

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 29 April 2014 in the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Rhead (Chairman); Councillors Boad, De-Lara-Bond, Doody, Kirton, Weber, Wilkinson and Williams.

Apologies for absence were received from Councillors Mrs Bunker and MacKay.

188. **SUBSTITUTES**

There were no substitutes.

189. **DECLARATIONS OF INTEREST**

Minute Number 192 – Agenda Item 6 – W14/0023 – Harbury Gardens, Harbury Lane, Bishops Tachbrook

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

Minute Number's 194 & 195 – Agenda Items 9 & 10 – W14/0397 & W14/0430 – Unit 2, Regent Court, Livery Street, Royal Leamington Spa

Councillor Weber declared an interest in both applications because they were located in his Ward.

Minute Number's 196 & 197 – Agenda Items 11 & 12 – W14/0438 & W14/0437 – Unit 6, Regent Court, Livery Street, Royal Leamington Spa

Councillor Weber declared an interest in both applications because they were located in his Ward.

Minute Number's 198 – Agenda Item 15 – W14/0231 – 11 Lear Grove, Warwick

Councillor Wilkinson declared a pecuniary interest and left the room whilst the item was discussed.

Minute Number's 199 – Agenda Item 14 – W14/0131 – Park Lodge, Barford Road, Warwick

Councillor Rhead declared an interest because the application site was in his Ward and during the course of the item he realised that a gentleman in the public gallery was known to him.

Minute Number's 201 – Agenda Item 13 – W14/0054 – 58 Arras Boulevard, Hampton Magna, Budbrooke, Warwick

During the course of the item Councillor Rhead declared an interest because the application site was in his Ward.

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190. SITE VISITS

To assist with decision making, Councillors Boad, De-Lara-Bond, Doody, Kirton, Rhead, Weber, Williams and Wilkinson visited the following application site on Saturday 26 April 2014:

W14/0231 – 11 Lear Grove, Warwick

191. W14/0142 – LAND TO THE SOUTH OF FIELDGATE LANE, WHITNASH

The Committee considered an application from Bovis Homes for the variation of Condition 7 of outline planning permission W13/0858 (for residential development with all matters reserved apart from access). The variation was to adopt a fabric first approach to achieving energy savings and lower carbon emissions rather than provision of renewable technologies.

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

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
DP5 - Density (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
Distance Separation (Supplementary Planning Guidance) (2003)
The 45 Degree Guideline (Supplementary Planning Guidance)
National Planning Policy Framework
RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

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RAP10 - Safeguarding Rural Roads (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Open Space (Supplementary Planning Document - June 2009)
Vehicle Parking Standards (Supplementary Planning Document)
Warwickshire Landscape Guidelines SPG
Sustainable Buildings (Supplementary Planning Document - December 2008)
Affordable Housing (Supplementary Planning Document - January 2008)
Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)

It was the officer's opinion that the variation of condition 7 was considered acceptable as it would meet the overall aims and objectives of Policy DP13 of the Warwick District Local Plan 1996-2011 in terms of reducing CO² emissions and the National Planning Policy Framework 2012.

The Councillor Mrs Falp addressed the committee in objection to the application, on behalf of Whitnash Town Council.

Following consideration of the report and presentation, and the representations made at the meeting, the Committee agreed that the variation should be refused because it was contrary to the existing Local Plan Policy DP13, Renewable Energy Developments. In addition, Members felt that the proposal was contrary to Climate Change policies CC1, CC2 and CC3, with particular reference to paragraph 5.95.

RESOLVED that the variation to condition 7 for application W14/0142 be REFUSED because it was contrary to policies DP13, CC1, CC2 and CC3 with particular reference to paragraph 5.95.

192. W14/0023 – HARBURY GARDENS, HARBURY LANE, BISHOPS TACHBROOK

The Committee considered an application from A C Lloyd Ltd for a residential development (approximately 200 dwellings) with new access onto Harbury Lane, land safeguarded for a new primary school, allotments, open space, local shop (A1 use up to 100 sqm gross), car parking and associated infrastructure.

