore recommended that the proposal should be refused.

An addendum circulated at the meeting advised that the officer's report incorrectly stated that the site was located within Rowington, when it was actually located within Shrewley Parish.

The following people addressed the Committee:

- Mr Darwen, representing Shrewley Parish Council, which supported the application;
- Mrs Day, a planning consultant acting on behalf of the applicant; and
- Councillor Gallagher, Ward Member, who spoke in support of the application.

Members were sympathetic to the appeals from the supporters that this public house was in danger of closure if something was not done to drum up more business. Officers informed Members that they had actively encouraged the applicant to provide the information on the very special circumstances sufficient to outweigh the harm to the Green Belt but to-date, information provided was insufficient. The information provided by Mrs Day at the meeting was not new information. Conscious that the Durham Ox was at serious risk of closure, Members agreed to provide the applicant more time to provide the necessary evidence of very special circumstances.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Day and seconded by Councillor D'Arcy that delegated authority should be given to the Head of Development Services, in consultation with the Chairman of Planning Committee to grant permission subject to the applicant providing sufficient evidence of very special circumstances outweighing the harm to the Green Belt; this evidence would be provided through the provision of further financial and viability information. If this was not forthcoming, then the application would be brought back before Planning Committee at the next meeting.

The Committee therefore

Resolved that W/17/1009 Authority is delegated to the Head of Development Services, in consultation with the Chair of Planning Committee, to grant planning permission subject to her being satisfied that very special circumstances sufficient to outweigh the harm to the Green Belt have been demonstrated

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through the provision of further financial and viability information.

If such information is not forthcoming then the matter will be brought back before the Planning Committee to reconsider.

44. **W/17/0913 – Landlord Furniture, 104 Trinity Street, Royal Leamington Spa**

The Committee considered an application from Landlord Furniture Limited for the part demolition of a warehouse building, change of use of the coach house and the erection of a two storey extension to form three student cluster flats comprising nine units, 10 units and four units.

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

The officer was of the opinion that the proposal would provide additional housing for students, and was considered to meet the Council's emerging Local Plan Policy H6 for HMO and student housing. The proposal would provide acceptable living conditions for the future occupiers of the site, without a harmful impact on the living conditions of the occupiers of nearby dwellings. Furthermore, the proposal was not considered to have a harmful impact on highway or pedestrian safety, or ecology, and would provide adequate waste and cycle storage.

An addendum circulated at the meeting gave a summary of further supporting comments that had been received from the applicant's agent.

Mr Beale addressed the Committee, in opposition to the application.

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

The Committee therefore

Resolved that W/17/0913 be **granted** in accordance with the recommendations in the report, 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 amended drawings 941 - 09 Rev A submitted on 13th June 2017, and 941 - 10

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Rev B and 941 - 08 Rev A submitted on and 15th June 2017, and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (3) 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) the roofing material for the development shall be natural slate, a sample of which shall have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved details. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (5) the development hereby permitted shall only be undertaken in strict accordance with 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

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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;

- (6) the development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **Reason:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011;

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- (7) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

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

- (8) the development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the delivery and working hours; the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage and use of plant and materials used in constructing the development; 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; details of lighting; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **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 DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011;

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- (9) the development hereby permitted shall not be occupied unless and until the building has been insulated in strict accordance with the scheme of works detailed in the Clover Acoustic Noise Assessment submitted to the Local Planning Authority on 8th May 2017. **Reason:** To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;
- (10) 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;
- (11) 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. **Reason:** 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 DP1 of the Warwick District Local Plan 1996-2011;
- (12) all window and door frames shall be constructed in timber and shall be painted and not stained. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8

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of the Warwick District Local Plan 1996-2011;
and

- (13) the development hereby permitted shall not be occupied unless and until the approved cycle parking facilities have been provided and made available for use in accordance with the details on the approved drawings and thereafter those facilities shall remain available for use at all times. **Reason:** In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC4 & DP8 of the Warwick District Local Plan 1996-2011.

