

Planning Committee

Minutes of the meeting held on Tuesday 15 November 2022 at the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Boad (Chairman); Councillors R. Dickson, B Gifford, Jacques, Kennedy, Margrave, Morris, Murphy, Noone, Norris, Quinney, and Tangri.

Also Present: Committee Services Officer – Rob Edwards; Legal Advisor – Ross Chambers; Principal Planning Officer – Helena Obremski (Remote Attendance); Business Manager – Sandip Sahota; Planning Officer – Jonathan Gentry; and Planning Officer – George Whitehouse.

93. **Apologies and Substitutes**

- a) There were no apologies; and
- b) There were no substitutes.

94. **Declarations of Interest**

Minute Number 96 – Oakley Grove School, Land at Oakley Wood Road, Bishops Tachbrook

Councillor Gifford declared an interest because he was a Warwickshire County Councillor. Although he had not been involved in the project, he left the meeting during this item.

Minute Number 101– W/22/1203 - Stoneleigh Arms, 31 Clemens Street, Royal Leamington Spa

The Chairman declared an interest on behalf of all Members due to the site being owned by the District Council and the applicant being Complex Development Projects Ltd (CDP); the development partner of Warwick District Council.

(Councillor Gifford left the room).

95. **Site Visits**

There were no site visits made.

96. **W/22/1250 – Oakley Grove School, Land at Oakley Wood Road, Bishops Tachbrook**

The Committee considered a Reserved Matters application in association with W/19/1030 from Willmott Dixon Construction Ltd for an all-through school (including nursery, primary school, secondary school, and sixth form), sports hall and outdoor sports and play facilities together with associated roads, car parking, landscaping, and supporting infrastructure.

This application had been referred to the Planning Committee due to an objection from Bishops Tachbrook Parish Council.

PLANNING COMMITTEE MINUTES (Continued)

The principle of the development was accepted under the outline application.

The officer was of the opinion that the proposed development was represented an appropriate form of development and would deliver significant benefits in terms of education provision for the District and also shared community facilities. Whilst there would be modest harm to landscape character and less than substantial harm to heritage assets, the principle of development of this site was established and the proposal had been designed in accordance with the parameters set out under the outline permission. The material benefits outweighed the harm identified. The scheme represented an appropriately designed scheme, which would become more visually integrated into the landscape over time.

The application was therefore recommended for approval, subject to the recommended conditions.

An addendum circulated prior to the meeting advised of additional consultation responses, additional public responses, amendments to plans since the report was published, and revised conditions.

The following people addressed the Committee:

- Councillor Carter, Parish Councillor, objecting;
- Mr Berry, objecting; and
- Mrs Hartley, the applicant.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Jacques and seconded by Councillor Murphy that the application should be granted, subject to the amended conditions in the addendum and additional notes below.

The Committee therefore

Resolved that W/22/1250 be **granted** subject to:

- (1) a note to strongly encourage stakeholder engagement in agreeing the construction management plan and to clarify the need to ensure that the construction management plan is discharged under outline application W/19/1030 before construction begins;
- (2) a note to encourage the use of higher sustainability measures than BREEAM 'very good', which ensure that the current design will be adaptable to future targets for sustainability, notably at the post construction phase;
- (3) a review of the wording of condition 9 with the Council's Legal Services Team to ensure that cycle parking is suitably monitored, and that

PLANNING COMMITTEE MINUTES (Continued)

additional cycle parking is delivered where needed; and

(4) the following conditions:

- | No. | Condition |
|------------|--|
| (1) | <p>the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings:</p> <p>M489-CW-AA-00-DR-A-2101 Rev P06 (nursery ground floor), M489-CW-AA-RF-DR-A-2102 Rev P06 (nursery roof), M489-CW-BB-00-DR-A-2201 Rev P06 (primary ground floor), M489-CW-BB-01-DR-A-2202 Rev P06 (primary first floor), M489-CW-BB-RF-DR-A-2203 Rev P06 (primary roof), M489-CW-BB-XX-DR-A-2151 Rev P07 (primary east and west elevations), M489-CW-CC-00-DR-A-2301 Rev P07 (secondary ground floor), M489-CW-CC-01-DR-A-2302 Rev P06 (secondary first floor), M489-CW-CC-02-DR-A-2303 Rev P06 (secondary second floor), M489-CW-CC-RF-DR-A-2304 Rev P06 (secondary roof plan), M489-CW-DD-00-DR-A-042001 Rev P01 (sports hall ground floor), and M489-CW-EE-ZZ-DR-A-0101 Rev P05 (site plan), submitted on 29th July 2022; and</p> <p>M489-CW-DD-01-DR-A-042002 Rev P03 (sports hall plant level), M489-CW-DD-RF-DR-A-042003 Rev P03 (sports hall roof plan), M489-CW-DD-XX-DR-A-042101 Rev P03 (sports hall east and west elevations) and M489-CW-DD-XX-DR-A-042102 Rev P03 (sports hall south and north elevations) submitted on 10th October 2022; and</p> <p>M489-INF-XX-00-DR-L-21002 Rev P05 (site sections sheet 1 of 2) and M489-INF-XX-00-DR-L-21003 Rev P03 (site sections sheet 2 of 2), submitted on 11th October 2022; and,</p> <p>M489-CW-CC-XX-DR-A-032103 Rev P02 (sixth form elevations) and M489-CW-DD-XX-DR-A-042150 Rev P02 (sports hall sections) submitted on 14th October 2022; and,</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>M489-SBK-ZZ-XX-DR-C-511 Rev P03 (access road level details) and M485-SBK-ZZ-XX-DR-C-514 Rev P01 (access road longitudinal section) submitted on 4th November 2022; and,</p> <p>M489-CW-AA-XX-DR-A-012101 Rev P03 (nursery elevations), M489-CW-BB-XX-DR-A-022101 Rev P03 (primary north and south elevations), M489-CW-CC-XX-DR-A-032101 Rev P05 (secondary east and west elevations), M489-CW-CC-XX-DR-A-032102 Rev P04 (secondary south and north elevations), and submitted on 14th November 2022,</p> <p>and specification contained therein.</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;</p> |
| (2) | <p>prior to any commencement of development of the "area for potential future expansion" as shown on drawing M489-CW-EE-ZZ-DR-A-0101 Rev P05 (site plan), details of hard and soft landscaping must be submitted to and agreed in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary treatments; 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 'area for potential future expansion'; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation of the area. 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</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>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.</p> <p>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;</p> |
| (3) | <p>no development of each phase shall be carried out above slab level unless and until samples of the external facing materials to be used for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.</p> <p>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;</p> |
| (4) | <p>no development shall be carried out above slab level until final details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with these approved details.</p> <p>Reason: To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies BE1 and BE3</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | of the Warwick District Local Plan 2011-2029; |
| (5) | <p>no hard and soft landscaping works shall commence until final details have been submitted to and approved in writing by the local planning authority in general accordance with submitted plans:</p> <p>M489-INF-XX-00-DR-L-03001 Rev P05 (landscape master plan sheet 1 of 2), M489-INF-XX-00-DR-L-03002 Rev P04 (landscape master plan sheet 2 of 2), M489-INF-XX-00-DR-L-03003 Rev P07 (landscape masterplan – whole site), M489-INF-XX-00-DR-L-90001 Rev P09 (hard landscaping plan sheet 1 of 2), M489-INF-XX-00-DR-L-90002 Rev P08 (hard landscaping plan sheet 2 of 2), M489-INF-XX-00-DR-L-90003 Rev P07 (boundary plan sheet 1 of 2), M489-INF-XX-00-DR-L-90004 Rev P05 (boundary plan sheet 2 of 2) submitted to the Local Planning Authority on 14th November 2022;</p> <p>Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary treatments and gates to be erected, specifying their colour and design; footpaths; details of the cycle stores and bins stores; 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 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</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | 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; |
| (6) | the development hereby permitted shall not be occupied unless and until all of the car parking and maneuvering 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.

Reason: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029; |
| (7) | prior to their installation, details of the retaining structures shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the layout and external appearance, including details of the materials, of the retaining structures. The development shall only be carried out in accordance with the approved details.

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 hereby permitted shall not be occupied unless and until 480 cycle storage spaces indicated on the approved drawings have been provided and thereafter those areas shall be kept |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | marked out and available for such use at all times.

Reason: To ensure sustainable access to the site in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029; |
| (9) | the occupier must monitor the use of the 480 cycle parking spaces from first use of the development until the tenth anniversary of the first use on a monthly basis. A report detailing the monitoring must be provided to the Local Planning Authority on an annual basis setting out the level of use. Where the annual report demonstrates that 80% of the cycle parking spaces are in daily use during school hours, the occupier shall submit a scheme for delivery of up to 63 additional spaces within the site to the Local Planning Authority within 28 days. The scheme must take account of additional demand, a strategy for delivery and programme of works. The delivery of the additional cycle parking must be completed in full and in accordance with the approved scheme.