The application was presented to the Committee due to the number of objections from residents and objections from Parish and Town Councils having been received and because it was recommended that planning permission be granted subject to a Section 106 agreement.

The application was previously on the agenda for the 18 March Planning Committee. However, it was withdrawn from the agenda prior to consideration at the meeting to enable more work to be carried out on the evidence base to support the requested Section 106 contributions. This work had been undertaken, with further evidence produced to support the contributions towards the country park, indoor and outdoor sports facilities and NHS acute and community healthcare. All of the Section 106 contributions had now been agreed with the applicant.

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The officer considered the following policies to be relevant:

RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
DP5 - Density (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
Affordable Housing (Supplementary Planning Document - January 2008)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Open Space (Supplementary Planning Document - June 2009)
Vehicle Parking Standards (Supplementary Planning Document)
Warwickshire Landscape Guidelines SPG
Sustainable Buildings (Supplementary Planning Document - December 2008)
Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
National Planning Policy Framework
SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)

An addendum circulated prior to the meeting outlined a number of issues including differences between this scheme and the previously refused planning permission. In addition, the addendum updated Members on the recent approval of the draft Local Plan and advised of further comments from Bishops Tachbrook Parish Council and public responses.

It was the officer's opinion that, due to the Council's lack of a five year supply of housing land, Local Plan Policy RAP1 was out of date. Therefore,

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the NPPF required applications to be considered in the context of the presumption in favour of sustainable development. This stated at paragraph 14 that where the development plan policies were out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

There were three dimensions to sustainable development: economic, social and environmental. The development would deliver economic benefits through the generation of employment during the construction phase, and from the increased population which would contribute towards increased expenditure in the local area and dependence on local facilities. Business would also benefit economically through the provision of highway network improvements. Social benefits would include the provision of a mix of types and sizes of market and affordable housing to meet identified local needs, the provision of open space, and improvements to shared infrastructure.

Environmental benefits would arise from measures to increase biodiversity, sustainable transport improvements, more efficient use of land, provision of open spaces, sustainable drainage measures and improved footpath/cycle way links. The site was in a sustainable location adjacent to the urban area and will be integrated into the existing settlement by sustainable transport links. It was therefore concluded that the development represented sustainable development by satisfying the three dimensions identified in the NPPF.

It had been concluded that any issues of concern that had been raised could be satisfactorily addressed through the assessment of reserved matters applications, the provision of new facilities, and the provision of new infrastructure by way of financial contributions. The development would have an adverse impact on the surrounding landscape in terms of the loss of openness, rural character and ridge and furrow, however these impacts needed to be balanced against the wider benefits of the development listed above.

In the particular circumstances of this application, it was not considered that the adverse impacts on the landscape and rural area significantly and demonstrably outweighed the benefits of the development. The development was considered to comply with all current Local Plan policies aside from RAP1, which the NPPF advised could not carry any weight.

Furthermore, the development was considered to comply with the policies of the NPPF, taken as a whole. The presumption in favour of sustainable development carried substantial weight, as did the contribution the development would make to the provision of housing to meet the needs of the District. The fact that the site had been identified as a preferred option in the RDS needs to be given serious consideration due to its stage in the plan process, but the evidence base that led to the inclusion of the site in the RDS carried some weight. It was, therefore, concluded that planning permission should be granted.

The following people addressed the committee in objection to the application:

Councillor Mrs Falp, in objection on behalf of Whitnash Town Council;

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Councillor Deeley, in objection on behalf of Bishops Tachbrook Parish Council;
Mr Mitchell, in support and on behalf of the applicant; and
Mr Wynne, in support and on behalf of, the applicant.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee agreed to grant permission in accordance with the recommendations in the report with additional conditions to be added as proposed by Bishops Tachbrook Parish Council.

RESOLVED that outline planning permission W14/0023 be GRANTED subject to the receipt of a satisfactory Section 106 Agreement and subject to the conditions listed below.

