

PLANNING COMMITTEE 14th JANUARY 2014

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 6: W13/1766 – Tournament Fields, Warwick

Western Power Distribution has responded as an adjoining land owner making the following comments:

- The application area and proposed landscaping appears to encroach slightly onto their land and proposed substation site
- They would prefer no landscaping in close proximity to the substation fencing that would assist climbing over the fence. Planting should be small shrubs in this area.
- They have a temporary access across the application site that will be used until permanent access is provided through the care home land. This area also forms a temporary flood mitigation area for the care home. They would welcome discussion about timing

The applicant has responded stating the boundary line was determined using the Tournament Fields masterplan and so will be coordinated. Both plans have been prepared by the same architect and their boundary is understood. The flood risk status has changed as a result of the recently completed Gog Brook flood alleviation works. They fully accept the landscaping requirements.

Item 8: W/13/1643 – 16 Arlington Avenue, Leamington Spa

Two further objections raising similar objections referred to in the committee report and a further concern with regard to insufficient separation distances of 17-18m between the development and the Coach House Mews to the rear.

(The necessary separation distance in SPG is 12m between a two-storey dwelling and two-storey blank gable and 16m between a two storey dwelling and three-storey blank gable, which the proposed distance separation exceeds).

Item 9: W13/1603 – 135 Regent Street, Leamington Spa

The following further comments have been received:

Further objection no. 1:

"Given that the applicant seeks to set aside the local planning authority's policy and associated condition, the application should not be considered or granted without evidence.

Having spoken the planning officer , I understand that the applicant has not provided any evidence to support the estimate of the cost which is said to make the application financially infeasible – to quote "...could be well in excess of £10K". It must be assumed that no calculation of the energy requirements and

the technology required to achieve 10% contribution, has been made. I therefore object to the application.

If such evidence cannot be provided for assessment by both public commenter's and the local planning authority, surely the application must be invalid and/or fail."

Further objection no. 2:

"I have read the documents associated with this application and it seems to me that the Officer recommendation could be said to be more than a little hasty given that there has been no real estimate of costs other than an advisory statement that the cost "could well be in excess of £10K".

I therefore request that the decision on this application be deferred to allow a properly costed estimate from two or three reputable local companies to be offered in support of the request of the withdrawal of the 10% renewalbe requirement.

I trust you will accept that this recommendation is made in good faith. I am clearly uneasy at the apparent ease with which the 10% renewable requirement is sidelined. The 10% requirement was originally taken on by Merton Council, and many councils are now requiring 15 – 20%. I would sincerely hope that this will not be the beginning of a slippery slope where the 10% minimum requirement is no longer taken seriously."

Comments from WDC Head of Health & Community Protection

"The application to remove the renewable energy condition of the previous planning consent is noted. If it is correct that a detailed assessment has not been provided to support the applicant's assertions on cost then I would share Mr Rock's concern. If we are to deliver sustainable solutions for the future then we need to adhere to policy as far as possible. There will always be arguments about affordability and reasons why measures cannot be taken. However, I believe that we must ensure that there is sufficient, clear and open evidence to justify why policy may not be followed. If this is not the case then developers will increasingly circumvent renewable energy initiatives on cost grounds alone."

Further information from applicant

The applicant has submitted the following further comments from their Surveyors (Wareing and co.):

"I understand the planning condition for 10% of the predicted energy requirement of the development to be produced from renewable energy sources could be potentially be imposed by Warwick District Council and the cost of the equipment to generate this would be at least £10,000.

The building as a whole was occupied by Mutual who vacated around 2005 and remained empty since you acquired it in 2010 and created the individual shop units. Number 135 has never been occupied and the marketing has been a challenge as the scheme is off pitch for multiple or national retailers so interest typically comes from small independent retailers who are often new start businesses.

The company taking number 135 have had some experience in the food and beverage sector but, to all intents and purposes, this is a new venture for them as a husband and wife team. You will recall they did ask if they could pay the deposit in two stages as money is extremely tight and they wanted to use part of this for their fit out. You have tried to support them by providing a rent free period but if this planning condition has to be discharged, I fully expect that the tenant will be forced to liquidate the company before they have even started trading as there is absolutely no way they can afford to invest this amount of money.

The same response will be received from any other business considering the shop as it makes no commercial sense to incur this sort of cost for a retail unit of about 500 sq ft with a rent of £16,000 per annum. Accordingly, I would urge you to liaise with the Council as soon as you can to see if this condition can be removed from the planning consent otherwise it will blight this unit."

The applicant has also submitted costings from their M & E consultant to confirm that an air source heat pump would cost £10,000 to install.