Reason: To ensure sustainable access to the site in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029; and |
| (10) | noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured 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 the locality in accordance with Policy BE3 of |

PLANNING COMMITTEE MINUTES (Continued)

No.

Condition

the Warwick District Local Plan 2011-2029.

(Councillor Dickson left the meeting).

(Councillor Gifford re-joined the meeting).

97. W/22/0367 – Clinton House, Old Warwick Road, Rowington

The Committee considered an application from Mr and Mrs Joyce for the proposed erection of a single storey dwelling.

The application had been referred to the Planning Committee because Rowington Parish Council supported the application, and it was recommended for refusal.

The officer was of the opinion that the proposal was unacceptable in principle and comprised inappropriate development in the Green Belt.

The details submitted in support of the application had been carefully considered against relevant local and national policy considerations, and these were not viewed to appropriately justify or mitigate the impacts of the development. It was therefore recommended that planning permission should be refused.

An addendum circulated prior to the meeting clarified that the public representation received was recorded as an objection comment.

The following people addressed the Committee:

- Ms Savage, the applicant; and
- Councillor Hales, District Councillor, supporting.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Quinney that the application should be refused.

The Committee therefore

Resolved that W/22/0367 be **refused** for the following reasons:

- (1) Policy H1 of the Warwick District Council Local Plan 2011-2029 sets out the circumstances in which housing development will be permitted. H1(c) cites one such circumstance as being within the boundaries of Growth Villages and Limited Infill Villages, listed within the policy and as shown on the Policies Map.

Although Kingswood is one of the identified Growth Villages listed at Policy H1, the site is located outside of the established village

PLANNING COMMITTEE MINUTES (Continued)

boundary as identified on the Policies Map. In addition, the development would not fulfil an identified housing need, or provide safe access to services. Accordingly, the principle of new residential development cannot be considered to be acceptable having regard to the provisions of Policy H1 of the Local Plan.

For these reasons the proposal is therefore contrary to the aforementioned policy;

- (2) the NPPF and Policy DS18 of the Warwick District Local Plan state that construction of new buildings should be considered to constitute inappropriate development, with the exception of an explicit list of development forms.

The proposed new dwelling is not viewed to meet any of the outlined exceptions to inappropriate development established by the NPPF. In the opinion of the Local Planning Authority, the proposed development constitutes inappropriate development in the Green Belt which is harmful by definition and by reason of harm to openness. No very special circumstances are considered to exist which outweigh the harm identified.

The proposed development is therefore contrary to the aforementioned policies; and

- (3) Policy NE2 of the Warwick District Local Plan 2011-2029 states that development will not be permitted that will destroy or adversely affect protected, rare, endangered or priority species unless it can be demonstrated that the benefits of the development clearly outweigh the nature conservation value or scientific interest of the site and its contribution to wider biodiversity objectives and connectivity.

It has not been appropriately demonstrated that the scheme would appropriately protect the and mitigate for the presence of protected species in line with the requirements of Policy NE2.

Therefore, in the opinion of the Local Planning Authority the proposed development would cause unacceptable harm to protected species. The development is thereby considered to be contrary to the aforementioned policy.

PLANNING COMMITTEE MINUTES (Continued)

The Committee considered an outline application from Gallagher Estates for a residential development of up to a maximum of 450 dwellings, provision of two points of access (one from Europa Way and one from Gallows Hill), comprehensive green infrastructure and open spaces including potential children's play space, potential footpaths and cycleways, foul and surface water drainage infrastructure, including attenuation pond, ancillary infrastructure, and ground modelling.

The application had been referred to the Planning Committee due to the applicant seeking a change to one of the trigger points within the Section 106 Agreement relating to the delivery of Public Open Space.

The officer was of the opinion that the revisions were not affected by the CIL regulations.

There would be no difference to the overall level of open space to be delivered through the Section 106 Agreement and the site would still benefit from open space to the other areas of the site at the agreed trigger point.

The changes had the agreement of the relevant consultee, and it was considered reasonable to recommend approval of the variation.

The associated Legal costs in providing the Deed of Variation would be met by the applicants so there was no cost to the Local Planning Authority.

It was therefore recommended that the Committee should approve the addition to allow the required change to be incorporated through a Deed of Variation to the Section 106 Agreement.

