

Planning Committee

Minutes of the meeting held on Tuesday 16 July 2024 at Shire Hall, Market Place, Warwick, at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Cron, Day, R Dickson, Dray, Falp, B Gifford, D Harrison, Luckhurst, Phillips, Tangri, C Wightman.

Also Present: Business Manager – Rob Young; Principal Planning Officer – Adam Walker; Principal Planning Officer – Dan Charles; Principal Planning Officer - Lucy Hammond; Planning Assistant - James Moulding; Sue Mullins – Legal Advisor; Committee Services Officer – Mia Matthews.

25. Apologies and Substitutes

- (a) There were no apologies for absence; and
- (b) Councillor D Harrison substituted for Councillor Kennedy; and Councillor Day substituted for Councillor Davidson.

26. Declarations of Interest

Minute Number 34 – W/24/0346 - Proposed New Footbridge, Radford Road, Royal Leamington Spa

The Chairman declared an interest on behalf of the whole Committee because the applicant was Warwick District Council.

Minute Number 31 – W/24/0471 – Portland House, 20 Abbey End, Kenilworth

Councillor Dickson declared an interest because the applicant and one of the registered speakers were known to him, but he was not predetermined and would consider the application with an open mind.

27. Site Visits

There were no site visits made.

28. **W/24/0326 – Clarendon, 39A Haddon Road, Lillington, Royal Leamington Spa**

This application had been withdrawn from the agenda to allow for further consideration of the Parking Survey information.

29. **W/22/1972 - Land at Marriott Hotel, Stratford Road, Warwick**

The Committee considered an application from Dallas Holdings for the erection of a drive through coffee shop (Use Class E) with parking, electric vehicle charging hub, and associated works.

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

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The officer considered that the principle of a drive through coffee shop that would principally serve passing trade was acceptable in this location. The proposal would not be out of keeping with the character of the area and the development could be controlled so as to acceptably mitigate any significant impacts on neighbouring residential occupiers. The scheme provided suitable measures to mitigate the highway impacts of the development and officers were satisfied that drainage and ecology matters could be addressed through conditions. The application was therefore considered to be in accordance with the Local Plan as a whole and guidance within the National Planning Policy Framework (NPPF).

The application was therefore recommended for approval, subject to the delegation of authority to the Head of Place to secure an appropriate Biodiversity Net Gain and which was dependent on the submission of some updated information from the applicant.

An addendum circulated prior to the meeting advised of questions and answers provided prior to the meeting.

The following people addressed the Committee:

- Councillor Holland, objecting;
- Mr Chandler, objecting; and
- Councillor D'Arcy, Warwick Town Councillor, objecting.

Following consideration of the report, presentation, representations made at the meeting, and information contained in the addendum, it was proposed by Councillor Falp and seconded by Councillor Gifford that the application should be granted, with an additional note to the applicant regarding the location and effect on the surrounding highway, and an additional condition requiring the charging point to be able to charge a car within a reasonable amount of time.

Resolved that W/22/1972 be **granted** subject to the following:

a)

No.

Conditions

- (1) the development hereby permitted shall begin no 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 following approved drawings and specification contained therein:

- Drawing number WPS-GEN-087-P-01 Rev B (Block and Location Plans)
- Drawing number PM_WW_01_A (Proposed Site Layout Plan)

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- Drawing number WPS-GEN-087-P-05 Rev A (Proposed Site Elevations)
- Drawing number WPS-GEN-087-P-06 Rev A (Proposed Building Plan)
- Drawing number WPS-GEN-087-P-07 Rev A (Proposed Building Elevations)
- Drawing number WPS-GEN-087-P-09 Rev A (Proposed Site Section)
- Drawing number SY23-355-LPP-23-01B (Landscape Planting Plan)
- Drawing number SY23-355-LPP-23-02B (Landscape Planting Plan - whole area)
- Drawing number 5496 01 (Planting Plan)

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1, BE3, NE4 and TR1 of the Warwick District Local Plan 2011-2029;

