

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 26 November 2013 in the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Rhead (Chairman); Councillors Boad, Brookes, Mrs Knight, MacKay, Mobbs, Weber and Williams.

Apologies were received from Councillors Mrs Bunker, De-Lara-Bond and Wilkinson.

114. **SUBSTITUTES**

Councillor Mrs Knight substituted for Councillor Wilkinson.

115. **DECLARATIONS OF INTEREST**

Minute Number 119 - Agenda Item 8 – W13/1449 – 43 Prospect Road, Royal Leamington Spa

Councillor Mrs Knight declared an interest because the application site was in her Ward.

Minute Number 121 - Agenda Item 12 – W13/1339 – Unit 11, Livery Street, Regent Court, Royal Leamington Spa

Councillor Weber declared an interest because the application site was in his Ward. He advised the Committee that he had conversed with residents with regard to this and related applications, but that he had subsequently taken legal advice from officers and was satisfied that he had made no predetermination on this application.

Minute Number 123 - Agenda Item 10 – W13/1237 – Hatton Park Community Centre, Barcheston Drive, Hatton Park, Warwick

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

Minute Number 125 - Agenda Item 13 – W13/1437 – 36 Warwick Street, Royal Leamington Spa

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

116. **SITE VISITS**

There were no site visits prior to this meeting taking place.

117. **MINUTES**

The minutes of the meetings held on 15 October and 5 November 2013 were agreed and signed by the Chairman as a correct record, subject to the 5 November minutes being amended to include Councillors De-Lara-Bond

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and Williams in the site visits list, and the removal of Councillors Brookes & Dean.

118. W13/1490 – 2-22 NORTHGATE STREET, WARWICK

The Committee considered an application from Ash Mill Northgate LLP for demolition and re-development to provide a total of 18 residential dwellings, by conversion and alteration of former education department offices on Northgate Street to create 11 residential dwellings and erection of a garage building; conversion and alteration of former county court offices on Northgate to provide 3 dwellings; and partial redevelopment/infill and conversion/alteration/extension of the former museum services buildings off Northgate to provide 4 dwellings. This was a revised application following the withdrawal of application W13/1053.

The application was presented to the Committee because it was subject to a Section 106 agreement and because application W13/1053 had been withdrawn from the Planning agenda for 15 October 2013. Furthermore, a number of objections had been received, including one from Warwick Town Council.

The officer considered the following policies to be relevant:

Affordable Housing (Supplementary Planning Document - January 2008)

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)

DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)

DP6 - Access (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)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

Open Space (Supplementary Planning Document - June 2009)

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

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

DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)

TCP10 - Protecting the Residential Role of Town Centres (Warwick District Local Plan 1996 - 2011)

DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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An addendum summarised comments received following publication of the agenda.

It was the officer's opinion that the development would not give rise to any harmful effects in terms of the impact on the Listed Building or Conservation Area, highway safety, or the living conditions of nearby dwellings which would justify a refusal of permission. The proposal was therefore considered to comply with the policies listed.

Mr MacKay addressed the Committee, objecting to the application, and Mr Grant addressed the Committee in support of the application.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained within the addendum, the Committee resolved that permission be granted subject to a Section 106 agreement. Permission was in accordance with the officer's recommendation, subject to condition 1 being amended to two years rather than three, condition 3 being amended to include 10% renewables, condition 11 making reference to an adequate replacement following removal of the copper beech, and inclusion of the archaeology condition recommended by the County Archaeologist.

RESOLVED that W13/1490 be GRANTED subject to the conditions listed below, and the completion of a satisfactory unilateral undertaking or Section 106 agreement by 17 January 2014. The agreement or undertaking should provide £50 per dwelling (£900) towards sustainable welcome packs, and the agreed affordable housing contribution of £99,100. If a satisfactory unilateral undertaking or Section 106 agreement has not been received by 17 January 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 that are the subject of that agreement.

