

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Tuesday 18 May 2021, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor M Ashford  
Councillor A Boad  
Councillor G Cullinan  
Councillor R Dickson  
Councillor T Heath  
Councillor O Jacques

Councillor J Kennedy  
Councillor V Leigh-Hunt  
Councillor T Morris  
Councillor N Murphy  
Councillor N Tangri

### **Emergency Procedure**

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

### **Agenda** **Part A – General**

1. **Apologies & Substitutes**

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. **Appointment of Chairman**

To appoint the Chairman of the Committee for the municipal year 2021/22.

3. **Appointment of Vice-Chairman**

To appoint the Vice-Chairman of the Committee for the municipal year 2021/22.

4. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

5. **Site Visits**

The Chairman to report the location of the planning application sites visited and the names of the Committee Members who attended.

**Part B – Planning Applications**

To consider the following reports from the Head of Development Services:

6. **W/20/1464 – Shires Gate Trade Park, Unit 1, Tachbrook Park Drive, Warwick** (Pages 1 to 5)  
**\*WITHDRAWN FOLLOWING PUBLICATION OF THE AGENDA\***
7. **W/20/1947 – Firs Cottage, Firs Lane, Haseley** (Pages 1 to 5)
8. **W/21/0123 – 1 Mortimer Road, Kenilworth** (Pages 1 to 5)

**Part C – Other matters**

9. **Appeals Report** (Pages 1 to 5)

Please note:

- (a) the background papers relating to reports on planning applications are open to public inspection under Section 100D of the Local Government Act 1972 and consist of all written responses to consultations made by the Local Planning Authority in connection with the planning applications referred to in the reports, the County Structure Plan Local Plans and Warwick District Council approved policy documents.
- (b) all items have a designated Case Officer and any queries concerning those items should be directed to that Officer.
- (c) in accordance with the Council's Public Speaking Procedure, members of the public can address the Planning Committee meeting remotely by joining the remote meeting through their personal device on any of the planning applications or Tree Preservation Order reports being put before the Committee. If you wish to do so, please register online at [Speaking at Planning Committee](#) any time after the publication of this agenda, but **before 10.00am** on the working day before the day of the meeting and you will be advised of the procedure.
- (d) please note that the running order for the meeting may be different to that published above, in order to accommodate items where members of the public have registered to address the Committee.
- (e) occasionally, items are withdrawn from the agenda after it has been published. In this instance, it is not always possible to notify all parties interested in the application. However, if this does occur, a note will be placed on the agenda via the Council's website, and where possible, the applicant and all registered speakers (where applicable) will be notified.

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ

Telephone: 01926 456114  
E-Mail: [committee@warwickdc.gov.uk](mailto:committee@warwickdc.gov.uk)

For enquiries about specific reports, please contact the officers named in the reports.  
You can e-mail the members of the Committee at  
[planningcommittee@warwickdc.gov.uk](mailto:planningcommittee@warwickdc.gov.uk)

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prior to the meeting, by telephoning (01926)  
456114

**Planning Committee:** 18 May 2021

**Item Number:** 6

**Application No:** [W 20 / 1464](#)

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Andrew Tew

01926 456555 andrew.tew@warwickdc.gov.uk

**Registration Date:** 18/09/20

**Expiry Date:** 13/11/20

**Shires Gate Trade Park, Unit 1, Tachbrook Park Drive, Warwick, CV34  
6SA**

Application for new vehicular access point, fencing and internal remedial works  
for site security FOR JPP

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This application is being presented to Committee due to the number of objections received.

**RECOMMENDATION**

Planning Permission is recommended to be GRANTED.

**DETAILS OF THE DEVELOPMENT**

The proposed development is seeking to create a new site access point for heavy goods vehicles (HGVs) at the north west area of the site, a new parking area, new fencing and additional access gates.