45. TPO 523 – 10 Crown Terrace, High Street, Royal Leamington Spa

The Committee considered an application for the confirmation of a provisional Tree Preservation Order (TPO) relating to two sycamore trees.

The application was presented to Committee because objections had been received against the confirmation of the TPO.

The officer was of the opinion that the issues raised in objection to the TPO were not sufficient to outweigh the significant amenity contribution which the trees made to their surrounding area and therefore it was expedient to confirm this TPO.

Mrs Dixon addressed the Committee in opposition to the TPO.

Following consideration of the report, presentation, and the representation made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Mrs Bunker that officers should be authorised to confirm TPO 523 without modification.

The Committee therefore

Resolved that officers are authorised to confirm TPO 523 without modification.

46. W/17/0152 – Land to the south east side of Offchurch Lane, Radford Semele

The Committee considered a reserved matters application from Bovis Homes Limited for the layout, landscaping, scale and appearance for 150 dwellings together with associated infrastructure and engineering pursuant to previously approved outline application reference W/16/0196.

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

The officer was of the opinion that the application was considered to provide a high quality residential environment in accordance with the

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garden suburbs principles, including an appropriate mix of market and affordable housing and acceptable dwelling house and layout design solutions, which included areas of public open space. The scheme therefore complied with the policies listed in the report. The Head of Development Services advised Members that it was their intention to impose a note to the applicant on levels.

An addendum circulated at the meeting advised that:

- the applicant had provided revised landscaping plans and information about the distribution of affordable housing across the development both in response to consultation responses received;
- one additional third party letter of objection had been received;
- further comments had been received from Warwickshire County Council Highways, proposing additional conditions and notes in respect of the provision of emergency access onto Offchurch Road and the specifications of estate roads; and
- additional correspondence had been received from the agent reiterating actions taken and changes made to the scheme in direct response to public consultation exercises and comments received from neighbours.

Mr Bains addressed the Committee in opposition to the application.

Members informed officers that it would be more useful if reports provided figures on the local requirement for affordable housing, not just District wide requirements.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was proposed by Councillor Mrs Bunker and seconded by Councillor Boad that the reserved matters application should be granted.

The Committee therefore

Resolved that W/17/0152 be **granted** in accordance with the recommendations in the report, 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 drawings RAD2/02/210, RAD2/02/250, HTPD_P2B_AFF, HTPD_S110, HTPD_S241 LTH_1, HTPD_S351 LTH_1, HTPD_S351 LTH_3, HTPD_S461_1, HTPD_S461_3, HTPD_P2301 1 OF 2, HTPD_P2301 2 OF 2, HTPD_P2B, HTPD_P3407, HTPD_C3003CT 1 OF 2, HTPD_C3003CT 2 OF 2, HTPD_P3003v, HTPD_P3402 1 OF 2, HTPD_P3402 2 OF 2, HTPD_P4501 1 OF 2, HTPD_P4501 2 OF 2, HTPD_P506 1 OF 2, HTPD_P506 2 OF 2, HTPD_P507 1 OF 3, HTPD_P507 2 OF 3, HTPD_P507 3 OF 3,