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

The Committee therefore

Resolved that the proposed Deed of Variation to the signed Section 106 agreement, be **granted**.

99. W/22/0316 – The Cats Pause, Three Wells, Haseley Knob, Haseley

The Committee considered an application from Semple for the demolition of existing buildings and conversion and extension of former stables to form one dwelling.

The application had been referred to the Planning Committee due to the number of objections received.

The officer was of the opinion that the principle of development, to remove all but one of the existing buildings and partially redevelop the site by converting a brick stable to one dwelling, constituted appropriate development in the Green Belt. Furthermore, the location of the site accorded with the housing policies of the Local Plan and the proposals were

PLANNING COMMITTEE MINUTES (Continued)

considered to accord with the principles of converting rural buildings. Overall, the principle of development was therefore considered acceptable.

It was considered there would be no resulting harm to the amenity of neighbouring dwellings and adequate standards of amenity were proposed for the future occupiers. There would be no detriment to highway safety, sufficient parking was proposed in line with the adopted standards, and there would be no harm to ecology/biodiversity. Subject to the imposition of suitable conditions, it was recommended that planning permission should be approved.

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

The Committee therefore

Resolved that W/22/0316 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (1) | <p>the development hereby permitted shall begin not 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 drawings 905-D5A-00-ZZ-DR-A-0102 Rev.P03, 905-D5A-00-ZZ-DR-A-0301 Rev.P03, 905-D5A-00-ZZ-DR-A-0401 Rev.P01, 905-D5A-00-ZZ-DR-A-0403 Rev.P01 and specification contained therein, submitted on 18 February 2022, approved drawing 905-D5A-00-ZZ-DR-A-0001 Rev.P02 and specification contained therein, submitted on 22 June 2022, approved drawing 905-D5A-00-ZZ-DR-A-0103 Re.P06 and specification contained therein, submitted on 24 August 2022 and approved drawing 905-D5A-00-ZZ-DR-A-0002 Rev.P01 and specification contained therein, submitted on 17 October 2022.</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;</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| (3) | <p>notwithstanding details contained within the approved documents, prior to commencement of development other than site clearance, preparation works, or demolition works, a Sustainability Statement including a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include:</p> <ul style="list-style-type: none">a) How the development will reduce carbon emissions and utilise renewable energy;b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;c) Details of the building envelope (including U/R values and air tightness);d) How the proposed materials respond in terms of embodied carbon; ande) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading. <p>No dwelling shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.</p> <p>Reason: To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019);</p> |
| (4) | <p>no development shall commence unless and until details of surface and foul water drainage works have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details.</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>Reason: To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029;</p> |
| (5) | <p>the development hereby permitted shall not commence unless and until a 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 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, 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 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 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.</p> <p>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;</p> |
| (6) | <p>the development hereby permitted shall not commence until a detailed schedule of bat mitigation measures (to include timing of and supervision of works, toolbox talk, replacement roost details for the identified</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | roost proposed for destruction, additional roosting features for crevice dwelling bats within the new replacement dwelling including timescale for installation, monitoring, licensing details, and further survey work if deemed necessary) has been completed in consultation with a suitably qualified bat worker and submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full and maintained in perpetuity.

Reason: To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.0; |
| (7) | no part of the development hereby permitted shall be commenced, until a scheme for the provision of 3 nest boxes for birds to be erected on buildings/trees within the site has been submitted and approved in writing by the Local Planning Authority. The scheme shall include details of box type, location, and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity.

Reason: To enhance the nature conservation value of the site in accordance with Policy NE3 of the Warwick District Local Plan 2011-2029; |
| (8) | the development hereby permitted shall not be occupied unless and until all other buildings and structures have been cleared and permanently removed from the site as shown on approved drawing 905-D5A-00-ZZ-DR-A-0102 Rev.P03.

Reason: To define the terms of the planning permission, to enable appropriate development in and to preserve the openness of the Green Belt in accordance with Policy DS18 of the Warwick District Local Plan 2011-2029 and the NPPF; |
| (9) | prior to the occupation of the dwelling hereby permitted, one 16amp (minimum) electric vehicle recharging point shall be installed in accordance with details first submitted to and approved in writing by the |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | District Local Plan 2011-2029; |
| (12) | <p>the development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.</p> <p>Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029;</p> |
| (13) | <p>noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured (or calculated to) one metre from the facade 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.</p> <p>Reason: To ensure that the level of noise emanating from the proposed air source heat pump is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (14) | <p>the occupation of the dwelling hereby permitted shall be restricted to a person or persons associated with the management/operation of the adjacent</p> |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	cattery. For the avoidance of doubt such persons shall include a spouse, partner, widow or widower of such a person, and any dependants who reside with such a person.