The proposed development is seeking to create a new site access point for heavy goods vehicles (HGVs) at the north west area of the site. Currently HGVs enter the site at the south east access point off Kingsway, Leamington Spa. The proposed development would extend the route that HGVs are required to take in order to access the site and will divert HGVs closer to the residential apartments at Queensway Court.

New fencing will be installed from the existing north-western access, along the northern boundary to the proposed access to the north-east of the site. New fencing will also be installed to the south-west of the site. The two existing access and the new access will also have new gates installed. Fencing and gates will consist of 2.4m high weldmesh panel fencing.

**THE SITE AND ITS LOCATION**

The application site is located within an existing industrial and commercial area to the west of Royal Leamington Spa. The site benefits from access for vehicular traffic via Tachbrook Park Drive, Queensway and Kingsway.

The existing site consists of an established Travis Perkins Builders Merchants along with other builder's merchants surrounded by hard surfaced areas used for vehicle parking. The building complex acts as a barrier between the development and Queensway Court for much of the parking, though the parking to the North

West does abut Queensway Court. The road to be used in relation to the new access appeared to be used for parking at the time of the site visit.

HGV traffic currently enters the site from the south eastern access. Customer vehicles can either use the same access or use the site access to the north-west of the site. All vehicles exit to the south-east access/egress.

## **PLANNING HISTORY**

W/19/0138 - New 2.4m high boundary fence

## **RELEVANT POLICIES**

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- NE3 - Biodiversity

## **SUMMARY OF REPRESENTATIONS**

**Warwick Town Council:** No objections

**Leamington Spa Town Council:** No objections

**WCC Highways:** No objections

**Environmental Health:** No objections; recommend conditions

**WDC Tree Officer:** No objections

**Public Response:** 5 No. objections summarised as:

- Noise impact on Queensway Court flats
- Validity of data in noise assessment
- Residents of Queensway Court not informed
- Lorries park outside Queensway Court
- Fumes from lorries

Councillor objections related to:

- Noise impact on Queensway Court flats
- Validity of data in noise assessment
- Residents of Queensway Court not informed

## **Assessment**

Design and Impact on the Surrounding Area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The original application included a 2.4m high fence that would surround the entire site. To the North-East of the site, next to an existing cycle way and public path, it was deemed this would create an enclosing effect that would be detrimental to public amenity. On consultation with the agent, this has been reduced to 1m. The agent has intimated that the requirement for the fence is for H&S reasons with vehicles mounting the pavement. However, a 1m fence would be sufficient to deter such behaviour. The continuation of a 2.4 high paladin fence around the remainder of the site is deemed acceptable as there is sufficient separation from the fence and public realm.

The development is therefore considered to be in accordance with Local Plan Policy BE1.

### Residential Amenity

Warwick District Local Plan policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or noise disturbance.

The proposed development is seeking to create a new site access point for heavy goods vehicles (HGVs) at the north west area of the site. Currently HGVs enter the site at the south east access point off Kingsway, Leamington Spa. The proposed development would extend the route that HGVs are required to take in order to access the site and will divert HGVs closer to the residential apartments at Queensway Court.

Environmental Health have been consulted and raised concerns that the proposed development will give rise to adverse noise impacts to residents of Queensway Court particularly those with habitable rooms located nearest to the proposed north west site entrance. As the Shires Gate development had not been constructed at the time, the noise report for Queensway Court does not

appear to propose any specific noise mitigation measures to protect its residents from large commercial vehicle movements.

Having reviewed the floor plans of the Queensway Court development, Environmental Health do note that few habitable rooms are located opposite the existing south east access point as a number of offices and communal rooms have been positioned nearest to this junction. Further information in the form of a Noise Assessment Report was requested from the agent.