Should a satisfactory Section 106 Agreement not have been completed by 29 May 2014, authority is delegated to the Head of Development Services to REFUSE planning permission on the grounds that the proposals make inadequate provision in respect of the issues the subject of that agreement.

- (1) this permission is granted under the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
 - (a) layout
 - (b) scale
 - (c) appearance
 - (d) landscaping

REASON : To comply with Section 92 of the Town and Country Planning Act 1990 as amended;

- (2) application for approval of the reserved matters shall be made to the local planning authority not later than three years of the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended);
- (3) the development to which this permission relates shall begin within three years of the date of permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country

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Planning Act 1990 (as amended);

- (4) the access hereby permitted shall be constructed in strict accordance with the details shown on the site location plan and approved access drawing(s) ITB8073-GA-004 Rev C, and specification contained therein, submitted on 25 February 2014. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2 and DP6 of the Warwick District Local Plan 1996-2011;
- (5) an application for the approval of a construction phasing plan for the development shall be submitted before the expiry of three years from the date of this permission. The development shall thereafter be carried out in accordance with the phases established in the phasing plan as approved by the local planning authority. **REASON:** To ensure the proper phasing of the development;
- (6) no development shall take place under any relevant phase of development until a detailed lighting scheme for that phase has been submitted to and agreed in writing by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, where protected species are likely to be found, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:
 - (a) low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
 - (b) the brightness of lights should be as low as legally possible;
 - (c) lighting should be timed to provide some dark periods; and
 - (d) connections to areas important for foraging should contain unlit stretches.

Such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.

REASON: To ensure that any lighting is

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designed so as not to detrimentally affect the amenities of the occupiers of nearby properties and to ensure that appropriate measures are taken in relation to protected species in accordance with Policies DP2, DP3, DP9 and DAP3 of the Warwick District Local Plan 1996-2011;

- (7) no phase of the development shall take place under any reserved matters consent until a scheme for that reserved matters consent and phase of development showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the local planning authority. That phase of development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

REASON : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

- (8) no development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when the 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance with the approved details and shall be retained at all times thereafter. **REASON:** To ensure Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan;

- (9) 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 local planning authority and has been put in place. The scheme must include details of the erection of stout protective

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fencing and be in accordance with British Standard BS5837: 2012, a Guide for Trees in relation to 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 local 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:** 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;

- (10) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of outdoor sports facilities 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;

- (11) the development hereby permitted (including demolition) shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species with subsequent mitigation as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The

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agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan;

- (12) the development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as pond, wildflower grasslands, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a net bio-diversity gain in accordance with the National Planning Policy Framework (NPPF);

- (13) the development hereby permitted shall not commence until: -

- (1) (a) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
- a risk assessment to be undertaken relating to human health;
 - a risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected;
 - an appropriate gas risk assessment to be undertaken;
 - refinement of the conceptual model; and
 - the development of a method statement detailing the remediation requirements.

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(b) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.

(c) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion and shall be approved in writing by the local planning authority prior to the remediation being carried out on the site.

- (2) All development of the site shall accord with the approved method statement.
- (3) If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be deal with.
- (4) Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON: To safeguard health, safety and the environment in accordance with Policies DP2, DP3 & DP9 of the Warwick District Local Plan 1996-2011;

(14) the development hereby permitted shall not

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commence until a scheme detailing arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;

- (15) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **REASON:** In the interests of fire safety;

- (16) 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. **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

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locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011;

- (17) no development shall take place unless and until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The Low Emission Strategy shall thereafter be implemented in strict accordance with the approved details.
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;
- (18) the development hereby permitted shall be carried out in strict accordance with the details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority.
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;
- (19) no development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority demonstrating that surface water runoff does not exceed runoff from the undeveloped site and does not increase the risk of flooding off-site. Post development runoff volumes and peak flow rates will be limited to the Greenfield discharge rate for all rainfall return periods up to and including the 100 year plus 30% (for climate change) as outlined within the Flood Risk Assessment. On-Site surface water attenuation will be provided to the 1:100 Climate change (30%) standard using Sustainable Urban Drainage Systems. The site drainage strategy will demonstrate the appropriate assessment and adoption of SUDS techniques. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details.
REASON: To ensure that a satisfactory means of drainage is provided such as to minimise flooding, which promotes and maintains the good stewardship of the natural and built

