

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 24 September 2013 in the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Rhead (Chairman); Councillors Boad, Brookes, Mrs Bunker, Ms Dean, De-Lara-Bond, Mrs Higgins, MacKay, Weber and Williams.

Apologies for absence were received from Councillors Dagg and Wilkinson.

75. **SUBSTITUTES**

Councillor Ms Dean substituted for Councillor Wilkinson and Councillor Mrs Higgins substituted for Councillor Dagg.

76. **DECLARATIONS OF INTEREST**

Minute Number 80 - Agenda Item 8 – W13/0897 - Parmiter House, Arlington Avenue, Royal Leamington Spa

Councillor De-Lara-Bond declared an interest because the application site was in her Ward.

Minute Number 81 - Agenda Item 9 – W13/0342 - Barn, Yew Tree Farm, Tapster Lane, Lapworth

Councillor Mrs Higgins declared an interest because she was Chair of the Conservation Advisory Forum (CAF).

Minute Number 82 - Agenda Item 7 – W13/0036 - Harbury Gardens, Harbury Lane, Bishops Tachbrook

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

Minute Number 84 - Agenda Item 14 – W13/1025 – 6 Launce Grove, Warwick Gates, Warwick

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

Councillor Mrs Higgins declared an interest because she was Chair of CAF.

Minute Number 86 - Agenda item 16 – W13/1079 – Co-Operative Retail Services Ltd, Deansway, Woodloes Park, Warwick

Councillor Williams declared an interest because he had objected to the application and would address the Committee in his capacity as Ward Councillor. He left the room whilst the deliberation took place and a decision reached.

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Minute 91 – Agenda Item 17 – W 13/1086 - Bowling Pavilion, Victoria Park, Archery Road, Royal Leamington Spa.

Councillors Boad, Brookes, Mrs Bunker, Ms Dean, De-Lara-Bond, Mrs Higgins, MacKay, Rhead, Weber and Williams declared an interest because the applicant was Warwick District Council.

77. SITE VISITS

To assist with decision making, Councillors Boad, Brookes, Ms Dean, MacKay, Rhead and Weber visited the following application sites on Saturday 21 September 2013:

W13/1016 – Land between Myton Road and Europa Way, Warwick

W13/0036 – Land at Harbury Lane, Bishops Tachbrook

W13/0342 – Land at Yew Tree Farm, Tapster Lane, Solihull

Councillor Weber also went on an independent site visit to W13/1009 – 77 Coniston Road, Royal Leamington Spa.

78. MINUTES

The minutes of the meetings held on 13 August 2013 were not available and would be submitted to a future meeting.

79. W13/1016 – LAND BETWEEN MYTON ROAD AND EUROPA WAY, WARWICK

This item was withdrawn from the agenda, prior to the meeting, at the request of the applicant. The item will be submitted to a future Planning Committee in due course.

80. W13/0897 – PARMITER HOUSE, ARLINGTON AVENUE, ROYAL LEAMINGTON SPA

The Committee considered an application from Churchill Retirement Living Ltd for the demolition of the existing building and redevelopment to form 51 no. sheltered apartments for the elderly, including 1 Lodge Manager's apartment, communal facilities (Category II type accommodation), access, car parking and landscaping.

The application was a resubmission following refusal of planning application no. W13/0282 and was initially reported to Committee due to an objection having been received from Royal Leamington Spa Town Council.

This application had been deferred at Planning Committee on 4 September 2013 to allow time for further clarification and negotiation to take account of all matters of concern (parking provision, open space provision, primary care provision and affordable housing provision).

The applicant responded by reiterating their view that any affordable housing or Section 106 contributions greater than £125,554 would render the scheme unviable. However, in the interests of commercial expediency and in an effort to bring forward the development in a timely manner, they had offered an increased contribution of £225,554. This would remain an

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off-site contribution. An amended site plan had also been submitted to show five additional parking spaces on site, giving a total of 22 spaces.