- (3) the development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of:
- Suitable areas for the parking of contractors and visitors, including details of the capacity of the on-site staff/visitor/contractor parking areas and confirmation that this is sufficient to accommodate forecast demand and thereby avoid vehicles having to park off site on the highway network
 - Measures to prevent mud and debris on the public highway, including wheel washing facilities and the methods to be used to keep the public highway clear of any mud, debris and obstacles (in the event of spillage)
 - Suitable areas for the unloading and storage of materials off the public highway
 - The swept path analysis of the expected largest type of delivery vehicle when entering, leaving and turning within the site. This is needed to confirm that vehicles can enter and leave the site (from and to the public highway) safely and in a forward gear
 - The routing and timing (avoiding peak periods) of delivery and other construction traffic to/from the proposed development and the measures by which this is to be managed and monitored, including signage and information that will be provided to contractors and delivery companies such that large vehicles can turn off the public highway (A429, Stratford Road) into the site without

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delay and will not have to wait in the public highway carriageway to gain access to the site

- Site working hours and delivery times
- Measures to control the emission of dust during construction
- Noise and vibration mitigation measures

All development works shall be carried out in strict accordance with the approved CMP.

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 BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029;

- (4) no development and subsequent use of the development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and the approved Foul and Surface Water Drainage Statement (Revision V1, dated 22.08.2023), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

1. Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to 1.1l/s for the development.

2. Provide provision of surface water attenuation storage as stated within the Foul and Surface Water Drainage Statement (Revision V1, dated 22.08.2023) of 166.44m³ and/or in accordance with 'Science Report SC030219 Rainfall Management for Developments'.

3. Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.

- The current surface water management scheme utilising bio-retention planters and underground geocellular attenuation may be treated as a minimum, and consideration to the implementation of further above ground SuDS features, such as permeable paving and tree pits may be considered.

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4. Demonstrate detailed design (plans, feature cross sections, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

- Groundwater levels should be confirmed on site to ensure the proposed surface water management scheme utilising underground attenuation is viable.

5. Provide updated evidence to show an agreement from Severn Trent Water to connect to the existing surface water network. A developer enquiry should progress to a S106 agreement at the discharge of conditions stage.

Reason: To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1, SC0 and FW2 of the Warwick District Local Plan 2011-2029;

(5) notwithstanding the submitted information, the development hereby permitted shall not be brought into use until a detailed, site-specific Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority. Such maintenance plan shall:

1. Provide the name of the party responsible, including contact name, address, email address and phone number.

2. Include plans showing the locations of features requiring maintenance and how these should be accessed.

3. Provide details on how each surface water relevant feature shall be maintained and managed for the life time of the development. The Maintenance Plan submitted shall cover all drainage features within the approved drainage scheme.

4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

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The approved maintenance plan shall be implemented throughout the lifetime of the development.

Reason: To ensure the future maintenance of the sustainable drainage structures in the interests of flood risk and amenity and to accord with Policies BE1, FW2 and SC0 of the Warwick District Local Plan 2011-2029;

- (6) notwithstanding the submitted information, a detailed site-specific Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall be carried out in accordance with the approved method statement and tree protection plan at all times.

Reason: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029;

- (7) no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Details of facing materials shall be provided for the coffee shop building, substation and LV panel. The development shall only be carried out in accordance with the approved details and thereafter retained as such.

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 BE1 of the Warwick District Local Plan 2011-2029;

- (8) the development shall not be brought into first use until the vehicular and pedestrian accesses to the site from the public highway and the proposed 'KEEP CLEAR' markings on Stratford Road as shown on drawing number PM_WW_01, Rev A have been provided, subject to and in accordance with subsequent Highway Authority Technical Approval of the detailed design and a Stage 2 Road Safety Audit. The works shall thereafter be retained as such.

Reason: In the interests of highway safety and to enhance the connectivity of the site and

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accord with Policies TR1 and BE1 of the Warwick District Local Plan 2011-2029;

- (9) the development hereby permitted shall not be brought into first use until the on-site parking for customers and the facilities for delivery vehicles have been provided in accordance with Drawing Number PM_WW_01, Rev A, dated 26th March 2024. The parking and delivery arrangements shall thereafter be retained as such.