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environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011;

- (20) any landscaping (other than the planting of trees and shrubs) approved under condition 1, including boundary treatment, paving and footpaths, shall be completed in all respects for that phase of development, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the dwellings within that phase and the tree(s) and shrub(s) shall be planted within six months of that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;
- (21) the existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory

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standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;

- (22) the mix of type and size of market dwellings submitted as part of any reserved matters application must accord with the recommendations contained within the most up to date version of the "Development Management Policy Guidance : Achieving Mix of Market Housing on new Development Sites".

REASON: To ensure that the housing meets the needs of the District as required by Local Plan Policy SC1 and the NPPF;

- (23) the building heights shall not exceed 2 storey or 2.5 storey for landmark buildings as indicated within the submitted RPS Design and Access Statement dated November 2012.

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;

- (24) none of the dwellings hereby permitted shall be occupied unless and until a sustainable welcome pack has been provided to help promote sustainable travel in the local area in accordance with details that shall have been first agreed in writing with the local planning authority. **REASON:** In the interests of highway safety and to meet the requirements of policy DP6 of the Warwick District Local Plan 1996-2011;

- (25) prior to first occupation each of the dwellings hereby permitted, the first occupiers of the dwelling shall be provided with a sustainable welcome pack to help promote sustainable travel in the local area in accordance with details that shall have been first agreed in writing by the local planning authority.

REASON: In the interests of promoting sustainable travel, in accordance with Policy SC12 of the Warwick District Local Plan 1996-2011;

- (26) completion of the Safer Route to School from the Leopard public house to the school be included in any Section 106 requirements; and

- (27) Traffic calming measures along Oakley Wood Road through the village be included in any

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Section 106 requirements.

193. W14/0134 – THE LAWNS, 1 GLEAVE ROAD, WHITNASH

The Committee considered an application from Runwood Homes Plc which requested permission to vary Condition No 2 of planning permission W12/1469. This permission was for the construction of a two storey home after demolition of existing 3 storey building and associated car parking – to be amended to include the revised drawing numbers (SK 012 rev B, SK 013, rev B, Sk 014 rev A) which showed an increase in the number of rooms from 65 to 72, with proposed car parking spaces remaining at 24.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP6 - Access (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated prior to the meeting proposed an additional condition which had been suggested in view of the comments received regarding the impact of construction activities. The condition restricted construction deliveries and work on site to specific times during the week , no deliveries on Sundays and Bank Holidays.

It was the officer's opinion that application would provide suitable parking provision for the proposed use, and would comply with the policies listed.

Councillor Mrs Falp addressed the committee, on behalf of Whitnash Town Council, in objection to the application.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee agreed that the application should be granted in accordance with the officers recommendations and subject to the additional condition outlined in the addendum.

RESOLVED that W14/0134 be GRANTED 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

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approved drawing numbers SK010; 011; 015; 016; 017; 018, 019 and MK RH WL 01 Rev A submitted with application W/12/1469 on 21 November 2012, and with drawing numbers SK012 Rev B; 013 rev B and 014 rev A submitted with application W/14/0134 on 29 January 2014, 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) development shall be carried out in accordance with the external sample material details approved under application W/12/1469.

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;

- (4) the hardstanding shall be constructed and surfaced, in full accordance with the details approved under application W/12/1469.

REASON: To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan;

- (5) the scheme for the provision of suitable bat boxes and bird boxes approved under application W/12/1469 shall be carried out in accordance with the approved details.

