

# Planning Committee

Minutes of the meeting held on Wednesday 22 June 2022 at the Town Hall, Royal Leamington Spa at 6.00pm.

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

**Also Present:** Civic & Committee Services Manager – Patricia Tuckwell; Legal Advisors – Aimee Shipley and Ross Chambers; Planning Officer – Rebecca Compton; Principal Planning Officer – Dan Charles; Senior Environmental Health Officer – Matthew Shirley; Ricardo representative – Dr Mark Broomfield.

## 22. **Apologies and Substitutes**

Apologies were received from Councillor Kennedy.

## 23. **Declarations of Interest**

There were no declarations of interest made.

## 24. **Site Visits**

Councillor Morris informed the Committee that he had cause to visit a property in Norton Lindsay, and as a result, he had a good view of the neighbouring site at application W/19/1133 – Land at Ward Hill, Warwick Road, Littleworth, Norton Lindsey.

## 25. **W/21/0409 LB – The Punch Bowl Hotel, 1 The Butts, Warwick**

The Chair informed the Committee that this application had been withdrawn from the agenda and therefore it would not be considered at the meeting.

## 26. **W/19/1133 – Land at Ward Hill, Warwick Road, Littleworth, Norton Lindsey**

The Committee considered a hybrid planning application from Mr Audhali for the erection of two replacement poultry houses for poultry rearing (pullets) and the repositioning of existing access; and an outline planning application for the erection of a farm manager's dwelling.

The application was presented to Committee because of the number of objections that had been received, including one from Norton Lindsey Parish Council.

The officer was of the opinion that the proposed development was acceptable in principle insofar as the poultry buildings were acceptable in overall terms and the provision of a new workers dwelling had been justified under Policy H12 of the Local Plan.

The provision of agricultural buildings was appropriate development within the Green Belt. Whilst a new dwelling in that location was considered

## **PLANNING COMMITTEE MINUTES (Continued)**

inappropriate development within the Green Belt, very special circumstances were considered to have been demonstrated in that there was a functional need for a worker's dwelling to be provided on the site.

The site-specific issues could be satisfactorily addressed through the use of conditions. The impact on residential amenity in particular had been thoroughly assessed through the submission of detailed reports. These had been assessed by the Environmental Health Officer who was satisfied that the details could be secured in a management plan.

Subject to the required conditions, the development was considered to be acceptable. It was recommended therefore that the proposal should be approved.

An addendum circulated at the meeting advised that an additional 45 objection comments had been received, as well as a letter of objection from People for the Ethical Treatment of Animals (PETA).

The following people addressed the Committee:

- Councillor Stobart, Norton Lindsey Parish Councillor, objecting;
- Ms Bottomley, objecting;
- Mr Murphy, supporting; and
- Councillor Matecki, District Councillor, objecting.

A number of questions raised by Members of the Committee related to transport, traffic and other Highways matters.

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 Norris that the application should be the deferred. The Chairman advised Members that should the motion to defer be passed and the application brought to Committee for consideration in the future, representatives from Ricardo and Environmental Health would be invited to attend the subsequent meeting.

The Committee therefore

**Resolved** that W/19/1133 be **deferred** to enable further comment to be obtained from WCC Highways including the highways matters raised by the Ward Member. The Committee asked that a Highways Officer should be in attendance when the application is brought back to the Committee for consideration.

### **27. W/14/0967 – Land North of Gallows Hill, Warwick**

The Committee considered an application from Vistry Partnerships for a Proposed Deed of Variation to the signed Section 106 Agreement for the development of up to 425 residential dwellings (Use Class C3), medical centre, community hall, formal and informal green spaces, sports and recreation provision, structural landscaping, new roads, footpaths and cycle

## **PLANNING COMMITTEE MINUTES (Continued)**

ways, site access and ancillary works (outline application including details of access).

The application was presented to Committee because it brought forward a proposed Deed of Variation to the signed Section 106 Agreement.

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

There would be no difference to the overall number of dwellings on the site and the existing level of contributions to be received through the Section 106 Agreement would not be affected. The changes had the agreement and full support of the Warwick District Council Housing Team, who were working with the applicants to deliver the First Homes and as such, there was no objection from officers.