On receipt of the Noise Assessment, Environmental Health highlighted that the noise assessment had not considered the impacts of night time LMax noise events. These are the peak night time noise events that would have the potential to cause sleep disturbance or awakening to local residents. The revised noise assessment did not consider these impacts, however, it has stated that the existing vehicle access route would be used during the night time period. Whilst this seems counterintuitive to the purpose of the application, it appears to be necessary in order to minimise the noise impacts on local residents. On this basis, Environmental Health deem it appropriate that a restriction on vehicle movements during sensitive hours will be necessary in order to prevent adverse noise impacts on existing local residents. It is recommended that HGV vehicle movements are restricted to between 07:30 and 19:00 in order to minimise adverse noise impacts on local residents.

Subject to a condition restricting vehicle movements, the proposal is therefore considered to be in accordance with Local Plan policy BE3.

#### Highway Safety

Local Plan policy TR1 states that development will only be permitted that provides safe, suitable and attractive access routes for pedestrians, cyclists, public transport users, emergency vehicles, delivery vehicles, refuse vehicles and other users of motor vehicles. Development proposals must not have a detrimental impact on highway safety.

The applicant has provided drawings showing vehicle tracking which have been assessed by WCC Highways. The Highways Authority have confirmed that they have no objection to the proposal on the grounds of highway or pedestrian safety, subject to condition that public highway verge crossings are laid out, prior to use. The condition is considered to be reasonable and necessary for the purposes of the development.

The development is therefore considered to be in accordance with Local Plan policy TR1.

#### Other Matters

The proposed development will result in the loss of an immature tree to the North East of the site. The Tree Officer has been consulted and raises no objection.

The consultation of neighbours has been queried. A site notice was posted on 03/11/2020 and letters have been sent to the residents in Queensway Court.

Objectors to the application include County Councillor Johnathan Chilvers and Town Councillor Nick Wilkins.

## **Conclusion**

The proposed access is not considered to pose harm to highway or pedestrian safety and would have an acceptable impact in visual and amenity terms. The development should therefore be approved.

## **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) 21827-P03A, 21827-P04A and 21827-P07A and specification contained therein, submitted on 03 December 2020 **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.
  - 3 The access to the site for HGV's shall not be used unless public highway verge crossings have been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** To ensure highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
  - 4 HGV vehicles shall only be permitted to use the access hereby approved between 0730 and 1900 hours. **REASON:** To ensure there is no unacceptable disturbance to the detriment of the amenities of nearby residents in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
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**Planning Committee:** 18 May 2021

**Item Number:** 7

**Application No:** [W 20 / 1947](#)

**Town/Parish Council:** Beausale, Haseley, Honiley & Wroxall  
19/01/21

**Registration Date:** 24/11/20

**Expiry Date:**

**Case Officer:** Andrew Tew  
01926 456555 andrew.tew@warwickdc.gov.uk

**Firs Cottage, Firs Lane, Haseley, Warwick, CV35 7LT**

Proposed erection of stabling and implement/hay store to replace existing hay store. Resubmission of W/20/0824. FOR Mr Jeremy Smith

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This application is being presented to Committee due to the number of supporting comments received.

**RECOMMENDATION**

The application is recommended for refusal.

**DETAILS OF THE DEVELOPMENT**

The application seeks permission for the erection of an L shaped building containing 2 stables and a large secure store. The building would be of solid oak construction with clay tiles and roof lights to the west elevation.

The plans have been amended from the original submission, reducing the stables to 2 and removing the tack room, reducing the pitch of the roof and removing the roof lights.

**THE SITE AND ITS LOCATION**

Firs Cottage lies off Firs Lane, Haseley. The Applicant's land ownership includes a field immediately to the south of Firs Cottage, containing an existing brick hay store, which is the subject of this application. The total land holding within the red line is 1.72 acres. This land is within the Green Belt.

**PLANNING HISTORY**

The site has no relevant planning history.