Thereafter, the boxes shall be installed and maintained in perpetuity. **REASON:** In accordance with National Planning Policy Framework and ODPM Circular 06/2005 and Policy DP3 in the Warwick District Local Plan 1996-2011;

- (6) the development shall be carried out in accordance with the drainage plans for the disposal of surface water and foul sewage approved under application W/12/1469. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and minimise the risk of pollution, in accordance with Policy DP9 in the Warwick District Local Plan 1996-2011;

PLANNING COMMITTEE MINUTES (Continued)

- (7) the applicant shall comply with the requirements and measures of the Green Travel Plan approved under application W/12/1467. The measures (and any variations) so approved shall continue to be implemented in full at all times. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (8) should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Area Surveyor/Locality Officer (Area Team – County Highways), in reference to the condition survey approved under application W/12/1469. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (9) remedial measures shall be carried out in strict accordance with the contamination survey and proposed remediation measures approved under application W/12/1469. **REASON:** To ensure protection of nearby water courses in accordance with Policy DP9 in the Warwick District Local Plan 1996-2011;
- (10) 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 submitted with application W/12/1469 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

PLANNING COMMITTEE MINUTES (Continued)

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;

- (11) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works shown on drawing number MK RH WL 01 Rev A submitted with application W/12/1469 which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, 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 care home 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;
- (12) the accesses to the site shall not be reconstructed/widened in such a manner as to reduce the effective capacity of any drain within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

PLANNING COMMITTEE MINUTES (Continued)

- (13) the accesses to the site for vehicles shall not be used unless the public highway footway crossings have been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (14) the development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of application W/12/1469 has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011; and
- (15) there shall be no construction related deliveries to the application site before 0800 or after 1700 on Monday to Saturday and no deliveries on Sundays and Bank Holidays and there shall be no construction work on site before 0730 or after 1700 on Monday to Saturday, or at any time on Sundays or Bank Holidays. **Reason:** To protect to living conditions of the occupiers of nearby residential properties during construction works in accordance with policy DP2 of the Warwick District Local Plan 1996 - 2011.

194. W14/0397 – UNIT 2, REGENT COURT, LIVERY STREET, ROYAL LEAMINGTON SPA

This application was withdrawn prior to the meeting and the reasons for this were outlined in the addendum, as detailed below:

Following legal advice it had been decided that the proposed external seating areas at Regent Court only required planning permission due to the condition on the previous approval. Therefore, the change of use applications had been withdrawn (Item 9 – W14/0397 & Item 11 – W14/0438). In effect this was a legal technicality given that planning permission was still required to vary the condition prohibiting external seating areas. Therefore, the variation of condition applications remained live and would be considered by Planning Committee (Item 10 – W14/0430 & Item 12 – W14/0437).

PLANNING COMMITTEE MINUTES (Continued)

195. W14/0430 – UNIT 2, REGENT COURT, LIVERY STREET, ROYAL LEAMINGTON SPA

The Committee considered an application from NewRiver Retail for the variation of condition 6 of planning permission W13/1578. The variation would allow for the creation of an outdoor seating area in front of Unit 2; the restriction would remain in place for the remainder of the units covered by planning permission W13/1578.

The application was presented to the Committee because it had previously been agreed that further applications for outdoor seating at Regent Court should be considered by them.

The officer considered the following policies to be relevant:

DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
TCP13 - Design of Shopfronts (Warwick District Local Plan 1996 - 2011)
Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
TCP5 - Secondary Retail Areas (Warwick District Local Plan 1996 - 2011)
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)
National Planning Policy Framework

An addendum circulated prior to the meeting outlined further consultation responses from Royal Leamington Spa Town Council and comments from two further neighbours in objection to the application. The addendum explained that following a meeting with WDC Environmental Health, officers would raise no objection, subject to amendments to the proposed conditions.

As a result, the addendum proposed a revised recommendation to grant the variation, subject to no materially different adverse comments being submitted before the consultation deadline of 15 May 2014.

It was the officer's opinion that, subject to the resolution of the issues raised by Environmental Health, the proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the Conservation Area. It was recommended

PLANNING COMMITTEE MINUTES (Continued)

that the variation of the condition be granted. The recommendation was subject to change if the Environmental Health issues were not satisfactorily resolved before Committee.