The officer considered the following policies to be relevant:

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

Residential Design Guide (Supplementary Planning Guidance - April 2008)

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)

DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

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

DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)

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

SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)

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)

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

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

Sustainable Buildings (Supplementary Planning Document - December 2008)

Distance Separation (Supplementary Planning Guidance)

The 45 Degree Guideline (Supplementary Planning Guidance)

Vehicle Parking Standards (Supplementary Planning Document)

Open Space (Supplementary Planning Document - June 2009)

Affordable Housing (Supplementary Planning Document - January 2008)

An addendum circulated at the meeting reiterated the applicant's proposals and outlined further comments from an objector.

It was the officer's opinion that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the area. The proposals would also have an acceptable impact on the setting of the adjacent Conservation Area. Furthermore, the proposals were considered to be acceptable in terms of car parking, highway safety, impact on trees, ecological impact and affordable housing / Section 106 contributions. Therefore it was recommended that planning permission be granted, provided that a satisfactory unilateral undertaking was received in respect of affordable housing.

A representative from Churchill Retirement Living Ltd, Mr Geddes, addressed the Committee in support of the application.

Following consideration of the report and presentation, along with the representation made at the meeting and the information contained in the

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addendum, the Committee resolved permission be granted as per the officer's recommendations and as per the revised Section 106 proposals from the applicant, as detailed in the addendum.

RESOLVED that W13/0897 be GRANTED subject to the receipt of a satisfactory Unilateral Undertaking in respect of affordable housing and subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 30021LS/PL02G, 30021LS/PL03B, 30021LS/PL04B, 30021LS/PL05C, 30021LS/PL06B, 30021LS/PL07C, 30021LS/PL08B, 30021LS/PL09B, 30021LS/PL12B, 30021LS/PL13C & 12231-BT4, and specification contained therein, submitted on 28 June 2013 and 5 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;
- (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 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 adjacent to the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (4) no development shall commence until details of surface and foul water drainage (to include sustainable drainage techniques and drainage calculations) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with such approved details. **REASON:** To ensure that adequate

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drainage facilities are available and to minimise flood risk, in accordance with the National Planning Policy Framework and Policy DP11 of the Warwick District Local Plan 1996-2011;

- (5) no development shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the local planning authority. This shall include details of noise and vibration mitigation in accordance with BS5228:2009 (Noise and Vibration Control on Construction and Open Sites). All demolition and construction activities shall be carried out in strict accordance with the approved Demolition and Construction Management Plan. **REASON:** To protect the amenities of nearby properties, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011;
- (6) the development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works has been given to a suitably qualified bat worker appointed by the applicant to supervise all destructive works to the roof. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England are consulted for advice and no further works shall be undertaken at the site unless and until full details of measures for bat mitigation and conservation have been submitted to and approved in writing by the local planning authority. The development shall then proceed in full accordance with the approved details and any required mitigation works shall be complete in full accordance with the approved details and shall not be removed or altered in any way without the prior written approval of the local planning authority. **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;
- (7) 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 District Planning Authority. The

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development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority.

REASON: In the interests of fire safety;

- (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, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (9) 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-

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balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory 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;

- (10) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with 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;
- (11) the development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local

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planning authority. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011;

- (12) the cycle parking provision shown on the approved plans shall be completed before any part of the development hereby permitted is first occupied and thereafter shall be kept free of obstruction and be available at all times for the parking of cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;

- (13) the access to the site for vehicles shall not be used in connection with the development hereby permitted unless a public highway footway crossing has 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 the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;

- (14) the vehicular access for the development hereby permitted shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or ditch.