Reason: To ensure that future occupants do not experience unacceptable levels of noise and/or odours arising from the cattery business in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029; and

(15) 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 development shall take place which falls within Part 1, Classes A, AA, B, C, D, E, G and H, Part 2, Classes A, B and C and Part 14, Classes A, C, D, E, F, G, H and I of this Order.

Reason: Due to the particular character of the area and nature of the proposals which relate to the conversion of a rural building, it is considered necessary to ensure that no further development is carried out which would detract from the character and appearance of the rural building and the surrounding area in accordance with Policies BE1 and BE4 of the Warwick District Local Plan 2011-2029.

100. **W/22/1008 – 2 Chase Meadow Square, Narrow Hall Meadow, Warwick**

The Committee considered an application from Ale Hub Limited for the change of use from a Class E (café) to a Micropub (Sui Generis).

This application had been referred to the Planning Committee due to the number of objections received.

The officer was of the opinion that the proposals were acceptable subject to the suggested conditions. It was therefore recommended that Planning Permission should be granted subject to conditions.

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

The Committee therefore

PLANNING COMMITTEE MINUTES (Continued)

Resolved that W/22/1008 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (1) | <p>the development hereby permitted shall begin not 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 2022-04, and specification contained therein, submitted on 13/06/2022 approved document 4322.220906 NIA and specification contained therein, submitted on 07/09/2022.</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;</p> |
| (3) | <p>the use hereby permitted shall only be open to customers between the hours of 07:30 and 23:00 on Mondays to Sundays.</p> <p>Reason: To ensure that the site is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (4) | <p>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.'</p> <p>Reason: To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029; and |
| (5) | the use of the premises hereby permitted shall only operate in accordance with the approved Noise Management Plan submitted 24/10/2022 at all times. Following 12 months of the first occupation, the plan shall be reviewed, and this review shall be agreed in writing by the District Planning Authority. |
| | Reason: To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029. |

101. **W/22/1203 - Stoneleigh Arms, 31 Clemens Street, Royal Leamington Spa**

The Committee considered an application from Complex Development Projects Ltd for the demolition of the rear of the Stoneleigh Arms and the erection of temporary building supports as required.

The application had been referred to the Planning Committee due to the site being owned by Warwick District Council, and the applicant being CDP; the development partner of Warwick District Council.

The officer was of the opinion that the principle of development was acceptable in accordance with Policy HE2 of the Local Plan. Given the evidence presented, the physical condition of the building, the reason for the proposed amount of demolition works and the heritage considerations, no objections were raised to the works, and it was noted that any plans for the further redevelopment of the site would form the subject of a separate application for planning permission.

The works were not considered to have any adverse impact on the general character of the area, neighbouring amenity or ecology and a suitable condition was recommended that would mitigate any potential impacts arising from noise and general disturbance.

It was therefore recommended that planning permission should be granted.

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

The Committee therefore

PLANNING COMMITTEE MINUTES (Continued)

Resolved that W/22/1203 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (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 drawings 2400-A-DR-220720-1005 and specification contained therein, submitted on 21 July 2022 and DEM-S-0001 Rev.P01 and 'Existing Plans - Demolition Plan' : Figs. 06 and 07 and specification contained therein, submitted on 10 October 2022.</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;</p> |
| (3) | <p>the development hereby permitted shall be carried out in full accordance with the Method Statement & Risk Assessment (Doc Ref: DEMO/1018/JM_1-2 Version 2) submitted on 25 October 2022. The safety and stability of the building fabric identified to be retained throughout the phases of demolition and reconstruction shall be ensured at all times.</p> <p>Reason: To ensure that special regard is paid to specific architectural features and to ensure the fabric is protected from damage during the course of works in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029 and in the interests of access and residential amenity in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029; and</p> |
| (4) | <p>the demolition works hereby permitted shall be carried out strictly in accordance with the District Council's construction guidelines, 'Warwick District Council Construction Site Working: Guidance following the granting of planning permission'.</p> |

PLANNING COMMITTEE MINUTES (Continued)

No.

Condition

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

102. **Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

Resolved that the report be noted.

(The meeting ended at 8.42pm)

CHAIRMAN
15 December 2022