Mr Barnwell, a local resident, addressed the Committee in objection to the application and Mr Wrighton, spoke on behalf of the applicant, in support of the application. Both speakers were allowed additional time and spoke about applications W14/0430 and W14/0437 together as the units in question were located in the close proximity to each other.

Members felt that the developer needed to liaise with officers to put forward a revised master scheme which included better solutions for mitigating noise issues and these should be discussed with residents to ensure full engagement. Members were mindful that the Conservation officer had proposed retractable canopies but felt that the noise issues may take preference over the aesthetic appearance of the street.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee agreed that the item should be deferred for the reasons stated below.

RESOLVED that W14/0430 be DEFERRED because the consultation period did not end until 15 May 2014 and to enable further discussions with the applicant regarding the appearance and noise attenuation of the canopies.

196. W14/0438 – UNIT 6, REGENT COURT, LIVERY STREET, ROYAL LEAMINGTON SPA

This application was withdrawn prior to the meeting and the reasons for this were outlined in the addendum, as detailed below:

Following legal advice it had been decided that the proposed external seating areas at Regent Court only required planning permission due to the condition on the previous approval. Therefore, the change of use applications had been withdrawn (Item 9 – W14/0397 & Item 11 – W14/0438). In effect this was a legal technicality given that planning permission was still required to vary the condition prohibiting external seating areas. Therefore, the variation of condition applications remained live and would be considered by Planning Committee (Item 10 – W14/0430 & Item 12 – W14/0437).

197. W14/0437 – UNIT 6, REGENT COURT, LIVERY STREET, ROYAL LEAMINGTON SPA

The Committee considered an application from NewRiver Retail for the variation of condition 6 of planning permission W13/1578. The variation would allow for the creation of an outdoor seating area in front of Unit 2; the restriction would remain in place for the remainder of the units covered by planning permission W13/1578.

The application was presented to the Committee because it had previously been agreed that further applications for outdoor seating at Regent Court should be considered by them.

PLANNING COMMITTEE MINUTES (Continued)

The officer considered the following policies to be relevant:

DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
TCP13 - Design of Shopfronts (Warwick District Local Plan 1996 - 2011)
Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
TCP5 - Secondary Retail Areas (Warwick District Local Plan 1996 - 2011)
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)
National Planning Policy Framework

An addendum circulated prior to the meeting outlined further consultation responses from Royal Leamington Spa Town Council and comments from two further neighbours in objection to the application. The addendum explained that following a meeting with WDC Environmental Health, officers would raise no objection, subject to amendments to the proposed conditions.

As a result, the addendum proposed a revised recommendation to grant the variation, subject to no materially different adverse comments being submitted before the consultation deadline of 15 May 2014.

It was the officer's opinion that, subject to the resolution of the issues raised by Environmental Health, the proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the Conservation Area. It was therefore, recommended that the variation of the condition be granted. This recommendation was subject to change if the Environmental Health issues were not satisfactorily resolved before Committee.

Mr Barnwell, a local resident, addressed the Committee in objection to the application and Mr Wrighton, spoke on behalf of the applicant, in support of the application. Both speakers were allowed additional time and spoke about applications W14/0430 and W14/0437 together as the units in question were located in the close proximity to each other.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee agreed that the item should be deferred for the reasons stated below.

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that W14/0437 be DEFERRED because the consultation period did not end until 15 May 2014 and to enable further discussions with the applicant regarding the appearance and noise attenuation of the canopies.

198. W14/0231 – 11 LEAR GROVE, WARWICK

The Committee considered an application from Mr Singh for the erection of a two storey rear extension.

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

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Vehicle Parking Standards (Supplementary Planning Document)
National Planning Policy Framework
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)

It was the officer's opinion that the development was considered to comply with the policies listed and is recommended for approval.

Mrs Rodger and Mr Greenwood addressed the Committee as neighbouring residents and in objection to the application. Councillor Mrs Mellor spoke, in her capacity of Ward Councillor and represented the views of the applicant Mr Singh, in support of the application.

Members had visited the application site during their site visits and were comfortable with the proposed size of the extension. It was agreed that an additional condition be added to ensure that the 10% renewable energy guidelines were met.

