

# Planning Committee

Minutes of the meeting held on Tuesday 23 May 2017 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillors Mrs Bunker, Cooke, Day, D'Arcy, Edgington, Gifford, Miss Grainger, Heath, Mrs Hill, Mrs Stevens and Weed.

**Also Present:** Committee Services Officer – Mrs Dury; Legal Advisor – Mr Howarth; Head of Development Services – Mrs Darke; and Senior Planning Officer – Ms Hammond.

## 1. Apologies and Substitutes

- (a) There were no apologies.
- (b) Councillor Miss Grainger substituted for Councillor Morris and Councillor Gifford substituted for Councillor Boad.

## 2. Appointment of Chairman

It was moved by Councillor Mrs Bunker, and duly seconded that Councillor Cooke be appointed Chairman of Planning Committee.

**Resolved** that Councillor Cooke be elected Chairman of Warwick District Council's Planning Committee for the municipal year 2017/18.

The Chairman called for a minute's silence to honour the victims of the terrorist bomb in Manchester 22 May 2017.

## 3. Appointment of Vice-Chairman

It was moved by Councillor Edgington, and duly seconded that Councillor Day be appointed Vice-Chairman of Planning Committee.

**Resolved** that Councillor Day be elected Vice-Chairman of Warwick District Council's Planning Committee for the municipal year 2017/18.

## 4. Declarations of Interest

Minute Number 8 – W/16/2271 – Woodside, Spinney Hill, Warwick

Councillor D'Arcy declared an interest because the application site was in her Ward.

Councillor Edgington declared a prejudicial interest because he had supported the applicant. He left the room whilst this item was discussed.

## PLANNING COMMITTEE MINUTES (Continued)

Minute Number 11 – W/17/0039 – Grove Farm, Harbury Lane, Bishop's Tachbrook

Councillor Day declared an interest because the application site was in his Ward.

### 5. **Site Visits**

There were no site visits.

### 6. **Minutes**

The minutes of the meetings held on 25 April 2017 and 26 April 2017 were unavailable and would be presented for approval at the June 2017 Committee meeting.

### 7. **W/16/1788 – 135 Warwick Road, (including rear builders yard), Kenilworth**

The Committee considered an application from Trengerren Limited for a variation of condition 1 on planning permission W/15/0620 to allow changes to the design of the houses and apartments, the access road to the private drive, the bin store location and the parking layout.

The application was presented to Committee because of the number of objections received including one from Kenilworth Town Council.

The original planning permission was granted under an outline application reference W/11/1618 and the reserved matters pursuant to this outline were subsequently approved under application reference W/15/0620. The policies and material considerations that were relevant to the reserved matters decision were set out in its associated officer report.

The officer was of the opinion that the variation of condition 1 to allow revisions to the design of some of the proposed buildings, together with revisions to the parking layout, bin store location and the access arrangements would not result in any detriment to highway safety, the visual amenity of the site and surroundings or the amenity of residential properties surrounding the site. Furthermore, there were no material changes in planning policy that would lead officers to a different conclusion to that which was reached previously through the assessment and determination of the previous application. It was, therefore, considered that the development remained in accordance with the relevant provisions of the Development Plan.

An addendum circulated at the meeting advised that three additional third party representations had been received making the following comments:

- additional comments in respect of the access width, proposed works to No.135 and the length of the access drive that led into the site;
- suggestions as to what other works proposed at the access might alleviate concerns held locally;
- additional concerns raised with respect to increased traffic and pedestrian safety along the access drive; and

## PLANNING COMMITTEE MINUTES (Continued)

- concern that the road will remain private rather than being adopted.

The following people addressed the Committee:

- Councillor Illingworth, representing Kenilworth Town Council, in objection to the application;
- Mr Cook, a local resident, speaking in objection to the application for himself and some neighbours; and
- Mr Bennett, who spoke for the applicant.

Members expressed concern about the safety issues for vehicles and pedestrians because of the single track private access road. This did not provide safe and convenient access for pedestrians, and could present access issues for the disabled, refuse collections and other services such as emergency services.

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

The Committee therefore

**Resolved** that W/16/1788 be **refused** contrary to the recommendations in the report because it fails to meet the requirements of Planning Policy DP6 and the NPPF on vehicular and pedestrian safety.

### 8. **W/16/2271 – Woodside, Spinney Hill, Warwick**

The Committee considered an application from Common Lane Developments Limited for the demolition of the existing three storey care home and construction of a new 72 bed care home (use Class C2) and associated ancillary facilities, car parking and external works.