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.

Following consideration of the report and presentation, it was proposed by Councillor Quinney and seconded by Councillor Morris that the application should be granted in accordance with the recommendation in the report.

The Committee therefore

**Resolved** that the proposal to allow the First Homes to be secured on the development through a Supplemental Deed/Deed of Variation to the Section 106 Agreement for W/14/0967, be **approved**.

### **28. W/17/2371 & W/20/0502 – Land off Rugby Road and Coventry Road, Cubbington**

The Committee considered an application from Bellway Homes (South Midlands) Ltd for a Proposed Deed of Variation to the signed Section 106 Agreement for W/17/2371 - Development of 120 dwellings (including 48 affordable units), formation of single access point from Coventry Road and single access point from Rugby Road, highway works, landscaping, public open space and ancillary works; and W/20/0502 - Provision of 13 additional dwellings on existing application site (approved for 120 under W/17/2371) through removal of larger units and provision of additional smaller dwellings within the existing site layout.

The application was presented to Committee because it brought forward a proposed Deed of Variation to the signed Section 106 Agreement.

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

There would be no difference to the overall number of dwellings on the site and the existing level of contributions to be received through the Section 106 Agreement would not be affected. The changes had the agreement and full support of the Warwick District Council Housing Team which was

## **PLANNING COMMITTEE MINUTES (Continued)**

working with the applicants to deliver the First Homes and as such, there was no objection from Officers.

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.

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

The Committee therefore

**Resolved** that the proposal to allow the First Homes to be secured on the development through a Supplemental Deed/Deed of Variation to the Section 106 Agreement for W/17/2371 & W/20/0502, be **approved**.

### 29. **W/18/0606 – Land at the Triangle, Lower Heathcote Farm, Harbury Lane, Warwick**

The Committee considered an application from David Wilson Homes East Midlands for a Proposed Deed of Variation to the signed Section 106 Agreement for an outline application for up to 150 dwellings (including 40% affordable), and public open space. Access would be provided from consented Lower Heathcote Farm development, all other matters were reserved for future determination.

The application was presented to Committee because it brought forward a proposed Deed of Variation to the signed Section 106 Agreement.

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

There would be no difference to the overall number of dwellings on the site and the existing level of contributions to be received through the Section 106 Agreement would not be affected. The changes had the agreement and full support of the Warwick District Council Housing Team which was working with the applicants to deliver the First Homes and as such, there was no objection from Officers.

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.

An addendum circulated at the meeting advised of questions and answers received from Members in relation to the officer's report.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Gifford and seconded by Councillor Margrave that the application should be approved.

The Committee therefore

## **PLANNING COMMITTEE MINUTES (Continued)**

**Resolved** that the proposal to allow the First Homes to be secured on the development through a Supplemental Deed/Deed of Variation to the Section 106 Agreement for W/17/2371 & W/20/0502, be **approved**.

### **30. W/21//0710 – Barn 1-5, Stanks Farm, Old Budbrooke Road, Budbrooke**

The Committee considered an outline application from Mr & Mrs Glover for the conversion of rural buildings (Barns 1-5) into three residential dwellings.

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

Officers were mindful of two separate planning applications of a similar nature that had been submitted for the site in relation to Barn 6 (W/21/0708) and Barn 7 (W/21/0709). The applicant had put forward a fall-back position in terms of the approved Class Q applications, therefore officers needed to be satisfied that granting planning permission for the current application and the two other applications would not exceed the fall-back position. Class Q placed limitations on the cumulative number of dwellings that could be created for a particular site. This included the cumulative number of larger dwellings not exceeding three and the cumulative number of separate dwellings not exceeding five.