REASON: In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;

- (15) the development shall not be occupied until all parts of the existing southern vehicular access within the public highway not included in the permitted means of access has been closed and the kerb, footway and verge has been reinstated 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;

- (16) none of the dwellings hereby permitted shall

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be occupied unless and until the refuse and recycling store has been provided in strict accordance with the approved plans. The refuse and recycling store shall be retained at all times thereafter. **REASON:** To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (17) the hard surfaces forming the car parking spaces hereby permitted shall be constructed of porous materials. **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;
- (18) the development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application 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;
- (19) prior to the occupation of the development hereby permitted, the following windows shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view:
- (a) all first and second floor windows in the north elevation of the front wing (i.e. the windows in the north elevation of units 27, 44, the laundry and the guest room and the first and second floor corridor windows);
 - (b) all first and second floor windows in the south elevation of the front wing (i.e. the windows in the south elevation of units 32, 33, 49 & 50 and the first and second floor corridor windows); and
 - (c) all first and second floor windows in the west elevation of the rear wing (i.e. the windows in the west elevation of units 21, 22 &

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39 and the first floor corridor window).

The obscured glazed windows shall be retained and maintained in that condition at all times.

REASON: To protect the privacy of users and occupiers of nearby properties and the privacy of future users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011;

- (20) the development shall be carried out only in full accordance with sample details of all facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;
- (21) the residential accommodation hereby permitted (with the exception of any warden's accommodation) shall only be occupied by: (1) persons aged 55 years of age and older; (2) persons living as part of a single household with such a person or persons; or (3) persons who were living as part of a single household with such a person or persons who have since died. **REASON:** Insufficient off-street car parking provision is made to meet the local planning authority's normal parking requirements and permission has only been forthcoming in this instance on the basis that the accommodation will be occupied by elderly persons in need of care who are less likely to possess a motor car in accordance with Policy DP8 of the Warwick District Local Plan 1996-2011; and
- (22) no part of the development hereby permitted shall be first occupied unless and until:
- (a) details of a noise reduction scheme to minimise noise and vibration from the proposed air source heat pumps has been submitted to and approved in writing by the local planning authority; and
- (b) the mitigation measures specified in the approved noise reduction scheme have been implemented in strict accordance with the

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approved details.

Thereafter the mitigation measures shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASON: To ensure that the air source heat pumps do not cause unacceptable disturbance to nearby properties or future occupants of the proposed development, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

Should a satisfactory Unilateral Undertaking not have been received by 30 September 2013, Planning Committee are recommended to delegate authority to the Head of Development Services to REFUSE planning permission on the grounds that the proposals make inadequate provision for affordable housing.

81. W13/0342 – BARN, YEW TREE FARM, TAPSTER LANE, LAPWORTH

The Committee considered an application from Mr Burn for the conversion and change of use of barns to three no. residential units (revised layout).

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

The officer considered the following policies to be relevant:

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

National Planning Policy Framework

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

DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document)

DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)

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)

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)

RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

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It was the officer's opinion that the proposed amended alterations would not harm the character of the barn, the proposal complied with Policies DP6 and DP8, and the Vehicle Parking Standards SPD, and the development would not conflict with Policy SC13 and the Open Space SPD.

The Environmental Health Officer was also content that the development would provide an acceptable standard of amenity, subject to their recommended conditions, and the development would therefore comply with Policy DP2.

The following people addressed the Committee; Councillor David Corney from Lapworth Parish Council in objection; Mr John Reddich and Mr Ulrik Godskesen both objecting; and Mr Gary Winn the architect representing the applicant.

The Planning officers answered a number of queries regarding the width of the roads and the roof lights.

It was proposed, and duly seconded, that approval be refused because it was contrary to policy RAP1 and paragraph 55 of the NPPF. Some Members felt that it was an isolated home in a rural area and another, more suitable use could be found for the building. The motion was defeated by 4 votes to 2.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved that permission be granted in accordance with the officers' recommendations.