The conditions are as follows:

- (1) the development hereby permitted shall begin not later than two 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 (2012/25-P1k, 2012/25-P-2e, 2012/25-P3a, 2012/25-P4h, 2012/25-P6e, 2012/25-P8f, 2012/25-P9d, 2012/25-P10a, 2012/25-P11i, 2012/25-P12h, 2012/25-P13b, 2012/25-P14d, 2012/25-P15b, 2012/25-P16, 2012/25-P17 submitted on 18 October 2013),

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and specification contained therein. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011;

- (3) each dwelling hereby permitted shall not be first occupied unless and until it has been constructed in strict accordance with measures to be submitted and approved in writing by the local planning authority to provide for 10% of the predicted energy requirement of the dwelling to be produced on or near to the site, from renewable energy resources, or there is a greater equivalent CO2 emissions saving. The dwellings shall not be first occupied until the works necessary to implement the approved measures relating to that dwelling have been completed and thereafter such works shall be retained at all times and shall be maintained strictly in accordance with manufacturers' specifications. Micro generation equipment no longer needed for micro generation shall be removed as soon as reasonably practicable. **REASON:** To ensure that the aims and objectives of reducing CO2 emissions in accordance with the National Planning Policy Framework 2012 are met, or the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;
- (4) the dwelling(s) hereby permitted shall not be occupied until the refuse and recycling facilities have been constructed in accordance with a scheme that has been submitted and approved by the local planning authority. **REASON:** To protect the amenities of occupiers of the site and the character and appearance of the locality, and to protect highway safety, in accordance with Policies DP1, DP2 and DP6 of the Warwick District Local Plan 1996-2011;
- (5) the development shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding of bats and nesting birds within the site as set out in the document 'Phase 1 & 2 Bat Survey Report (including nesting birds)' prepared by Ridgeway Ecology (22nd July 2013), received by the local planning authority on 18th October 2013. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to

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summarise the findings. **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;

- (6) the development hereby permitted shall only be undertaken in strict accordance with the methodology for site contamination investigation and mitigation as set out in the document 'Desk Study and Environmental Risk Assessment of Proposed Residential Development of 2-22 Northgate Street Northgate South and The Butts Warwick' prepared by RM Cameron Environmental Services Ltd (July 2013) received by the local planning authority on 18 October 2013.

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

- (7) before the use of the dwellings hereby permitted fronting The Butts commences, a scheme of works to minimise the ingress of traffic noise into the dwellings fronting The Butts, shall be submitted to and approved in writing by the local planning authority and thereafter such works shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASON: To ensure that the level of traffic noise within these dwellings is confined to levels which would not cause unacceptable disturbance to the amenities of future occupiers of the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;

- (8) 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 within the root protection areas, and no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or

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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;

- (9) prior to the installation of any new external doors, windows, roof lights, lantern lights, eaves, verges or rainwater goods to any individual building, details of the design (including a section showing the window reveal, heads and cill) at 1:10 scale or as otherwise agreed with the local planning authority, shall be submitted to and approved in writing by the local planning authority. The external works shall not be carried out otherwise than in accordance with such approved details. **REASON:** To ensure a high standard of design and appearance for the Listed Buildings, their setting and the Conservation Area, and to satisfy Policies DAP4, DAP7 and DAP8 of the Warwick District Local Plan 1996-2011, and the National Planning Policy Framework;
- (10) prior to the installation of internal doors, staircases or mouldings to any individual Listed Building details of the design at 1:10 scale or as otherwise agreed with the local planning authority, shall be submitted to and approved in writing by the local planning authority. The internal works shall not be carried out otherwise than in accordance with such approved details. **REASON:** To ensure a high standard of design and appearance for the Listed Buildings, and to satisfy Policies DAP4 and DAP7 of the Warwick District Local Plan 1996-2011, and the National Planning Policy Framework;
- (11) notwithstanding the details hereby permitted, the development shall only be undertaken in strict accordance with details of both hard and

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soft landscaping works which have been submitted to and approved in writing by the local planning authority before the first occupation of any dwelling. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings, gates and refuse/recycling stores 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 to the relevant phase shall be completed in full accordance with the approved details within six months of the first occupation of the dwellings in the relevant phase 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 high standard of design and appearance for the Listed Buildings, their setting and the Conservation Area, and to satisfy Policies DAP4, DAP7 and DAP8 of the Warwick District Local Plan 1996-2011, and the National Planning Policy Framework;

- (12) samples of all external facing materials to be used for construction of the relevant buildings hereby permitted, shall be submitted to and approved by the local planning authority before any construction works are commenced on that relevant building. Development for each relevant building shall be carried out in accordance with the approved details. **REASON:** To ensure a high standard of design and appearance for the Listed Buildings, their setting and the Conservation Area, and to satisfy Policies DAP4, DAP7 and DAP8 of the Warwick District Local Plan 1996-2011, and the National Planning Policy Framework;