Having reviewed the current scheme and the two other applications at the site, officers were satisfied that the cumulative number of larger dwellings would not exceed three and the cumulative number of separate dwellings would not exceed five. The proposal to convert Barn 2 would not create an additional dwelling but would rather provide additional accommodation for Barn 1 which benefitted from permission for a residential conversion. It was considered necessary to condition Barn 2 to only be used as ancillary accommodation for Barn 1 to avoid this building being used as a separate dwelling in the future which would exceed the Class Q fall-back. The curtilage would be no greater than permissible under Class Q and permitted development rights would be removed by condition. Therefore, subject to condition, the grant of planning permission would not exceed the limitations of Class Q and would lead to no greater harm than the fall-back position.

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

The Committee therefore

**Resolved** that W/21/0710 be **granted** subject to the following conditions:

<b>No.</b>	<b>Condition</b>
(1)	the development hereby permitted shall begin no later than three years from the date of this permission.

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | <p><b>Reason:</b> 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 21-17-12, 21-17-13A, 21-17-14, 21-17-15, 21-17-110, 21-17-112, and specification contained therein, submitted on 13th April 2021, 09th September 2021, 13th May 2022 and 20th May 2022.</p> <p><b>Reason:</b> 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>no development shall take place until:</p> <ul style="list-style-type: none"><li>a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority;</li><li>b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority; and</li><li>c) an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.</li></ul> |

The development, and any archaeological fieldwork post-excavation analysis,

## PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.
	<b>Reason:</b> In order to ensure any remains of archaeological importance, which help to increase our understanding of the district's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029;
(4)	1. No development shall take place until:  a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.  b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable: <ul style="list-style-type: none"><li>• A risk assessment to be undertaken relating to human health;</li><li>• a risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected;</li><li>• an appropriate gas risk assessment to be undertaken;</li><li>• refinement of the conceptual model; and</li><li>• the development of a method statement detailing the remediation requirements.</li></ul>

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
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|            | <p>c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.</p> <p>d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.</p> |
|            | <p>2. All development of the site shall accord with the approved method statement.</p>  |
|            | <p>3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be deal with.</p>  |
|            | <p>4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.</p>  |
|            | <p><b>Reason:</b> To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029;</p>   |
| (5)        | <p>the development hereby permitted shall not commence until:</p> <p>a) a noise assessment has been undertaken to assess the impact of noise arising from road and rail transport on the proposed</p>   |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
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|            | <p>development with reference to the guidance contained in BS8233:2014 and the World Health Organization's Guidelines for Community Noise (1999)</p> <p>b) the results of the noise assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures to protect residents of the development from noise, have been submitted to and approved in writing by the local planning authority; and</p> <p>Any necessary mitigation measures shall be implemented in full accordance with the approved details and retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.</p> <p><b>Reason:</b> To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (6)        | <p>the approved curtilage shall be restricted to the areas identified on the Curtilage Plan 21-17-112 received by the Local Planning Authority on 13th May 2022.</p> <p><b>Reason:</b> To comply with the requirements set out in Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015;</p>  |
| (7)        | <p>all rooflights shall be conservation style and maintained as such.</p> <p><b>Reason:</b> To ensure an appropriate standard of design and appearance, and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029;</p>   |
| (8)        | <p>the development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.</p>   |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
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|            | <b>Reason:</b> To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;  |
| (9)        | the development hereby permitted shall not be occupied unless and until the car parking 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.<br><br><b>Reason:</b> To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029;          |
| (10)       | 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 further development shall take place within the curtilage of any dwellinghouse hereby permitted. <b>Reason:</b> To ensure that the rural character and appearance of the barn is protected, in accordance with Policy BE4 of the Warwick District Local Plan 2011-2029; |
| (11)       | the conversion of Barn 2 hereby permitted shall only be occupied for purposes ancillary to the residential use of the dwelling known as Barn 1 and shall only be occupied by members of the family occupying Barn 1 and shall not at any time be used as a separate dwelling.<br><br><b>Reason:</b> To avoid the creation of isolated dwellings in the open countryside in accordance with policies H1 and BE4 of the Warwick District Local Plan 2011-2029;           |
| (12)       | prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification   |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
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|            | details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).   |
|            | <b>Reason:</b> To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document; and   |
| (13)       | 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. |
|            | <b>Reason:</b> 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.  |

31. **W/21/0708 – Barn 6 - Stanks Farm, Old Budbrooke Road, Budbrooke**

The Committee considered an application from Mr & Mrs Glover for the conversion of Barn 6 to a dwelling.