RESOLVED that W13/0342 be GRANTED subject to the following conditions:

- (1) the works hereby permitted shall begin not later than three years from the date of this consent. **REASON:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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) (PAL/OP 01/A.02 submitted on 4 September 2013. PAL/OP 01/A.01 REV B submitted on 31 July 2013. PAL/OP 01/A.05, PAL/OP 01/A.06 submitted on 16 September 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;
- (3) the development hereby permitted shall not commence until a detailed schedule of bat

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mitigation measures (to include timing of works, replacement roost details, monitoring and further survey if deemed necessary) has been submitted to and approved in writing by the local planning authority. Such approved mitigation measures shall thereafter be implemented in full. Please note the bat mitigation measures are likely to have implications for the design and/or layout of the development. **REASON:** To ensure the protection of bats and compliance with Policy DP3 of the Warwick District Local Plan 1996-2011;

- (4) no development (including demolition) shall commence unless and until the building to be cleared on the site has been inspected by a qualified ecologist for evidence of nesting birds immediately prior to works commencing, and a report of the findings has been submitted to and approved by the local planning authority. If evidence of nesting birds is found then works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist. **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;
- (5) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary fences to be erected, specifying the colour; footpaths; and hard surfacing which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the units 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

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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;

- (6) no part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the local planning authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, Trees in Relation to Construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds 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:** 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;
- (7) no works shall take place unless and until the applicant has secured and implemented a programme to photographically record the building fabric as part of those approved works, in accordance with a written scheme which has been submitted to and approved in writing by the local planning authority. The record so obtained shall be deposited with the Warwickshire County Council Archaeological Information and Advice team (AI&A) prior to

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work commencing. **REASON:** To ensure the appropriate recording of features or buildings before development commences that are Important to the understanding of the Districts historical development in accordance with Policy DAP4 & DP3 of the Warwick District Local Plan 1996-2011;

- (8) 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 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;
- (9) the access to the site for vehicles shall not be used unless a public highway verge crossing has 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 the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (10) the development shall not be occupied until the existing vehicular access to the site has been widened so as to provide an access of 5.0 metres for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (11) the development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.0 metres and 'y' distances of 33.0 metres

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to the right on exit and 43.0 metres to the left on exit as measured to the centre of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON: In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;

- (12) gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 5.5 metres of the near edge of the public highway carriageway. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (13) the development shall not be occupied until a turning area has been provided within the site so as to enable cars to leave and re-enter the public highway in a forward gear. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (14) the development shall not be occupied until space has been provided within the site for the parking of cars in accordance with the approved plans. **REASON:** To ensure that adequate parking facilities are provided and retained for use in connection with the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;
- (15) the access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch 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;
- (16) the development hereby permitted shall be carried out in strict accordance with the approved details of the siting of the air source heat pump (Dwg.no. PAL/OP 01.A.02 submitted on 4 September 2013). The plant and any required works shall thereafter be maintained in accordance with the approved

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details. **REASON:** To ensure that there is no nuisance to future residential uses in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011;

- (17) the development hereby permitted shall be carried out in strict accordance with the approved details of the proposed sound insulation scheme (Dwg.no. PAL/OP 01.A.05 Rev.A submitted on 4 September 2013). The insulation and any required works shall thereafter be maintained in accordance with the approved details. **REASON:** To ensure that there is no nuisance to future residential uses in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011;
- (18) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, timber windows (including a section showing the window reveal, heads and cill details), metal roof lights, eaves, verges and metal rainwater goods at a scale of 1:5 have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011;
- (19) samples of all external facing materials for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any constructional works are commenced. Development shall be carried in accordance with the approved details. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011;
- (20) 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

PLANNING COMMITTEE MINUTES (Continued)

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;

- (21) the development hereby permitted shall be carried out in strict accordance with the approved details of foul water drainage works (Dwg.no. PAL/OP 01.A.02 submitted on 4 September 2013). The plant and any required works shall thereafter be maintained in accordance with the approved details. **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;
- (22) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwellinghouse hereby permitted without the prior written approval of the local planning authority. **REASON:** To ensure that the rural character and appearance of the barns is protected, in accordance with Policy RAP7 of the Warwick District Local Plan 1996-2011 and the Agricultural Buildings and Conversion - Barns SPD;
- (23) all rainwater goods and flue pipes for the development hereby permitted shall be black painted metal. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011; and

PLANNING COMMITTEE MINUTES (Continued)

(24) the access to the site for vehicles shall not be used unless the bellmouth has been laid out and constructed within the public highway 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.