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- (13) the development hereby permitted shall only be undertaken in strict accordance with a scheme for the re-use of the existing timber panelling within rooms 1660, 1650 and 1760 referred to in the Heritage Impact Assessment (submitted on 26 July 2013), within buildings in the application site, which has been submitted to and approved in writing by the local planning authority before any construction works are commenced on the dwellings containing these rooms. Details of these works shall include the proposed re-location of the panelling, proposals for restoration and finishes. The approved works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellings containing these rooms. **REASON:** To mitigate the harm to the Listed Building and ensure the retention of architectural features worthy of retention, in the interests of the visual amenities of the area in accordance with Policies DAP4 and DAP7 of the Warwick District Local Plan 1996-2011, and the National Planning Policy Framework;
- (14) no development shall commence on site until a photographic record of the buildings has first been obtained in accordance with a brief to be first agreed in writing by the local planning authority in consultation with English Heritage. The record so obtained shall be deposited with the Museum prior to work commencing. **REASON:** To ensure a record is made of the structure which is part of the built heritage of the District, in order to satisfy the requirements of Policies DAP4 and DAP7 of the Warwick District Local Plan 1996-2011, and the National Planning Policy Framework;
- (15) within 1 month of the substantial completion of the development, the developer is required to reconstruct the dropped kerb access to the site to the required specification of WCC, from The Butts due to the current deficiencies with the surface. **REASON:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (16) no vehicle greater in weight than 7.5 tonnes shall be permitted to enter or exit the site before 9am and after 4.30pm, Monday to Friday. **REASON:** In the interests of highway safety, due to traffic levels on this area of the network at peak times and the conflict that

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would occur between normal users of the public highway and large slower moving vehicles entering and existing the site, and in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

- (17) the development (including any works of demolition) shall proceed only in strict accordance with the Construction Management Statement already submitted to the local planning authority (Northgate Street Warwick Construction Method Statement – Lawrence Paul Associates Dated 30 September 2013, submitted on 18 October 2013). The approved statement shall be strictly adhered to throughout the demolition and construction period unless otherwise agreed in writing by the local planning authority. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011; and

- (18) the development shall be timetabled and carried out to wholly accord with the detailed measures for the safeguarding of nesting birds of conservation concern within the site, as set out in section 5 of the document 'Phase 1 & 2 Bat Survey Report (including nesting bird note)' prepared by Ridgeway Ecology, 22 July 2013. **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.

119. W13/1449 – 43 PROSPECT ROAD, ROYAL LEAMINGTON SPA

The Committee considered a retrospective application from Mr and Mrs Prabhaker and Bhatia for the display of a hanging sign within the front garden.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa 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)

It was the officer's opinion that the proposal had a detrimental impact on the residential character and visual amenity of the area by introducing a

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typically non-residential feature into a residential street scene. It was therefore recommended that planning permission should be refused.

Mr Prabhakar addressed the Committee in support of the application.

Following consideration of the report and presentation, along with the representation made at the meeting, the Committee resolved that permission be refused in accordance with the officer's recommendation, but with a note to the applicant for the provision of a suitable sign on the property itself, in consultation with the Planning Authority.

RESOLVED that W13/1449 be REFUSED for the following reason:

- (1) Policy DP1 of the Warwick District Local Plan 1996-2011 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The application property is a dwellinghouse situated in a residential street in a predominantly residential area where the absence of commercial signage is distinctly apparent.

In the opinion of the Local Planning Authority the sign proposed is considered to be harmful to the visual amenity of the area by reason of its design, size, prominent siting and because it introduces a typically commercial feature into a residential area which stands out as an alien and incongruous feature in the street scene.

The development is thereby considered to be contrary to the aforementioned policy.

120. W13/1384 – LAND OFF HIGH CROSS LANE, ROWINGTON, WARWICK

The Committee considered a retrospective application from Mr Gist for the siting of a metal storage container and the erection of a timber screen enclosure.

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

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

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It was the officer's opinion that retention of the metal storage unit would not be harmful to the openness and character of the Green Belt and was in accordance with the aforementioned policies.

Rowington Parish Council's objection to the application was addressed to the Committee by Parish Councillor Gaffey.

Following consideration of the report and presentation, along with the representation made at the meeting, the Committee resolved that permission be granted in accordance with the officer's recommendation.