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

Officers were mindful of two separate planning applications of a similar nature that had been submitted for this site in relation to Barns 1- 5

## **PLANNING COMMITTEE MINUTES (Continued)**

(W/21/0710) and Barn 7 (W/21/0709). The applicant had put forward a fall-back position in terms of the approved Class Q applications, therefore officers needed to be satisfied that granting planning permission for the current application and the two other applications would not exceed the fall-back position. Class Q placed limitations on the cumulative number of dwellings that could be created for a particular site. This included the cumulative number of larger dwellings not exceeding three and the cumulative number of separate dwellings not exceeding five.

Having reviewed the current scheme and the two other applications at this site, officers were satisfied that the cumulative number of larger dwellings would not exceed three and the cumulative number of separate dwellings would not exceed five. The curtilage would be no greater than permissible under Class Q and permitted development rights would be removed by condition. Therefore, the grant of planning permission would not exceed the limitations of Class Q and would lead to no greater harm than the fall-back position.

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

The Committee therefore

**Resolved** that W/21/0708 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 drawings 21-17-16A, 21-17-110, 21-17-112, and specification contained therein, submitted on 28th July 2021, 13th May 2022 and 20th May 2022. **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) no development shall take place until:

- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority;

## PLANNING COMMITTEE MINUTES (Continued)

<b>No.</b>	<b>Condition</b>
	b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority; and
	c) an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

**Reason:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029;

- (4) 1. No development shall take place until:
- a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.
  - b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desktop

## PLANNING COMMITTEE MINUTES (Continued)

<b>No.</b>	<b>Condition</b>
	<p>study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:</p> <ul style="list-style-type: none"><li>• a risk assessment to be undertaken relating to human health;</li><li>• a risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected;</li><li>• an appropriate gas risk assessment to be undertaken;</li><li>• refinement of the conceptual model; and</li><li>• the development of a method statement detailing the remediation requirements.</li></ul>
	<p>c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.</p>
	<p>d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.</p>
	<p>2. All development of the site shall accord with the approved method statement.</p>
	<p>3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be deal with.</p>
	<p>4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out</p>

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
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|            | <p>in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.</p> <p><b>Reason:</b> To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029;</p>   |
| (5)        | <p>the development hereby permitted shall not commence until:</p> <p>a) a noise assessment has been undertaken to assess the impact of noise arising from road and rail transport on the proposed development with reference to the guidance contained in BS8233:2014 and the World Health Organization's Guidelines for Community Noise (1999)</p> <p>b) the results of the noise assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures to protect residents of the development from noise, have been submitted to and approved in writing by the local planning authority; and</p> <p>Any necessary mitigation measures shall be implemented in full accordance with the approved details and retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.</p> <p><b>Reason:</b> To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (6)        | <p>the approved curtilage shall be restricted to the areas identified on the Curtilage Plan 21-17-112 received by the Local Planning Authority on 13th May 2022.</p> <p><b>Reason:</b> To comply with the requirements set out in Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015;</p>   |
| (7)        | <p>all rooflights shall be conservation style and maintained as such.</p>  |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | <p><b>Reason:</b> To ensure an appropriate standard of design and appearance, and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029;</p>  |
| (8)        | <p>the development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.</p> <p><b>Reason:</b> To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (9)        | <p>the development hereby permitted shall not be occupied unless and until the car parking 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.</p> <p><b>Reason:</b> To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029;</p>   |
| (10)       | <p>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 further development shall take place within the curtilage of any dwellinghouse hereby permitted.</p> <p><b>Reason:</b> To ensure that the rural character and appearance of the barn is protected, in accordance with Policy BE4 of the Warwick District Local Plan 2011-2029;</p>   |
| (11)       | <p>prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the</p>   |

## PLANNING COMMITTEE MINUTES (Continued)

<b>No.</b>	<b>Condition</b>
	Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).

**Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document; and

(12) 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.

**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.

### 32. **W/21/0709 – Barn 7 - Stanks Farm, Old Budbrooke Road, Budbrooke**

The Committee considered an application from Mr & Mrs Glover for the conversion of Barn 7 to a dwelling.

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

## **PLANNING COMMITTEE MINUTES (Continued)**

Officers were mindful of two separate planning applications of a similar nature that had been submitted for the site in relation to Barns 1-5 (W/21/0710) and Barn 6 (W/21/0708). The applicant had put forward a fall-back position in terms of the approved Class Q applications, therefore officers needed to be satisfied that granting planning permission for the current application and the two other applications would not exceed the fall-back position. Class Q placed limitations on the cumulative number of dwellings that could be created for a particular site. This included the cumulative number of larger dwellings not exceeding three and the cumulative number of separate dwellings not exceeding five.

Having reviewed the current scheme and the two other applications at this site, officers were satisfied that the cumulative number of larger dwellings would not exceed three and the cumulative number of separate dwellings would not exceed five. The curtilage would be no greater than permissible under Class Q and permitted development rights would be removed by condition. Therefore, the grant of planning permission would not exceed the limitations of Class Q and would lead to no greater harm than the fall-back position.

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

The Committee therefore

**Resolved** that W/21/0709 be **granted** subject to the following conditions:

<b>No.</b>	<b>Condition</b>
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| (1) | the development hereby permitted shall begin no later than three years from the date of this permission. |
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**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 21-17-17, 21-17-110, 21-17-112, and specification contained therein, submitted on 13th April 2021, 13th May 2022 and 20th May 2022. |
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**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;

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| (3) | no development shall take place until:<br>a) a Written Scheme of Investigation (WSI) for a programme of archaeological |
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## PLANNING COMMITTEE MINUTES (Continued)

evaluative work has been submitted to and approved in writing by the Local Planning Authority;

- b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority; and
- c) an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

**Reason:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the district's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029;

- (4) 1. No development shall take place until:

a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.

## PLANNING COMMITTEE MINUTES (Continued)

b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:

- A risk assessment to be undertaken relating to human health.
- A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected.
- An appropriate gas risk assessment to be undertaken.
- Refinement of the conceptual model.
- The development of a method statement detailing the remediation requirements;

c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.

d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.

2. All development of the site shall accord with the approved method statement.

3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works

## PLANNING COMMITTEE MINUTES (Continued)

regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

**Reason:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029;

- (5) the development hereby permitted shall not commence until:

a) a noise assessment has been undertaken to assess the impact of noise arising from road and rail transport on the proposed development with reference to the guidance contained in BS8233:2014 and the World Health Organization's Guidelines for Community Noise (1999)

b) the results of the noise assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures to protect residents of the development from noise, have been submitted to and approved in writing by the local planning authority; and

Any necessary mitigation measures shall be implemented in full accordance with the approved details and retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.

**Reason:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (6) the approved curtilage shall be restricted to the areas identified on the Curtilage Plan 21-17-112 received by the Local Planning Authority on 13th May 2022.

**Reason:** To comply with the requirements set out in Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015;

## PLANNING COMMITTEE MINUTES (Continued)

- (7) all rooflights shall be conservation style and maintained as such.

**Reason:** To ensure an appropriate standard of design and appearance, and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029;

- (8) the development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.

**Reason:** To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;

- (9) the development hereby permitted shall not be occupied unless and until the car parking 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 in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029;

- (10) 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 further development shall take place within the curtilage of any dwellinghouse hereby permitted.

**Reason:** To ensure that the rural character and appearance of the barn is protected, in accordance with Policy BE4 of the Warwick District Local Plan 2011-2029;

- (11) prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first

## **PLANNING COMMITTEE MINUTES (Continued)**

submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).

**Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document; and

- (12) 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.

**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.

### **33. Appeals Report**

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

**Resolved** that the report be noted.

**PLANNING COMMITTEE MINUTES (Continued)**

(The meeting ended at 7.29pm)

CHAIRMAN  
17 August 2022