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

The officer was of the opinion that the principle of development was considered to be acceptable in accordance with saved Policy SC8 of the Local Plan, emerging Policy HS8 of the New Local Plan and paragraph 70 of the NPPF, with which the Development Plan was consistent. The development proposals would result in the redevelopment of an existing care home facility and would provide improved facilities, specifically for residents affected by dementia, in an enlarged building with associated car parking and landscaping. The development was not considered to result in any demonstrable harm to the character of the area and the appearance of the street scene nor would there be any significant or demonstrable harm to the amenity of existing residential properties that surrounded all sides of the application site. The development was not considered to be detrimental to highway safety and the level of parking proposed was, on balance, considered to be acceptable. Matters relating to noise, contamination, ecology, drainage and open space had all been considered and found to be

## PLANNING COMMITTEE MINUTES (Continued)

acceptable and could be adequately dealt with and/or mitigated through the use of appropriate conditions attached to any forthcoming permission.

Overall, the proposals represented a sustainable form of development and, for all the reasons cited above, it was recommended that planning permission be approved.

An addendum circulated at the meeting advised that one additional third party letter had been received expressing concerns about increased traffic and the need to consider improved traffic calming measures in the vicinity.

The following people addressed the Committee:

- Mrs Vaughan, a local resident, who objected to certain features of the site layout which she felt affected her property, but not to the care home itself; and
- Mr Russell, who represented the care home.

Members were informed by Planning Officers that one of the conditions proposed, should the application be granted, dealt with soft screening to help mitigate the effects of the care home on nearby properties. It was therefore agreed that a note to the applicant on landscaping to mitigate the impact of the car park on a neighbouring property at number 45 would be more appropriate.

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

The Committee therefore

**Resolved** that W/16/2271 be **granted** in accordance with the recommendations in the report with a note to the applicant for landscaping to mitigate the impact of the car park on a neighbouring property at number 45, and 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 drawings 3246-51 Rev.H, 3246-52 Rev.G, 3246-53 Rev.G, 3246-54 Rev.G, 3246-56 Rev.B, 3246-61 Rev.C, 3246-62 Rev.C, 3246-63 Rev.C, 3246-64 Rev.B, 3246-65 Rev.B, 3246-66 Rev.B, 3246-67 Rev.B, 3246-68 Rev.B, 3246-70 Rev.B, 3246-71, 3246-72, 3246-74, 3246-01, 16.1235.001 'Tree

## PLANNING COMMITTEE MINUTES (Continued)

Constraints Plan' and 16.1235.002 'Tree Protection Plan', and specification contained therein, submitted on 13 December 2016, approved drawing 216-012 C-002, and specification contained therein, submitted on 30 March 2017 and approved drawing 3246-55 Rev.H, and specification contained therein, submitted on 2 May 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) 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;
- (4) 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 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

**PLANNING COMMITTEE MINUTES (Continued)**

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;

- (5) no development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work unless otherwise agreed in writing by the local planning authority. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **Reason:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (6) no development shall take place until detailed surface and foul water drainage schemes for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The

## PLANNING COMMITTEE MINUTES (Continued)

scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- a) Infiltration testing, in accordance with BRE 365 guidance, to be completed and results submitted to demonstrate suitability (or otherwise) of the use of infiltration SuDS
- b) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753
- c) Evidence that the discharge rate generated by all rainfall events up to and including the 100 year (plus an allowance for climate change) critical rain storm has been limited to 5 l/s for all return periods
- d) Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the drainage system for a range of return periods and storms durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- e) Evidence from Seven Trent Water (STW) will be required granting approval of discharge of sewerage to their assets including discharge rate and connection points.
- f) Demonstrate the proposed allowance for exceedance flow and associated overland flow routing
- g) A foul water drainage scheme including evidence from Severn Trent Water (STW) that there is adequate capacity within their sewerage assets for this development
- h) Provide a Maintenance Plan to the LPA giving details on how the entire surface water and foul water systems shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details, for the maintenance of all features within the site shall be provided

**PLANNING COMMITTEE MINUTES (Continued)**

to the LPA.

**Reason:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011;

- (7) the development hereby permitted (including demolition) shall not commence until a further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists- 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 safeguard the presence and population of a 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;
- (8) 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 CO<sup>2</sup> 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;
- (9) the development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in



## PLANNING COMMITTEE MINUTES (Continued)

strict accordance with the approved details and shall remain in force at all times thereafter.