82. W13/0036 – HARBURY GARDENS, HARBURY LANE, BISHOP'S TACHBROOK

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

The application was presented to the Committee because of the number of objections received from residents, Bishop's Tachbrook Parish Council, Royal Leamington Spa Town Council, Warwick Town Council and 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)
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)

PLANNING COMMITTEE MINUTES (Continued)

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

An addendum circulated at the meeting outlined an updated recommendation from English Heritage along with eight further objections that had been received since the agenda was published. A separate addendum circulated outlined a revised Section 106 agreement.

It was the officer's opinion that due to the Council's lack of a Five Year Housing Supply only limited weight could be afforded to Policy RAP1, therefore the NPPF required applications to be considered in the context of the presumption in favour of sustainable development.

It was felt that 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 felt to be in a sustainable location adjacent to the urban area and would be integrated into the existing settlement by sustainable transport links.

It had been concluded that the issues 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.

In the particular circumstances of this application, it was not considered that the adverse impacts on the landscape and rural area and heritage assets 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 carry only limited weight, and to comply with the policies of the NPPF 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 needed to be given

PLANNING COMMITTEE MINUTES (Continued)

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 the development should be granted.

The following people addressed the Committee; Councillor Sean Deely representing Bishop's Tachbrook Parish Council's objection; Mr Mackay in objection; Mr Des Wynne representing the applicant A C Lloyd (Builders) Ltd; and Councillor Mrs Mellor in her capacity as Ward Councillor in objection to the application.

Members raised issues regarding the five year housing supply and had concerns that viable, agricultural land would be unjustifiably lost. The loss of countryside views was also discussed along with the potentially insufficient education provision and the development's proximity to Bishop's Tachbrook.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved that outline planning permission be refused, contrary to the officers' recommendations for the reasons stated below.

RESOLVED that W13/0036 be REFUSED because of the detrimental effect that the elevated development would have on the visual amenity and views, the development's coalescence and the loss of good quality agricultural land.

83. W13/1009 – 77 CONISTON ROAD, ROYAL LEAMINGTON SPA

The Committee considered a retrospective application from Mrs Kleinmann for the formation of hard standing to provide a driveway in the front garden.

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

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)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting detailed a critique of the report which had been compiled by a neighbouring resident along with a clarification of the Highway Authority's view.

It was the officer's opinion that the development represented good design which did not unacceptably harm the character and appearance of the area

PLANNING COMMITTEE MINUTES (Continued)

and the living conditions of its occupants. Officers felt it would not unacceptably worsen the competitive parking situation or be unduly dangerous and the proposal was therefore considered to accord with all of the aforementioned policies and was recommended for approval.

The following people addressed the Committee; Mr Hellen Obee a neighbour and objector; and Councillor Gifford in his capacity as Ward Councillor in objection to the application.

Members had concerns that by retrospectively approving the application, it could lead to an unacceptable precedent being set for other residents, despite the officers' assurances that each application would be considered on its own merits. Members were mindful that the street had suffered from parking issues for many years, due to the layout of the road and this problem was exacerbated by the properties being maisonettes and effectively 'doubling' the problem.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved that retrospective permission be refused, contrary to the officers' recommendations. The Committee also endorsed the use of enforcement action to restore the garden to its original state.

RESOLVED that W13/1009 be REFUSED because it was contrary to policies DP1 and DP2, would have a detrimental impact on the availability of on-street parking and would set an unwelcome precedent if granted.