Reason: In the interests of highway safety and to accord with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029 and the Council's Parking Standards SPD;

- (10) notwithstanding the submitted details, no development shall commence above floor slab level unless and until a detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatments and all hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details before the development is first brought into use; 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 the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;

- (11) the development hereby permitted shall not be open to customers outside the hours of 0600 to 2300.

Reason: To ensure that the site is not used at a time which would be likely to cause nuisance or

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disturbance to nearby residents in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (12) no deliveries, waste collections or other noisy external activities likely to cause nuisance to nearby residents shall take place before 0730 hours or after 2000 hours on Monday to Saturday or before 0900 hours or after 1800 hours on Sundays.

Reason: To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (13) details of the proposed signage regarding the use of the outdoor seating area after 7pm and the use of the EV charging hub shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The details shall include the size, content (text) and location of the signage. The signage shall be provided before the development is first brought into use and shall thereafter be retained.

Reason: To mitigate the potential impact of noise on nearby residents in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (14) noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured (or calculated to) one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

Reason: To protect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (15) details of any external lighting for the development shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The details shall include a

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specification of the lighting, location, lux, hours of operation, details of light spillage and details of shielding to neighbouring properties. The details approved shall be implemented prior to the commencement of use of the development hereby permitted and shall thereafter be retained as such for the duration of the permitted use.

Reason: To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (16) details for the provision of cycle parking facilities to serve the development shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The cycle parking facilities so approved shall be provided before the development is first brought into use and thereafter retained as such.

Reason: In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029; and

- (17) an additional condition requiring the submission and approval of the charging specification for the electric vehicle charging hub.
- b) a note advising that the operator reviews the highway impacts of the development after 12 months of the drive-thru coffee shop being brought into use to ensure that the access arrangements are suitable and have not resulted in any unforeseen significant highway impacts.

30. W/24/0412- 10-12, 14-28, 32-45 Martinique Square, Bowling Green Street, Warwick

The Committee considered an application from Martinique Square (Warwick) Limited for the replacement of existing timber framed windows and balcony doors with uPVC. This application was a resubmission of planning application W/23/0363.

The application was presented to Committee because five or more letters of support had been received, including one from Warwick Town Council, and it was recommended for refusal.

The application was deferred at Planning Committee on 18 June 2024 to enable a sample of the windows to be considered.

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The officer was of the opinion that the proposals would result in unacceptable harm to the Conservation Area and the setting of a Listed Building, and were contrary to Local Plan Policies HE1, HE2, BE1 and the Council's 'Windows in Listed Buildings and Conservation Areas' Supplementary Planning Guidance. This harm was not considered to be outweighed by public benefits. It was therefore recommended that planning permission should be refused.

The following people addressed the Committee:

- Miss Ridgway, supporting; and
- Councillor D'Arcy, Warwick Town Councillor, supporting.

Following consideration of the report, presentation, and representations made at the meeting, it was proposed by Councillor Falp and seconded by Councillor Gifford that the application should be granted. When put to the vote, this motion was lost.

It was by Councillor Boad and seconded by Councillor Day that the application should be refused in accordance with the recommendations in the report, subject to a note to the Portfolio Holder for Place to request that the WDC policy regarding windows be reviewed as soon as possible whilst being mindful of the current Climate Change aims of Warwick District Council.

Resolved that W/24/0412 be **refused** because policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Local Plan Policy HE2 recommends resisting alterations which would have an adverse effect upon the overall character of the conservation area. Local Plan Policy BE1 states development must reflect, respect and reinforce local architectural and historical distinctiveness.

In the opinion of the Local Planning Authority, the proposed uPVC windows would result in less than substantial harm to the significance of the conservation area and the setting of a Listed Building. There are no public benefits which outweigh this harm.

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

Note to the Portfolio Holder for Place: the WDC policy regarding windows should be reviewed as soon as possible whilst being mindful of the current Climate Change aims of Warwick District Council.

31. W/24/0471 - Portland House, 20 Abbey End, Kenilworth

The Committee considered an application from Mrs Lewis for the installation of 17 solar panels on the four rear-facing roofs of Portland House.