**Reason:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012;

- (10) 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 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, unless otherwise agreed in writing by the local planning authority. Best practicable means shall also be employed at all times to control noise and dust on the site including, a) work which is likely to give rise to noise nuisance be restricted to the following hours: Mon-Fri 7.30 am - 5 pm, Sat 7.30 am - 1pm. No working Sundays or Bank Holidays; b) delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon - Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays. **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;
- (11) within nine months of the first occupation of the development hereby permitted the applicant shall submit an updated Green Travel

**PLANNING COMMITTEE MINUTES (Continued)**

Plan to promote sustainable transport choices to the site, the measures proposed to be carried out within the plan to be approved by the Planning Authority in writing, in consultation with the County Council as Highway Authority. The measures (and any variations) so approved shall continue to be implemented in full at all time. The plan shall:

- i. specify targets for the proportion of employees and visitors travelling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non-renewable fuels;
- ii. set out measures designed to achieve those targets together with timescales and arrangements for their monitoring, review and continuous improvement;
- iii. explain and justify the targets and measures;
- iv. identify a senior manager of the business using the site with overall responsibility for the plan and a scheme for involving employees of the business in its implementation and development.

**Reason:** In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC12 & SC4 of the Warwick District Local Plan 1996-2011;

(12) the development shall not be occupied until pedestrian and vehicular access facilities have been provided to the site, and space has been provided within the site for the parking and manoeuvring of vehicles, in accordance with drawing number 3246-55 Revision H. **Reason:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011;

(13) the development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access have been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **Reason:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011;

(14) gates/barriers erected at the entrances to the

**PLANNING COMMITTEE MINUTES (Continued)**

site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway. **Reason:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011;

- (15) in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of 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;
- (16) noise arising from any plant or equipment, when measured one metre from the façade 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 occupants of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011; and
- (17) the development hereby permitted shall not be occupied unless and until the approved parking spaces have been provided and made available for use in accordance with the approved details and thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority. **Reason:** In the interests of amenity and highway safety in accordance with Policies DP1 and DP8 of the Warwick District Local Plan 1996-2011.

## PLANNING COMMITTEE MINUTES (Continued)

### 9. **W/17/0039 – Grove Farm, Harbury Lane, Bishop's Tachbrook, Royal Leamington Spa**

The Committee considered a reserved matters application from AC Lloyd Limited for the layout, landscaping, scale and appearance of 130 dwelling houses comprising 1.5, 2 and 2.5 storey housing together with associated garages, parking facilities, landscaping, infrastructure and drainage, forming Phase 1B of the Oakley Grove, Harbury Lane development granted under outline planning permission W/14/0023.

The application was presented to Committee because an objection had been received from Bishop's Tachbrook Parish Council.

The officer was of the opinion that the proposed development was considered to provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing and acceptable dwelling house and layout design solutions, including landscaping and public open space, relevant to this particular phase of the development. The scheme therefore complied with the policies listed and accordingly it was recommended that planning permission be approved.

An addendum circulated at the meeting advised that a revised landscaping plan had been received on 16 May 2017 in response to comments from the Landscape and Open Space team. Additional comments had been received from Open Space in response to the landscaping plan. Officers proposed to add a condition to any forthcoming permission requiring some additional details.

The following people addressed the Committee:

- Councillor Bullen, representing Bishop's Tachbrook Parish Council, in objection to the application; and
- Mr Clark, who represented the applicant.

Members expressed some concerns about the safety of pedestrians trying to cross the road to the school. It was agreed that a note to the applicant would be the best way to tackle this.

A motion from Councillor Heath, and seconded by Councillor Miss Grainger to grant the application with a note to the applicant to examine carefully the safety of the access points to the school was passed. The Chairman realised that he had failed to read out the proposed condition from officers as detailed in the addendum. He therefore sought Councillor Heath's and Councillor Miss Grainger's approval that this should be included in the resolution.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Heath and seconded by Councillor Miss Grainger that the application should be granted as per the recommendations in the report and with an additional condition requiring some additional details (e.g. footpath specifications, detail of high post and rail fencing) and the note to the applicant.