84. W13/1025 – 6 LAUNCE GROVE, WARWICK GATES, WARWICK

The Committee considered an application from Mr and Mrs Ratley for the erection of a two storey side extension.

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

The officer considered the following policies to be relevant:

Vehicle Parking Standards (Supplementary Planning Document)
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)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
The 45 Degree Guideline (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Residential Design Guide (Supplementary Planning Guidance - April 2008)

PLANNING COMMITTEE MINUTES (Continued)

An addendum circulated at the meeting included an amended measurement of the driveway and a response from WCC Highway Authority.

It was the officer's opinion that the proposed development would represent good design which did not unacceptably harm the character and appearance of the area or the living conditions of neighbours. The renewable energy requirements could be secured by condition and the recommendation was to approve permission.

Bishop's Tachbrook Parish Councillor, Councillor Leeke, addressed the Committee in objection to the application.

A few Councillors had undertaken independent site visits to the address and, on the basis that it may be advantageous to other Members, it was proposed and duly seconded that the application be deferred to allow a site visit to take place. This motion was defeated.

Members had concerns that the development was overbearing and would result in car parking issues, due to the layout of the cul-de-sac. In addition, Members were mindful that permitted development rights had been removed previously, to ensure the openness and design of the site was retained.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved that permission be refused, contrary to the officers' recommendations.

RESOLVED that W13/1025 be REFUSED because it was overbearing and unneighbourly over-development, would have a massing and terracing effect and would lead to insufficient parking availability due to the scale of the development.

85. W13/1066 – WARWICK SPORTS CLUB, HAMPTON ROAD, WARWICK

The Committee considered an application from Mr Drummond to construct a new tennis court to the side of the existing tennis courts, surrounded by a 3m high chain link wire fence and 3m high practice wall.

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

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)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

PLANNING COMMITTEE MINUTES (Continued)

It was the officer's opinion that the development would not appear obtrusive within the street scene and would not result in any significant loss of amenity to the occupiers of surrounding properties. The proposal was therefore considered to comply with the policies listed.

Mr James Trotter addressed the Committee in objection to the application and Mr Steve Drummond represented Warwick Sports Club in support of their application.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant permission subject to conditions and with an additional condition restricting the timeframe that the court could be used.

RESOLVED that W13/1066 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) 1:500 annotated plans, 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) the development shall be carried out only in full accordance with sample details/manufacturer's details of the practice wall, which have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) no lighting or illumination of any part of the development hereby approved shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and 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

PLANNING COMMITTEE MINUTES (Continued)

that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011; and

- (5) Use of the new court be restricted up to 2100 hours, 7 days a week due to its proximity to neighbouring properties.

86. W13/1079 – CO-OPERATIVE RETAIL SERVICES LTD, DEANSWAY, WOODLOES PARK, WARWICK

The Committee considered an application from the Heart of England Co-Op for the display of one halo illuminated fascia sign and one trough illuminated pole sign.

The application was presented to the Committee because 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)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

An addendum circulated at the meeting advised of a minor grammatical error in the report and advised that the proposed plans had been amended following publication of the agenda. The amended plans showed the height of the one remaining totem sign adjacent to the Deansway vehicular entrance reduced from 4 metres to 2 metres and the fascia sign on the building reduced in width to the extent of the windows and doors below.

As a result of this, the officer's recommendation had changed to one of approval.

Councillor Williams addressed the Committee in his capacity as Ward Councillor, in objection to the application.

Following consideration of the report and presentation, along with the representation made at the meeting and the information contained in the addendum, the Committee resolved that permission for the fascia sign be granted and permission for the totem sign be refused.

RESOLVED that W13/1079 be a split decision as follows:

- 1) permission for the fascia sign is GRANTED subject to a condition being added to restrict the illumination of the sign to the opening hours of the shop; and
- 2) permission for the totem sign is REFUSED because it is unnecessary and adds additional

PLANNING COMMITTEE MINUTES (Continued)

clutter to the public highway.

