

PLANNING COMMITTEE 5 January 2016

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 5: W/15/1448 Althorpe Street, Leamington Spa

Further supporting information from the applicant has been received summarising benefits of the proposal including:

- Benefits for the economy;
- The opening up of the canal to new visitors;
- The full time on site management team;

A further letter of support from the owner of SimplyFresh on the grounds of the benefits to the local economy and businesses has been received.

A letter of objection from a business (Finescale Engineering) has been received which outlines their concerns, stating that the mix of an increase in footfall with parking cars/vans on a busy narrow roads would be harmful. In addition, this area has a persistent population of homeless as well as those with alcohol and drug related problems which is not an appropriate environment for young people to be exposed to.

Cllr Jill Barker: Objection as this application does not regenerate the area as it does not serve the interests of the community as a whole. The hedgerow canal is public amenity and attacking potential for canal side tourism is detrimental to the wellbeing of Leamington as a whole. In the summer, an unoccupied building will create a bare and unappealing ghost town.

Condition no. 2 is proposed to be revised to include the revised landscaping scheme, plan number 271-(PL)-L101 Rev P2 and to omit reference to the student management plan which is addressed in a separate condition.

Condition no. 10 is proposed to be reworded to ensure the submission of the Green Travel Plan prior to the occupation of the building; conditions no.s 12 and 13 are proposed to be revised to form a single condition, and condition no. 19 is proposed to be revised to clarify that 1 charging point is proposed.

In relation to the Unilateral Undertaking (UU), confirmation has been received that this is in a draft format and is currently being finalised with the assistance of the Council's Green Space Manager and Solicitors.

In order to allow for the satisfactory completion of this agreement, the recommendation is therefore revised to the grant of planning permission subject to the completion of a legal agreement to provide for the provision and implementation of a student management plan; the provision of appropriate open space within the vicinity of the application site and the provision of improvements to the canal towpath by 31 January 2016. Should that agreement not be completed by that date, officers are authorised to refuse to grant planning permission by reason of the absence of appropriate assurances with regard to those matters..

Item 6: W/15/ The Willows, Wolverton Road

Norton Lindsey Parish Council have written in support of the application as follows:

- The proposals will considerably enhance the streetscape along that stretch of Wolverton Road.
- They will result in moderate increases to the footprint and volume of the property.
- In terms of the streetscape, the current house is an unattractive mixture of styles and materials. The comprehensive redesign proposed will make the property more aesthetically pleasing and will fit better with the neighbouring property, Kerry.
- We are content that the increased size of the property comes mostly in terms of a full second storey, in place of the current large dormer window, with the footprint remaining largely the same. As such, we see this as an appropriate development in the plot.

Item 7: W/15/1667 7 Carter Drive, Barford

Further supporting information has been received showing the positions of existing raised platforms and jetties within close proximity.

Environment Agency: No objection

Item 8: W/15/1820 Plot 5001 Tournament Fields, Stratford Road, Warwick

Consultation responses received:-

Warwick Town Council – Support the application though concerns around car parking are raised.

WCC Landscape – No objection, however to ensure the proper establishment of the landscaping the standard 5 year period protection period should apply.

Officer response: This is reflected in the recommended conditions.

WCC Highways: No objection (verbal response)

Item 11 W/15/1873 14 Randall Road, Kenilworth

An additional objection has been received from the neighbouring property, raising concerns about the Juliet balconies and the potential use of the roof of the single storey extension as a balcony, which would cause overlooking and loss of privacy. The objector has suggested a condition to restrict the use of the flat roof structure as a balcony.

Item 12 W/15/1900 Arden Wold, Norton Lindsey

In response to the applicant's email to the members of the Planning Committee, officers would respond as follows:-

Whilst the floor space of the original dwellinghouse is 96sq.m, the applicant is correct that a distinction is made between extending a property where the 'original' floor space calculation is taken to ensure that extensions are not disproportionate (suggested as a 30% increase within Policy RAP2) and replacing a property where the 'existing' floor space is calculated and the replacement dwelling should not be materially larger.

The existing dwelling (not including outbuildings) has a floor area of some 120.5sq.m and the replacement dwellinghouse therefore represents an increase of 116.3%. This increase remains significant is considered to clearly be materially larger.

The Council's longstanding approach to identifying the extent of an existing dwelling is not to include detached outbuildings when calculating the floor space of a dwellinghouse.

Several lawful development certificates and a permitted development inquiry have been submitted, establishing the extensions that could be erected without the need for planning permission under permitted development rights, however in the

submission of this application the applicant has indicated an intention to take a different approach including the demolition of existing buildings at the site.

Members will be aware that it is not considered appropriate to consider potential fall back positions in applications such as this and that this approach has previously been taken by Planning Inspectors when considering appeals.

Notwithstanding that position, the extensions that could be constructed under permitted development rights are not considered to result in the same harm to openness when compared to the proposed 2 storey replacement dwellinghouse. The additional floor space that could be created under permitted development, as quoted by the applicant, appears to include detached outbuildings. Such outbuildings are not considered as a fallback as they could still be erected under permitted development once the dwelling has been replaced.

National and local planning policies make no distinction between dwellings within villages washed over by the Green Belt and isolated dwellings in the Green Belt.

Local policy reflects national policy within the NPPF 2012. The replacement of existing dwellings is considered under a different policy base to new 'infill dwellings within villages'. It would be inappropriate for the Local Planning Authority to depart from national policy.

Good design is a requirement of all development. No issues are raised with the design in this case, however this cannot in itself override green belt considerations.

Following the refusal of the previous planning application W/15/1308 the height of the dwellinghouse has been lowered by 300mm as part of this revised proposal, however this is not considered to have overcome previous concerns and no very special circumstances are considered to exist to outweigh the harm to the green belt.

Item 13 W/15/1914 Land at Hillcrest, Haseley Knob

Beausale, Haseley, Honiley and Wroxall Parish Council: The Parish Council have provided further comments regarding the site's layout not scaling with Google Earth and the site's southern boundary (fence) being positioned south of the boundary tree line, when in practice it is on the northern side of the tree line.

Officers confirm that the proposed site layout/block plan scales with the Council's GIS mapping system and also the measurements shown on the layout plan of the application on the adjoining land (W/15/0983). The proposed layout plan appears

to show what may be a fence line to the north of the trees; however this does not necessarily denote land ownership. Officers are satisfied that site measurements are correct and any dispute over land ownership would be a private matter between neighbours.