**RELEVANT POLICIES**

- National Planning Policy Framework
- [The Current Local Plan](#)
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets

- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- DS18 - Green Belt

## **SUMMARY OF REPRESENTATIONS**

**Beausale, Haseley, Honiley and Wroxall Parish Council** - Objection. Too large.

**WCC Ecology** - No objection, subject to conditions

**Public response** - 7 No - Support, reasons summarised as:

- Lovely to see new stabling
- Happy to see improvements
- Neighbours perfectly content with plans
- Dog walker comments that sympathetic conversation of barn should be commended and WDC should encourage development, as commentator pays Council Tax
- Bring life to barn
- Sensible, practical solution

## **Assessment**

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified

Policy DS18 of the local plan states that the Council will apply Green Belt policy in accordance with government guidance as set out in national policy.

Paragraph 134 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence. Paragraph 145 includes a list of types of development which are not considered to be inappropriate within the Green Belt, including the provision of appropriate facilities for outdoor sport and recreation, provided that they preserve openness and do not conflict with the purposes of including land in the Green Belt.

It is well established that stables can be considered to constitute appropriate facilities for outdoor sport and recreation. However, this is dependent on the stables being of an appropriate scale. Furthermore, the NPPF requires such development to preserve the openness of the Green Belt. Small stables, which are single storey and positioned usually within an inconspicuous location within a paddock of an appropriate size are unlikely to cause harm to openness and form part of the rural landscape.

The proposed stables however, are significantly larger than the traditional small scale equestrian development one would expect within a field of this size. The proposal includes a large secure store, which would be far greater in height, scale and mass than a traditional stable block. This adds significantly to the overall bulk

and mass of the building and it was suggested by Officers that these elements were removed from the proposal. However, this has not been accommodated by the applicant. The development is not considered to preserve the openness of the Green Belt by virtue of its excessive scale and mass.

Additionally, the British Horse Society recommends a minimum of 1-1.5 acres of grazing land is required per horse, which means the site at 1.72 acres is insufficient for 2 horses. This is further evidence that the scale of the building is excessive for the size of the land.

There are also concerns with regard to the proposed materials to be used, with solid oak and clay roof tiles not being standard materials that would be expected for stables. Stables can be required for generally short periods of time, dependent on the needs of owners and land ownership. If stables are constructed of substantial materials there is a tendency for buildings to be retained on site long after the need for them has gone and a proliferation of such buildings would be detrimental to the character and openness of the Green Belt.

The proposed development is therefore not considered to constitute appropriate development in the Green Belt and is harmful by definition. There would also be a reduction in openness as a result of the construction of the proposed building. No very special circumstances have been presented or are considered to exist which would outweigh the harm identified. The development is therefore considered to be contrary to Local Plan policy DS18 and the NPPF.

#### Impact on character of surrounding area

Notwithstanding the harm identified to the openness of the Green Belt, the proposed design is not considered to reflect the design of a traditional stable building. It has been noted from the agent that the design is said to be in keeping with surrounding outbuildings of the nearest property, Firs Cottage. However, this application is being assessed as a stable, not an outbuilding and the introduction of built form, not akin to a traditional stable in the open countryside is not suitable. The design is overly domestic in character, which would detract from the rural character of the area.

The proposal is therefore considered to be in conflict with Local Plan policy BE1 and the NPPF.

#### Amenity of neighbouring properties

The nearest property is over 250m away from the application site. Therefore due to the relationship between the proposed stables and neighbouring properties, the stables would not have a materially harmful impact on these adjacent occupiers. The proposed would therefore be acceptable in this regard.

The development is therefore considered to be in accordance with Local Plan policy BE3 and the NPPF.

#### Access, Traffic and Parking

The site benefits from an existing access and the proposed stables are unlikely to generate a significant amount of additional traffic.

WCC Highways have assessed a previous, similar proposal and had no objection to the development. It is therefore considered that there would be no highway safety implications as a result of the development and that the proposal would be in accordance with Local Plan policy TR1 and the NPPF.