87. W13/1136 – 4 CASTLE LANE, WARWICK

The Committee considered an application from Mr and Mrs Vincent requesting permission to demolish the existing conservatory and dwarf garden wall, the erection of a single storey rear extension, the insertion of three dormers to the front elevation, a new pitch to the existing dormer, erection of a bay window and erection of a 2 metre high garden wall and gate.

The application was presented to the Committee because 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)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
The 45 Degree Guideline (Supplementary Planning Guidance)
National Planning Policy Framework
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (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)

An addendum circulated at the meeting stated that the Highways Department had raised no objection and that further representations had been received objecting to the proposed wall on the grounds of safety and the impact on the character of the area.

It was the officer's opinion that the proposal would not have an impact on the safety of the area or on the amenity of the neighbouring residents. It was further considered that the proposal would not restrict the outlook or light to adjoining properties and the design of the proposals would not introduce an incongruous feature within the street scene and was in accordance with the aforementioned policies.

The following people addressed the Committee; Ms Hodgetts, representing CAF's objection; and Mr Vincent the applicant.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant permission in accordance with the officers' recommendations. Permission was subject to condition 3 being amended to ensure inclusion of the exterior garden wall and to ensure that sample materials were agreed to the satisfaction of the local authority.

RESOLVED that W13/1136 be GRANTED subject to the following conditions:

PLANNING COMMITTEE MINUTES (Continued)

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 866-04; 866-05 & 866-06, and specification contained therein, submitted on 12th August 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) all external facing materials for the development and the exterior garden wall hereby permitted shall be of the same type, texture and colour as those of the existing building and sample materials will be agreed to the satisfaction of the local authority.
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.

88. W13/0800 – BRIDGE COTTAGE, FINWOOD ROAD, ROWINGTON, WARWICK

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

An addendum circulated at the meeting advised that this item had been granted under delegated powers because Rowington Parish Council had removed its objection prior to the meeting taking place.

89. W13/1004 – THE GATE HOUSE, HIGH CROSS LANE, ROWINGTON, WARWICK

The Committee considered an application from Mrs Allen for the conversion of the barn to an annex, home office and guest / staff facilities.

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

This item was taken in conjunction with application number W13/1005 LB.

The officer considered the following policies to be relevant:

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

PLANNING COMMITTEE MINUTES (Continued)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
Open Space (Supplementary Planning Document - June 2009)
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)
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)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

An addendum circulated at the meeting advised that the description of the proposed development had been changed to 'Conversion of barn to dwelling with ancillary home office and guest /staff facilities', to more accurately reflect the proposed works.

It was the officer's opinion that the main issues relevant to the consideration of the application were the principle of use, the impact on heritage assets and the character of the barn and rural area; the impact on neighbouring amenity; parking and other matters. The officer explained his decision for each of the issues in the report and felt that the proposal was considered to be acceptable in principle and complied with the relevant policies.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant permission in accordance with the officers' recommendations.

RESOLVED that W13/1004 be GRANTED subject to the following conditions:

- (1) the works hereby permitted shall begin not later than three years from the date of this consent. **REASON:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- (2) the development hereby permitted shall be

PLANNING COMMITTEE MINUTES (Continued)

carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (3060-2A), and specification contained therein, submitted on 5 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;

- (3) the development hereby permitted shall not commence until a detailed schedule of bat mitigation measures (to include timing of works, replacement roost details, monitoring and further survey if deemed necessary) has been submitted to and approved in writing by the local planning authority. Such approved mitigation measures shall thereafter be implemented in full. Please note the bat mitigation measures are likely to have implications for the design and/or layout of the development. **REASON:** To ensure the protection of bats and compliance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (4) no development (including demolition) shall commence unless and until the building to be cleared on the site has been inspected by a qualified ecologist for evidence of nesting birds immediately prior to works commencing, and a report of the findings has been submitted to and approved by the local planning authority. If evidence of nesting birds is found then works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist. **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;
- (5) no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. **REASON:** To ensure the appropriate recording of features or buildings before development commences that are