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The application was presented to Committee because Kenilworth Town Council supported the application, and it was recommended for refusal.

The officer was of the opinion that the proposed development would result in harm to the significance of the heritage asset, the neighbouring heritage assets, and the character of the wider Conservation Area. It was considered that the development would contravene Local Plan Policies HE1, NZC4, and Neighbourhood Plan Policies KP13D & KP13E. It was recommended that the application be refused.

Councillor K Dickson, Kenilworth Town Councillor, addressed the Committee speaking in objection.

Following consideration of the report, presentation, and representations made at the meeting, it was proposed by Councillor Falp and seconded by Councillor Gifford that the application should be refused.

Resolved that W/24/0471 be **refused** because policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In addition, Neighbourhood Plan Policies KP13D and KP13E refer to the character areas identified as Abbey Hill and Forrest Road. It states that proposals in these areas should demonstrate regard for design characteristics where appropriate. Included in these characteristics are references to slate roofs and the importance of the War Memorial as a focal point.

Net Zero Carbon DPD Policy NZC4 states that the sensitive retrofitting of energy efficiency measures and the appropriate use of microrenewables in historic buildings, including listed buildings, locally listed buildings and buildings within conservation areas will be encouraged, providing the special characteristics of the heritage assets are conserved in a manner appropriate for their significance.

In the opinion of the Local Planning Authority the proposal would cause less than substantial harm to the significance of the listed building, neighbouring listed buildings and the Conservation Area by reason of introducing modern materials to a prominent roof slope in the Conservation Area, disruption of an uninterrupted roof that spans the terrace of listed buildings and thereby harming their character as a grouping, obscuring characteristic historic fabric, and creating a visual draw away from the War Memorial and impacting on views from the ancient monument of Abbey Fields. No public benefits have been identified to outweigh this harm.

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

Note to the Portfolio Holder for Place: The Conservation Policy should be reviewed regarding renewables on listed buildings as a matter of urgency.

32. W/24/0367- Land South of, Westwood Heath Road, Coventry

The Committee considered an application from Crest Nicholson Midlands for a variation of planning condition 2 (landscaping details) of planning permission W/21/1280 (reserved matters for details of appearance, landscaping, layout and scale of 296 dwellings [phases 2-4 of the site], together with public open space, landscaping and associated works) to amend the wording in relation to the delivery of the allotments.

The application was presented to Committee because an objection from Burton Green Parish Council was received.

The original planning permission was granted under a hybrid application reference W/17/2357 and subsequently varied under W/22/0055 and the reserved matters pursuant to that hybrid were subsequently approved under application reference W/21/1280. The policies and material considerations that were relevant to that reserved matters decision were set out in the report.

The officer was of the opinion that the variation of condition 2 to allow the landscaping works in association with the allotments to be carried out at a later date than within three months of first occupation, and instead prior to any occupation of construction phase 5 as approved on the construction phasing plan, would not result in any detriment to the wider development, nor would it prejudice or harmfully impact in any way the delivery of the other areas of public open space, including amenity land, play areas, MUGA and SUDs. Furthermore, there were no material changes in planning policy that would lead officers to reach a different conclusion to that which was reached previously through the assessment and determination of the previous application. It was therefore considered that the development remained in accordance with the relevant provisions of the Development Plan and consequently this application was recommended for approval.

Members requested that the Development Manager write to Burton Green Parish Council to welcome their representative's attendance at the Committee when they had objected to ensure their views were shared.

Following consideration of the report and presentation, it was proposed by Councillor Day and seconded by Councillor Tangri that the application should be granted.