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HTPD_P602 1 OF 3, HTPD_P602 2 OF 3, HTPD_P602 3 OF 3, RAD2/02/120 rev B, RAD2/02/290, RAD2/02/280 rev B and specification contained therein, submitted on 20 April 2017, approved drawing RAD2-03-101 Rev B and specification contained therein, submitted on 12 May 2017, approved drawings PD_AGD2-1 rev A, PD_AGS2-2 rev A, PD_AGS2-1 rev A, RAD2/02/230 rev C, RAD2/02/240 rev C, RAD2/02/260 rev C, RAD2-03-100 rev C 1 of 5, RAD2-03-100 rev C 2 of 5, RAD2-03-100 rev C 3 of 5, RAD2-03-100 rev C 4 of 5, RAD2-03-100 rev C 5 of 5 and specification contained therein, submitted on 15 May 2017, approved drawings RAD2-05-001 rev B, RAD2-05-002 rev B, RAD2-05-003 rev B, RAD2-05-005 rev A, RAD2-05-006 rev A and specification contained therein, submitted on 2 June 2017, approved drawing RAD2/02/100 rev F and specification contained therein, submitted on 30 June 2017 and approved drawings PD_AGT2-2 rev B and PD_AGT2-1 rev B and specification contained therein, submitted on 6 July 2017. **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) no part of the development hereby permitted shall be commenced until a revised Biodiversity Impact Assessment (BIA) calculation has been undertaken by a suitably qualified ecologist and the report detailing the findings submitted to and approved in writing by the Local Planning Authority. **Reason:** To safeguard the presence and population of protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011;
- (3) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:
 - (i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

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(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

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

- (4) 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;

- (5) proposed conditions and notes from WCC Highways in respect of the provision of an emergency access onto Offchurch Road and the specifications of estate road; and
- (6) a note to the applicant about levels.

The meeting was adjourned at 8.10 pm for 15 minutes.

(Councillor Mrs Evetts left the meeting.)

47. W/17/0925 LB – 19 Mill Street, Warwick

The Committee considered a retrospective application from Mrs Middlebrook for the removal of two internal walls at ground floor and the installation of three conservation roof lights.

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

The officer was of the opinion that the works complied with the policies listed in the report, and was not considered to harm the integrity of the listed building.

Following consideration of the report, presentation, it was proposed by Councillor Mrs Bunker and seconded by Councillor Weed that the application should be granted.

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The Committee therefore

Resolved that W/17/0925 LB be **granted** in accordance with the recommendations in the report, subject to the following condition:

- (1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing no. W19/01A, and specification contained therein, submitted on 6th July 2017. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.

48. W/17/0602 – 10 The Paddocks, Warwick

The Committee considered an application from Mr Jones for the demolition of the existing garage, rear single storey extension and full height bay window to the front. The construction of a new proposed two storey side extension, single storey rear extension and mono-pitched single storey extension to the front.

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

The officer was of the opinion that the principle of development was acceptable subject to the relevant material considerations assessed in the report. There would be no visual harm arising from the proposals and the development was considered to be acceptable in terms of its impacts on neighbouring amenity. For these reasons it was recommended that planning permission should be granted.

An addendum circulated at the meeting gave a summary of additional representations received from a neighbouring property and the officer's response to this.

Following consideration of the report, presentation, and information contained in the addendum, it was proposed by Councillor Mrs Stephens and seconded by Councillor Mrs Bunker that the application should be granted.

The Committee therefore

Resolved that W/17/0602 be **granted** in accordance with the recommendations in the report, 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
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(as amended);

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings PL-001, PL-002, PL-003 and PL-004, and specification contained therein, submitted on 4 April 2017 and EL-001 Rev.A and specification contained therein, submitted on 2 June 2017. **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) 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

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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

- (5) 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.

49. TPO 524 – Land known as Robindale, Honiley

The Committee considered an application for the confirmation of a provisional Tree Preservation Order (TPO) relating to an oak tree.

The application was presented to Committee because objections had been received against the confirmation of the TPO.

The officer was of the opinion that the issues raised in objection to the TPO were not sufficient to outweigh the significant amenity contribution which the tree made to its surrounding area and therefore it was expedient to confirm this TPO.

Following consideration of the report and presentation, it was proposed by Councillor Mrs Bunker and seconded by Councillor Heath that officers should be authorised to confirm TPO 524 without modification.

The Committee therefore

Resolved that officers are authorised to confirm TPO 524 without modification.

50. Planning Appeals Report

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

Members requested that a short training session should be held after the close of a future Planning Committee on handling appeals.

Resolved that the report be noted.

(The meeting ended at 8.45pm)