RESOLVED that W13/1384 be GRANTED 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 submitted on 1st October 2013 and approved drawings side elevation; rear elevation and site plan submitted on 1st October 2013 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;
- (2) the fencing hereby permitted shall not be removed unless the storage container is no longer in situ. **REASON:** To protect the character and appearance of the Green Belt in accordance with the NPPF; and
- (3) the container hereby permitted shall only be used for purposes ancillary to the equestrian use of the site. **REASON:** To protect the character and appearance of the Green Belt in accordance with the NPPF and because this forms part of the justification for its retention.

121. W13/1339 – UNIT 11, LIVERY STREET, REGENT COURT, ROYAL LEAMINGTON SPA

The Committee considered an application from New River Retail for change of use from retail (Use Class A1) to a restaurant (Use Class A3) and associated external alterations including the installation of fume extraction ducting and air conditioning condensers.

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

The officer considered the following policies to be relevant:

TCP5 - Secondary Retail Areas (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

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DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
National Planning Policy Framework

An addendum clarified that the application to extend the opening hours had been submitted by the prospective tenants of Unit 11 and not the owners. The current application for a change of use had been submitted by the site owners, New River Retail.

The addendum also detailed a revised condition 8 and put forward a request from the applicant to omit condition 5.

It was the officer's opinion that the proposals would have an acceptable impact on the vitality and viability of the Town Centre and on the character and appearance of the Conservation Area. The proposals would also have an acceptable impact on the living conditions of nearby dwellings. Therefore it was recommended that planning permission be granted.

Mr Barnwell addressed the Committee, as a concerned resident but also representing Regent Court Residents Committee, who had objected to the application. Miss Wong addressed the Committee in support of the application.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained within the addendum, a motion was proposed and seconded that a decision on the application be deferred in order to allow for a site visit and for an indicative noise survey to be carried out.

This proposal was defeated, with only 3 votes in favour.

A proposal that permission be granted in accordance with the officer's recommendation, as amended in the addendum, was also defeated with only 3 votes in favour.

A proposal that a decision be deferred in order for officers and the applicant to consider how the Committee's concerns about noise levels could be mitigated, was carried.

RESOLVED that W13/1339 be DEFERRED in order for Council officers and the applicant to consider how the Committee's concerns about noise levels can be mitigated.

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122. W13/1504 – WARWICK HOSPITAL, LAKIN ROAD, WARWICK

The Committee considered an application from South Warwickshire NHS Foundation Trust for the demolition of an existing redundant boiler house and squash court and the erection of a three storey office building.

The application was presented to the Committee because it had been refused by the Planning Committee on 15 October 2013 and an amended scheme was now proposed.

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)
DAP3 - Protecting Nature Conservation and Geology (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)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
National Planning Policy Framework
Vehicle Parking Standards (Supplementary Planning Document)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

An addendum summarised comments received following publication of the agenda, and advised the Committee that workshop use on the ground floor had yet to be clarified.

It was the officer's opinion that the development would not give rise to any harmful effects in terms of the impact on highway safety and parking, visual amenity, or the living conditions of nearby dwellings which would justify a refusal of permission. The proposal was therefore considered to comply with the policies listed.

Following consideration of the report and presentation, along with the information contained within the addendum, the Committee resolved that permission be granted in accordance with the officer's recommendation.

RESOLVED that W13/1504 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

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carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (2144/210 #), and specification contained therein, submitted on 22 October 2013. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (3) the development (including any works of demolition) shall proceed only in strict accordance with a construction and traffic management method statement which has been submitted to and approved in writing by the local planning authority prior to the commencement of development. The approved statement shall be strictly adhered to throughout the construction period and shall provide for:
1. the routing of construction traffic, including details of the construction access and swept path of the largest construction vehicles requiring access during the period of the works
 2. scheduling and timing of movements including nature and number of vehicles,
 3. the management of junctions to and crossings of the public highway,
 4. temporary warning signs.
 5. details of the construction of temporary/permanent access arrangements to the site,
 6. details of the proposed temporary site compound for storage of all materials and machinery (including areas designated for car parking),
 7. details of the programme of work including post construction of temporary working areas, compound, access etc.,
 8. 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.