Resolved that W/24/0367 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (1) | the development hereby permitted shall be carried out strictly in accordance with the |

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details shown on the site location plan and the following approved drawings:

A934_13 and specification contained therein, submitted on 02 July 2021;

A934_12 Rev.A and specification contained therein, submitted on 25 July 2022;

A934_05 Rev.E; A934_06 Rev.E; A934_07 Rev.E; A934_08 Rev.E; A934_09 Rev.F and 'House Type Brochure' June 2021: Rev.F and specification contained therein, submitted on 11 October 2022;

DR-0501 S4-P5; DR-0502 S4-P5; DR-0503 S4-P5; DR-0504 S4-P5; DR-0505 S4-P5; A934_02 Rev.J (Sheets 1-3 of 3) and A934_61 Rev.C and specification contained therein, submitted on 25 January 2023;

A934_04 Rev.F and specification contained therein, submitted on 30 January 2023;

A934_71; A934_03 Rev.F and A934_11 Rev.F and specification contained therein, submitted on 06 March 2023; and

DR-0500 S4-P7; DR-0511 S4-P6; DR-0512 S4-P6; DR-0513 S4-P6; DR-0514 S4-P6; DR-0515 S4-P6; DR-0516 S4-P6; DR-0517 S4-P6; DR-0518 S4-P6; DR-0519 S4-P6; DR-0520 S4-P5; DR-0521 S4-P6; DR-0522 S4-P5; DR-0523 S4-P6; DR-0524 S4-P6; DR-0525 S4-P5; DR-0526 S4-P5; DR-0527 S4-P6; DR-0528 S4-P6; DR-0529 S4-P6; DR-0530 S4-P5; DR-0531 S4-P5; DR-0532 S4-P5; DR-0533 S4-P5; DR-0534 S4-P5; DR-0535 S4-P5; DR-0536 S4-P5; DR-0537 S4-P5; and specification contained therein, submitted on 10 March 2023.

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

- (2) notwithstanding the landscaping details submitted, no part of the development hereby permitted shall commence unless and until further landscaping details (both hard and soft) for the allotments illustrated on Drg. No. 03 Rev.F and approved under this application have been submitted to and approved in

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writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of any proposed boundary walls, railings or gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard and soft landscaping works shall be completed in full accordance with the approved details prior to the first occupation of any dwelling within construction phase 5 as shown on drawing number 14514-CRN approved on 07 May 2024 in pursuance of condition 10 (construction phasing plan) of the hybrid permission (W/22/0055).

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 BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;

- (3) the development hereby permitted shall be carried out strictly in accordance with the details of the external facing materials approved in writing by the Local Planning Authority on 28 June 2023 in pursuance of condition 3 of planning permission W/21/1280.

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 BE1 of the Warwick District Local Plan 2011-2029;

- (4) the development hereby permitted shall be carried out strictly in accordance with the Energy & Sustainability Statement approved on 03 July 2024 in pursuance of condition 4 of planning permission W/21/1280 and no dwelling/building shall be first occupied until those works within the approved scheme have been completed in strict accordance with the approved details. Thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the creation of well-designed and sustainable buildings and in

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accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019);

- (5) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected on any land between the front or side elevation of any dwelling and any road or footpath.

Reason: Due to the open plan layout of the proposed development it is considered important to ensure that control is maintained over boundary treatments fronting the public highway;

- (6) the garaging and car parking areas for Plots 133, 140, 164, 165, 194, 196, 199, 217, 220, 243, 245, 246, 273, 276, 289, 296, 303, 307, 308, 310, 317, 318, 319, 328, 322, 323, 329, 330, 331, 332, 347, 348, 362, 363, 394, 401, 409 and 425 shall be used for the parking of private vehicles for the benefit of the occupants of those dwellings to which they relate and shall be retained and kept available for such purposes in perpetuity.

Reason: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and residential amenity in accordance with Policies BE3 and TR3 of the Warwick District Local Plan 2011-2029;

- (7) the development must be laid out in accordance with the following approved drawing: A934 03 Rev.F 'Coloured Planning Layout' dated 02 March 2023.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (8) no structure, tree or shrub shall be erected, planted, or retained within the visibility splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

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- (9) prior to first occupation, a plan will be required to be submitted detailing the provision and placement of 20mph and 30mph zone signs at the entrance into the 20mph and 30mph areas of the development for the approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029; and

- (10) in the event that the details submitted to discharge condition 2 are formally approved prior to the issuing of the decision notice for this application, condition 2 above would be re-worded as follows to reflect those already approved details in accordance with which the development is expected to be carried out:

The development hereby permitted, specifically including the allotments illustrated on Drg. No. 03 Rev.F, shall be carried out strictly in accordance with the landscaping details (both hard and soft) approved by the Local Planning Authority on *<insert date approved>* in pursuance of condition 2 of W/21/1280. The hard and soft landscaping works shall be completed in full accordance with these approved details prior to the first occupation of any dwelling within construction phase 5 as shown on drawing number 14514-CRN approved on 07 May 2024 in pursuance of condition 10 (construction phasing plan) of the hybrid permission (W/22/0055).