### Ecology

WCC Ecology have been consulted and note that the building was inspected with an endoscope and no evidence of bats was found but agree with the report's recommendation that a further bat survey is necessary to determine whether the building supports a bat roost, which could be secured by condition.

They also highlight that there would be a small loss of biodiversity through reduction in grassland area. To ensure a net gain of biodiversity, in accordance with the NPPF, and to enhance the nature conservation value of the site, it is recommended that a species-rich wildflower meadow/strip or planting hedgerows/trees should be created within the site/ownership boundary. This could be covered by a condition.

WCC Ecology recommend the addition of informative notes in relation to protected species. These are considered to be reasonable and could be added if the application were being approved.

The proposal is therefore considered to be in accordance with Local Plan policy NE2.

### **Summary/Conclusion**

The proposal constitutes inappropriate development within the Green Belt and fails to preserve the openness of the Green Belt by virtue of being of an excessive height, bulk and scale. Furthermore, the development provides an inappropriate 'domestic' design and appearance that increases the visual harm to the character and openness of this rural locality. No very special circumstances have been presented or are considered to exist which would outweigh the harm identified. The development is therefore considered to be contrary to Local Plan policy DS18 and the NPPF.

### **REFUSAL REASON**

The site is situated within the Green Belt and the NPPF states that, within the Green Belt, the rural character of the area will be retained and protected. It also contains a general presumption against inappropriate development in Green Belt areas and lists specific forms of development which can be permitted in appropriate circumstances. The proposed development could fall broadly into the category of the provision of appropriate facilities for outdoor recreation. However, the proposal fails to preserve the openness of the Green Belt by virtue of

being of an excessive height, bulk and scale, and proposes unnecessary uses within the building which would not represent appropriate facilities within the Green Belt. Furthermore, the development provides an inappropriate 'domestic' design and appearance that increases the visual harm to the character and openness of this rural locality.

In the Planning Authority's view, very special circumstances sufficient to justify departing from this Guidance have not been demonstrated. The proposal is therefore considered to be contrary to the NPPF and Warwick District Local Plan 2011 - 2029 policy DS18.

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**Planning Committee:** 18 May 2021

**Item Number:** 8

**Application No:** [W 21 / 0123](#)

**Town/Parish Council:** Kenilworth

**Case Officer:** Thomas Fojut

01926 456539 thomas.fojut@warwickdc.gov.uk

**Registration Date:** 11/01/21

**Expiry Date:** 08/03/21

**1 Mortimer Road, Kenilworth, CV8 1FS**

Erection of two storey side extension, single storey rear extension and single storey front extension following demolition of existing brick sheds. FOR Mr David Butler

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This application is being presented to Planning Committee as the spouse of the applicant is an employee of Warwick District Council.

**RECOMMENDATION**

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

**DETAILS OF THE DEVELOPMENT**

Erection of two storey side extension, single storey front extension and single storey rear extension following demolition of existing brick sheds.

**THE SITE AND ITS LOCATION**

The application site relates to a two storey semi-detached dwellinghouse located on the east side of Mortimer Road, Kenilworth.

Dwellings within the street date from a similar period and are one of two house types. The houses are set back from the road by either modest landscaped front gardens, hard surfacing for off-street parking or a combination of the two.

**PLANNING HISTORY**

No relevant planning history.

## **RELEVANT POLICIES**

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Kenilworth Neighbourhood Plan
- Parking Standards
- General Design Principles
- KP15 - Environmental Standards of New Buildings

## **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council** - No objection. Advised that Officers should check for compliance with the Residential Design Guide SPD.

**WCC Ecology** - Recommend notes relating to bats, nesting birds and hedgehogs as protected species, are attached to any approval granted to this application.

## **ASSESSMENT**

The main issues relevant to the consideration of this application are as follows:

- Design of the proposed extension
- Impact on the amenity of neighbouring properties
- Parking
- Ecology

### Design of the proposed extension

Warwick District Local Plan Policy BE1 states that development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. The adopted Residential Design Guide SPD also sets out design principles to which development proposals will be expected to comply.