PLANNING COMMITTEE MINUTES (Continued)

important to the understanding of the Districts historical development in accordance with Policy DAP4 and DP3 of the Warwick District Local Plan 1996-2011;

- (6) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, timber windows (including a section showing the window reveal, heads and cill details), metal roof lights, eaves, verges and metal rainwater goods at a scale of 1:5 have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011;
- (7) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwellinghouse hereby permitted without the prior written approval of the local planning authority. **REASON:** To ensure that the rural character and appearance of the barns is protected, in accordance with Policy RAP7 of the Warwick District Local Plan 1996-2011 and the Agricultural Buildings and Conversion - Barns SPD; and
- (8) all rainwater goods and flue pipes for the development hereby permitted shall be black painted metal. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011.

90. **W13/1005 LB – THE GATE HOUSE, HIGH CROSS LANE, ROWINGTON, WARWICK**

The Committee considered an application from Mrs Allen for the conversion of the barn to an annex, home office and guest / staff facilities.

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

PLANNING COMMITTEE MINUTES (Continued)

This item was taken in conjunction with application number W13/1004.

The officer considered the following policies to be relevant:

National Planning Policy Framework
DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)

An addendum circulated at the meeting advised that the description of the proposed development had been changed to 'Conversion of barn to dwelling with ancillary home office and guest /staff facilities', to more accurately reflect the proposed works.

It was the officer's opinion that the development would result in less than substantial harm to the Listed Building and it was considered that the public benefit of the scheme, by providing a viable use and therefore future protection of the building, would outweigh any harm.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant permission in accordance with the officers' recommendations.

RESOLVED that W13/1015 LB be GRANTED subject to the following conditions:

- (1) the works hereby permitted shall begin not later than three years from the date of this consent. **REASON:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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) (3060-2A), and specification contained therein, submitted on 5 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;
- (3) no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. **REASON:** To ensure the appropriate recording of features or buildings before development commences that are

PLANNING COMMITTEE MINUTES (Continued)

important to the understanding of the Districts historical development in accordance with Policy DAP4 and DP3 of the Warwick District Local Plan 1996-2011;

- (4) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, timber windows (including a section showing the window reveal, heads and cill details), metal roof lights, eaves, verges and metal rainwater goods at a scale of 1:5 have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011; and
- (5) all rainwater goods and flue pipes for the development hereby permitted shall be black painted metal. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to ensure that the rural character and appearance of the barns is protected, to satisfy Policies DAP4 and RAP7 of the Warwick District Local Plan 1996-2011.

91. W13/1086 – BOWLING PAVILION, VICTORIA PARK, ARCHERY ROAD, ROYAL LEAMINGTON SPA

The Committee considered an application from Warwick District Council for alterations and extensions to the Bowls Pavilion.

The application was presented to the Committee because Warwick District Council was the applicant

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)

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

DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)

National Planning Policy Framework

PLANNING COMMITTEE MINUTES (Continued)

It was the officer's opinion that the nature and scale of the development would not cause unacceptable harm to the character or setting of the Conservation Area, the Historic Park and Garden status of Victoria Park or neighbours' amenity. The proposal was therefore considered to comply with the policies listed.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant permission in accordance with the officers' recommendations.

RESOLVED that W13/1086 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) HPS/VPI3/06, HPS/VPI3/07, HPS/VPI3/03P, HPS/VPI3/04 and specification contained therein, submitted on 1st August 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) no facing and roofing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing building. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies DP1 and DAP8 of the Warwick District Local Plan 1996-2011.

(The meeting ended at 10.00 pm)