## PLANNING COMMITTEE MINUTES (Continued)

The Committee therefore

**Resolved** that W/17/0039 be **granted** in accordance with the recommendations in the report, with a note to the applicant to examine carefully the safety of the access points to the school and 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 79-1 Rev.E, 79-2 Rev.B, 83 Rev.A, 84 Rev.A, 85-1 Rev.A, 85-2, 86-1 Rev.A, 86-2 Rev.B, 87-1 Rev.A, 87-2 Rev.A, 88-1 Rev.B, 88-2, 89-1 Rev.A, 89-2 Rev.A, 90-1 Rev.A, 90-2 Rev.A, 91-1 Rev.A, 91-2, 92-1 Rev.A, 92-2, 93-1 Rev.A, 93-2, 94 Rev.B, 95 Rev.B, 96 Rev.B, 97 Rev.B, 98-1 Rev.N, 98-2 Rev.C, 110-1 Rev.A, 111, 115 Rev.A, 116 Rev.A, 117-1 and 117-2 and specification contained therein, submitted on 11 January 2017 and 82 Rev.C, 133 and 133-1, and specification contained therein, submitted on 19 April 2017 and 70 Rev.N, 112-1 Rev.B, 112-2 Rev.B, 112-3 Rev.B, 130 Rev.B, 132 Rev.A, 132-1 Rev.A and 134 Rev.A, and specification contained therein, submitted on 4 May 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) 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;
- (3) 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

## PLANNING COMMITTEE MINUTES (Continued)

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;

- (4) no structure, tree or shrub shall be erected, planted or retained within the visibility splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **Reason:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011;
- (5) no utility pipe works or cabinets are to be placed on the exterior walls of the undercroft vehicular accesses that measure a width of less than 5.5 metres. **Reason:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011; and
- (6) an additional condition requiring some additional details (e.g. footpath specifications, detail of high post and rail fencing).

### 10. **W/16/2080 – Fairfield, Old Warwick Road, Lapworth, Solihull**

The Committee considered an application from Mr Black for the erection of a detached dwelling.

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

The officer was of the opinion that the principle of development was considered acceptable having regard to both the policies relating to the provision of rural housing and to the relevant Green Belt policy in the NPPF that cited this type of limited infill development as 'appropriate'. The proposed dwelling was considered to be in keeping and sympathetic in terms of its scale and massing and accordingly not considered to cause any visual harm to the character of the surrounding area. There would be no harm caused to the amenity of existing residential properties around the site and there was no detriment considered to be caused to highway safety in terms of the proposed access arrangements. It was considered that there would be no material harm resulting from this proposed development, which was considered to represent a sustainable form of development overall. For these reasons it was recommended that planning permission be granted.



## PLANNING COMMITTEE MINUTES (Continued)

An addendum circulated at the meeting advised that additional representations had been received from Lapworth Parish Council, the Open Space team and solicitors acting on behalf of the neighbouring property. The Parish Council had withdrawn its objection. The Open Space team provided confirmation of the development objectives towards which the requested sum would be spent; and the solicitors gave details relating to the ownership of land and rights of access, but nothing that was material to planning consideration of the application.

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

The Committee therefore

**Resolved** that W/16/2080 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 drawings 080 rev.06, 081 rev.08, 082 rev.05, 083 rev.04 and 084 rev.04 and specification contained therein, submitted on 26 January 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) 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;
- (4) the development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for

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great crested newts, reptiles, badger, nesting birds and hedgehog has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

- (5) no works shall commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of landscaping including details of native planting and installation of bird and bat boxes. The agreed scheme shall be fully implemented before/during development of the site as appropriate. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (6) no part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect trees and other features on site during construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (7) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted





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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 CO<sup>2</sup> 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) 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;

- (9) the development hereby permitted shall not be occupied unless and until the existing access to Fairfield from the private access road has been closed and an alternative access provided to the satisfaction of the Local Planning Authority in consultation with the County Highways Authority. **Reason:** In the interests of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011; and



**PLANNING COMMITTEE MINUTES (Continued)**

(10) the development shall not be occupied until visibility splays have been provided to the vehicle access to Warwick Road with an 'x' distance of 2.4 metres and 'y' distances of 70 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

**Reason:** In the interests of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011.

**11. W/17/0231 – The Barn, Camp Hill Farm, Kites Nest Lane, Beausale**

This application was determined under officers' delegated powers.

**12. W/17/0741 LB – 33 Bridge End, Warwick**

This application was withdrawn by the applicant.

(The meeting ended at 7.50pm)