Kenilworth Town Council have no objection to the proposals, however they have advised that Officers should check for compliance with the Residential Design Guide SPD with particular reference to the side extension being out of symmetry with the neighbours' which abuts hipped and gabled roofs.

This comment has been noted, however the proposals are considered to be acceptable in design terms as it complies with the Residential Design Guide SPD for the reasons outlined below. Moreover, the design of the proposed extension relates to the design of the original building as a matching gabled roof shape and pitch is proposed. Furthermore, whilst the street contains a mix of hipped and gabled roofs the proposals match the roofs of the adjoining and adjacent pair of semi-detached dwellings.

In accordance with the Residential Design Guide SPD, the two storey side extension has been set down 225mm and set back 450mm as shown on the proposed elevations. Additionally, the two storey side extension is located over 1 metre from the boundary of the adjacent neighbouring property as demonstrated by the proposed site plan. This will provide a subservient form of extension and will not result in a terracing effect.

It is also noted that the neighbouring property at No.3 contains an existing front porch extension and single storey rear extension which are a similar design and scale to that proposed at the application property.

It is considered that the proposals are in keeping with the rest of the property, are an appropriate scale for the dwellinghouse and are not considered to appear at odds with the street scene. The proposals comply with the WDC Residential Design Guide SPD by introducing a matching roof shape and pitch, adopting appropriate materials and conforming with the aforementioned set down, set back and 1 metre distance separation.

The development is therefore considered to accord with the guidance set out in the Council's Residential Design Guide SPD, and Policy BE1 of the Warwick District Local Plan.

#### Impact on the amenity of neighbouring uses

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of nearby uses and residents, in terms of light, visual intrusion and privacy. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and states that extensions should not breach a 45-degree line taken from the nearest habitable room of a neighbouring property. This serves to protect against a material loss of light and outlook.

Following a site visit to the property and by viewing the existing and proposed plans, it is found that the proposals will not breach the 45-degree line taken from windows serving habitable rooms of adjacent properties, and as a result the proposals are considered acceptable in terms of impact on light and outlook. Overall it is not considered the scheme would result in material harm through overlooking or loss of privacy to neighbours. The proposed extension is therefore considered not to result in any material harm to the amenity of the neighbouring dwellings accords with Policy BE3 of the Local Plan and the Residential Design Guide SPD.

## Parking

Policy TR3 requires all development proposals to comply with the parking standards set out in the most recent Parking Supplementary Planning Document.

The development proposes the creation of one additional bedroom within the extension area, increasing the total number of bedrooms in the dwelling to four.

The Warwick District Parking Standards SPD outlines that any property with four or more beds should include provision for three off street parking spaces, meaning an increase of one over what is currently required at the property.

No objections have been received in relation to parking. While it is assessed that the remaining driveway could accommodate at least two vehicles, one parking space will be lost by the proposal. However, the application form states that the current provision of 3 spaces will be retained via widening of the driveway as shown on the proposed site plan. As such the number of parking spaces will remain the same. It is considered appropriate to secure this by condition.

The proposal is therefore considered to be in accordance with Local Plan Policy TR3.

## Ecology

The Ecology Department at Warwickshire County Council have recommended notes relating to bats, nesting birds and hedgehogs are attached to any approval granted.

## **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) 054/03, 054/04, 054/05 and specification contained therein, submitted on 11th January 2021 and approved drawing 054/06A and specification contained therein, submitted on 15th April 2021. **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.
- 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 BE1 of the Warwick District Local Plan 2011-2029.