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;

- (4) the development hereby permitted shall be carried out in strict accordance with the details of surface and foul water drainage works that have been submitted to and approved in

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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;

- (5) no development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been 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 tree(s) on the site, or those tree(s) whose root structure may extend within the site and which are within the hospital's boundary. 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 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 be 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:** 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;
- (6) the development hereby permitted shall not be commenced unless and until a scheme 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 District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works

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shall be retained at all times and shall be maintained strictly in accordance with manufacturer's 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

- (7) prior to commencement on site and post completion of the development, a joint survey shall be undertaken with the County's Area Surveyor/Locality Officer to agree the condition of the public highway. 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). **REASON:** In the interests of highway safety and the free flow of traffic, and in accordance with Policy DP6.

123. W13/1237 – HATTON PARK COMMUNITY CENTRE, BARCHESTON DRIVE, HATTON PARK, WARWICK

The Committee considered an application from Hatton Park Residents Association for the formation of hardstanding to provide 16 parking spaces constructed of compacted hard core surfaced with block pavements infilled with gravel chippings, within the existing grassed overspill car park, together with associated landscaping works including the erection of wooden 'trip rails', the construction of a paved path and a steel car park height restrictor.

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

The officer considered the following policies to be relevant:

DP1 - Layout and Design (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)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

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It was the officer's opinion that the proposed development would not unacceptably harm the Green Belt and would not represent over provision of parking and that limited weight could be given to tentative alternative proposals.

Following consideration of the report and presentation, the Committee resolved that permission be granted in accordance with the officer's recommendation.

RESOLVED that W13/1237 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(s) 3006/A/003-B and 3006-A-004-B and specification contained therein, submitted on 2nd September 2013. **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) the development hereby permitted shall not commence unless or until details of the proposed landscaping of the western slope of the plateau of the site are submitted to and approved in writing by the Local Planning Authority. The details shall include species types, specimen sizes, spacings and maintenance regime. The approved landscaping scheme shall be implemented in the first planting season following the completion of the development hereby approved. If any tree, shrub or plant should die, become diseased or gets damaged in a 5 year period following the implementation of the landscaping scheme it shall be replaced with trees/ shrubs and plants of the same species and types. **REASON:** To ensure that the visual impact of the greater intensity of parking resulting from the surfacing of the car park is satisfactorily ameliorated in accordance with policy DP1 of the Warwick District Local Plan 1996 – 2011.

PLANNING COMMITTEE MINUTES (Continued)

124. W13/1502 – 53 HOME FARM CRESCENT, WHITNASH, ROYAL LEAMINGTON SPA

The Committee considered an application from Mr Gurdip Kahlon for the erection of a single storey rear extension, front porch and canopy roof on front elevation.

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

The officer considered the following policies to be relevant:

The 45 Degree Guideline (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)

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

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

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

Residential Design Guide (Supplementary Planning Guidance - April 2008)

National Planning Policy Framework

It was the officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing and would not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the report and presentation, the Committee resolved that permission be granted in accordance with the officer's recommendation.

RESOLVED that W13/1502 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 01, and specification contained therein, submitted on 21st October 2013. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or

PLANNING COMMITTEE MINUTES (Continued)

near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The 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; and

- (4) 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.

125. W13/1437 – 36 WARWICK STREET, ROYAL LEAMINGTON SPA

The Committee considered an application from Yarnold Properties Ltd for the proposed change of use of private club premises at basement and ground floor levels to 5 no. residential flats and 1 no. mews type dwelling. The development would include internal and external alterations.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa 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)
DAP6 - Upper Floors within Listed Buildings and Conservation Areas (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)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Vehicle Parking Standards (Supplementary Planning Document)
Open Space (Supplementary Planning Document - June 2009)
National Planning Policy Framework

It was the officer's opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building and was of an acceptable standard of design and detailing. The application preserved the character and appearance of the Conservation Area within which the property was situated and would not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the report and presentation, the Committee agreed to delegate a decision on the application to Planning officers, with final approval subject to the Chairman of the Planning Committee, as detailed in the resolution below.

RESOLVED that a decision on W13/1437 be delegated to Planning officers, subject to them first agreeing a realistic contribution towards affordable housing which the Committee hoped would be around £70,000, plus a condition requiring 10% renewables in accordance with local planning policy, with final approval subject to the Chairman of the Planning Committee.

126. URGENT ITEM – SUBSTITUTES ON CAF

The Committee considered an urgent item, asking Members to consider changing the constitution of the Warwick District Conservation Advisory Forum (CAF) in order to allow substitute members to sit on the Forum.

RESOLVED that the constitution of the Warwick District Conservation Advisory Forum be amended to allow Members and representatives to nominate substitutes.

(The meeting ended at 8.20 pm)