33. **W/23/1750 - 83 Golf Lane, Whitnash, Royal Leamington Spa**

The Committee considered an application for Mr Surj Hayer for the demolition of an existing rear conservatory, erection of single and two storey front extension, two storey side extension, single and three storey (including lower ground floor level) rear extension, provision of rear balcony, raising of roof ridge line by 750mm and application of cladding.

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

The officer was of the opinion that the proposal constituted good quality design in respect of providing an extension that would enhance the existing dwellinghouse which adopted an appropriate material finish that harmonised with the main dwelling. The development was considered to have an acceptable impact on neighbouring amenity. The development was also

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considered to be in accordance with Local Plan Policy NE2 and there was sufficient capacity for parking.

Following consideration of the report and presentation, it was proposed by Councillor Gifford and seconded by Councillor Dickson that the application should be granted.

Resolved that W/23/1750 be **granted** subject to the following conditions:

- | No. | Conditions |
|------------|---|
| (1) | <p>the development hereby permitted shall begin no later than three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);</p> |
| (2) | <p>the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 102, 103, 104, 1005, and specification contained therein, submitted on 05/12/23.</p> <p>Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and</p> |
| (3) | <p>the balcony hereby permitted shall not be occupied unless and until details of a privacy screen measuring a minimum 1.7m in height to be erected on the side elevations of the balcony hereby approved have been submitted to and approved in writing by the Local Planning Authority and fully installed in accordance with the approved details. The privacy screen shall remain in situ at all times thereafter.</p> <p>Reason: To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.</p> |

34. **W/24/0346 - Proposed New Footbridge, Radford Road, Royal Leamington Spa**

The Committee considered an application from Warwick District Council for the installation of a new bridge across the River Leam from Radford Road car park into Newbold Comyn Nature Reserve. The new bridge to be 18.5m long by 3.5m wide with 10m section of footpath either side of the bridge also being widened to 3.5m.

PLANNING COMMITTEE MINUTES (Continued)

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

The officer was of the opinion that the proposal for a replacement bridge resulted in a significant improvement over the existing structure and had been designed to be more fit for purpose and a long-lasting solution.

There were no matters that would outweigh the benefits of this development and it was therefore recommended for approval.

An addendum circulated prior to the meeting advised that the Biodiversity Net Gain report had been received on 16 July 2024. It demonstrated that the 10% Net Gain could be achieved on the application site. This was still subject to final scrutiny from Ecology and as a result, the recommendation remained as existing.

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

Resolved that W/24/0346 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|--|
| (1) | the development hereby permitted shall begin no 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 5201- 01A and specification contained therein, submitted on 24 May 2024 and approved drawing(s) 231023-PEV-XX-ZZ-DR-S-000 REV P03 and 231023-PEV-XX-ZZ-DR-S-0001 REV P03, and specification contained therein, submitted on 25 June 2024.

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; |
| (3) | the development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should |

PLANNING COMMITTEE MINUTES (Continued)

include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full.

Reason: To ensure a net biodiversity gain in accordance with NPPF; and

- (4) the development shall be carried out in accordance with the submitted flood risk assessment (Radford Road Bridge Replacement 5010781-RDG-XX-XX-DOC-C-0500 Report Reference RSE_7940_01_V3, dated May 2024). In particular, the new bridge should have a soffit level no lower than 50.60mAOD (300m above that of the existing bridge) and a deck level of no lower than 51.17mAOD.

Reason: To ensure no increased flood risk elsewhere in accordance with Policy FW1 of the Warwick District Local Plan.

35. Planning Appeals Report

The appeals report had not been published and therefore was not considered at the meeting.

(The meeting ended at 7.48pm)

CHAIRMAN
13 August 2024