- 4 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 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 residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.
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**List of Current Planning and Enforcement Appeals  
May 2021**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Inquiry	Current Position
W/20/0617	Land South of Chesterton Gardens, Leamington Spa	Outline Application for 200 dwellings <b>Committee Decision contrary to Officer Recommendation</b>	DC	Statement of Case: 24 May Proofs of Evidence: 15 June 2021	13 July for up to 4 Days	In Preparation

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing	Current Position
W/20/1176	Land on the North Side of Birmingham Road	Variation of Condition to Allow the Removal of a Footpath/Cycle Link on Planning permission for 150 dwellings (W/19/0933)	DC	Statement Due: 29 April 2021	6 July	In Preparation

		<b>Delegated</b>				
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Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/19/1604	17 Pears Close, Kenilworth	First and Ground Floor Extensions <b>Delegated</b>	George Whitehouse	Questionnaire: 19/6/20 Statement: N/A	Ongoing
W/20/1189	12 Warmington Grove, Warwick	Lawful Development Certificate for Use of Mobile Home as Ancillary Residential Accommodation <b>Delegated</b>	Andrew Tew	Questionnaire: 25/3/21 Statement: 19/4/21	Ongoing
W/20/0358	Junction of Rising Lane and Birmingham Road, Baddesley Clinton	Erection of 2 Detached Houses <b>Delegated</b>	Rebecca Compton	Questionnaire: 10/3/21 Statement: 7/4/21	Ongoing
W/20/1358	20 Ladycroft, Cublington	Single Storey Extensions; Dormer Extension; Velux Roof lights and Front Parking Area	Thomas Fojut	Questionnaire: 11/3/21 Statement:	<b>Appeal Dismissed</b>

		<b>Delegated</b>		2/4/21	
<p>The Inspector considered that the appeal proposal would introduce a significant extension into the space between the host property and the common boundary with the neighbouring property at No 28. Moreover, it would project forward of the front wall of the host property. Whilst acknowledging that the roof of the proposed side extension would be set marginally below the existing ridge and would lie behind the plane of the existing roof, he considered that the proposed development would not appear subservient to the host property. It would significantly increase the bulk and massing of the host property and appear incongruous when viewed from Ladycroft.</p> <p>The Inspector also found that the proposed development and in particular the substantial projection proposed beyond the front elevation of the existing dwelling would erode and unbalance the symmetry of the semi-detached pair of bungalows, of which the host property forms part. The resultant property would not be sympathetic to the prevailing local character derived from the generally consistent design approach of the semi-detached pairs of bungalows observed within the street and would erode the strong sense of place that exists within this part of Ladycroft. The proposed development would therefore be out of keeping with the character and appearance of the surrounding area.</p>					
W/20/1504	16 Aylesbury Court, Aylesbury Road, Lapworth	Extension to Garage to form Pool House <b>Delegated</b>	Thomas Fojut	Questionnaire: 12/2/21 Statement: 22/3/21	Ongoing
W/20/1716	The Threshing Barn, Finwood Road, Rowington	Extension to Outbuilding <b>Delegated</b>	Emma Booker	Questionnaire: 8/4/21 Statement: 28/4/21	Ongoing
W/19/1573/LB	Church Farmhouse, Woodway, Budbrooke	First Floor Extension <b>Delegated</b>	George Whitehouse	Questionnaire: 13/3/21 Statement:	Ongoing

				27/4/21	
W/20/1741	149 – 151 Warwick Road, Kenilworth	Demoliton of Hotel and Dwelling and erection of 9 Dwellings <b>Delegated</b>	Helena Obremski	Questionnaire: 13/4/21 Statement: 17/5/21	Ongoing
<b>New</b> W/20/0966	45 Brook Street, Warwick	Timber Pergola <b>Committee Decision in accordance with Officer Recommendation</b>	Andrew Tew	Questionnaire: 17/5/21 Statement: 14/6/21	Ongoing

#### Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
ACT 450/08	Meadow Cottage, Hill Wootton	Construction of Outbuilding	RR	Statement: 22/11/19	Public inquiry 1 Day	The inquiry has been held in abeyance

Tree Appeals

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position