Following consideration of the report and presentation, and the representations made at the meeting, the Committee decided to grant the application, in accordance with the officers recommendations and including the additional renewable energy condition.

RESOLVED that W14/0231 be GRANTED 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);

PLANNING COMMITTEE MINUTES (Continued)

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 2024/2/B and 2024/1A, and specification contained therein, submitted on 9th April 2014. **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) 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; and
- (4) 10% renewable energy condition

199. W14/0131 – PARK LODGE, BARFORD ROAD, WARWICK

The Committee considered an application from Mr Gildea for the erection of a single storey side extension, single storey rear porch extension and the erection of a garden building.

The application was presented to the Committee because an objection had been received from Barford, Sherbourne and Wasperton Joint Parish Council.

The officer considered the following policies to be relevant:

The National Planning Policy Framework

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

An addendum circulated prior to the meeting clarified that following the receipt of revised plans (prior to the inclusion of this item on this agenda),

PLANNING COMMITTEE MINUTES (Continued)

the District Council's Conservation Officer advised that there was no objection on conservation grounds to the proposed revised scheme.

It was the officer's opinion that the proposed single storey rear bedroom extension; single storey side porch extension and detached garden store were acceptable in terms of their character and appearance within the street scene and on the Conservation Area and did not significantly impact on the amenities of surrounding neighbours such as would support a reason for refusal.

Following consideration of the report, presentation and addendum, the Committee decided to grant the application in accordance with the officers recommendation.

RESOLVED that W14/0131 be GRANTED 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 drawing 2869 - A.02.1 Revision A, and specification contained therein, submitted on 11th April, 2014. **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; and
- (4) no development or other operations (including demolition, site clearance or other preparatory works) shall be commenced unless and until adequate steps, which shall have been

PLANNING COMMITTEE MINUTES (Continued)

previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837 – 2012 Trees in Relation to Design, Demolition & Construction) to all trees on the site, or those trees whose root structure may extend within the site. In particular 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 trees; no equipment, machinery or structure shall be attached to or supported by a protected trees; 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 be carried out in such a way as to cause damage or injury to the trees by interference with their root structure and 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 trees. **REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

PLANNING COMMITTEE MINUTES (Continued)

200. W14/0301 – 3 MYLGROVE, BAGINTON

The Committee considered an application from Mr Feeney for the proposed erection of a first floor side extension.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document)

The 45 Degree Guideline (Supplementary Planning Guidance)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

It was the officer's opinion that the proposed first floor side extension is acceptable in terms of its character and appearance within the street scene and does not significantly impact on the amenities of surrounding neighbours such as would support a reason for refusal.

Following consideration of the report and presentation, the Committee agreed that the application should be granted in line with officers' recommendations.

RESOLVED that W14/0301 be GRANTED 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 drawing Issue 4. 02/03/2014, and specification contained therein, submitted on 5th March 2014. **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; and

PLANNING COMMITTEE MINUTES (Continued)

- (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 DP1 of the Warwick District Local Plan 1996-2011.

201. W14/0054 – 58 ARRAS BOULEVARD, HAMPTON MAGNA, BUDBROOKE, WARWICK

The Committee considered an application from Mrs Kirton for raising the roof height of part of the main dwelling house and construction of a rear roof dormer.

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

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
The 45 Degree Guideline (Supplementary Planning Guidance)
RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

It was the officer's opinion that the raising of the roof and rear dormer window are acceptable in terms of their character and appearance within the street scene and Green Belt and do not significantly impact on the amenities of surrounding neighbours such as would support a reason for refusal.

Following consideration of the report and presentation the Committee agreed that the item be granted in line with officers' recommendations.

RESOLVED that W14/0054 be GRANTED 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

PLANNING COMMITTEE MINUTES (Continued)

details shown on the site location plan and approved drawing(s) and specification contained therein, submitted on 18 March 2014. **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; and

- (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 DP1 of the Warwick District Local Plan 1996-2011.

(The meeting ended at 9.00 pm)