

Planning Committee

Tuesday 14 October 2014

A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Tuesday 14 October 2014 at 6.00pm.

Councillor Rhead (Chairman)

Councillor Brookes (Vice Chairman)

Councillor Boad

Councillor MacKay

Councillor Mrs Bromley

Councillor Weber

Councillor Mrs Bunker

Councillor Wilkinson

Councillor Ms De-Lara-Bond

Councillor Williams

Councillor Doody

Emergency Procedure

At the commencement of the meeting the emergency procedure for the Town Hall will be displayed on screen for information.

Agenda

Part A – General

*1. Substitutes

To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

*2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

***3. Site Visits**

The Chairman to report the location of the planning application sites visited and the names of the Committee Members who attended.

***4. Minutes**

To confirm the minutes of the meeting held on 16 September 2014.

(Item 4/Page 1)

Part B – Planning Applications

To consider the following reports from the Head of Development Services:

***5. W14/0811 – Rear of the Old Vicarage, 36 High Street, Kenilworth (Item 5/Page 1)**

***6. W14/1133 – The Cottage, Sandall House Farm, Narrow Lane, Lowsonford (Item 6/Page 1)**

***7. W14/1134 – Sandall House Farm, Narrow Lane, Lowsonford (Item 7/Page 1)**

***8. W14/1157 – Regent Court, Livery Street, Royal Leamington Spa (Item 8/Page 1)**

****Major Application****

***9. W14/1166 – 11 Wise Grove, Warwick (Item 9/Page 1)**

***10. W14/1222 – The Elephant and Castle, Old Warwick Road, Rowington (Item 10/Page 1)**

***11. W14/1226 – Dixons Barn, Westwood Heath Road, Burton Green (Item 11/Page 1)**

***12. W14/1262 – 10 Wheathill Close, Royal Leamington Spa (Item 12/Page 1)**

(*Denotes those items upon which decisions will be made under delegated powers, as previously granted by Council).

Part C – Other matters

None.

Please note:

- (a) the background papers relating to reports on planning applications are open to public inspection under Section 100D of the Local Government Act 1972 and consist of all written responses to consultations made by the Local Planning Authority in connection with the planning applications referred to in the reports, the County Structure Plan Local Plans and Warwick District Council approved policy documents.
- (b) all items have a designated Case Officer and any queries concerning those items should be directed to that Officer.

- (c) in accordance with Council's Public Speaking Procedure, members of the public can address the Planning Committee on any of the planning applications being put before the Committee. If you wish to do so, please call 01926 353362 (Monday to Thursday 8:00am to 7:00pm, Friday 8:00am to 6:00pm and Saturday 9:00am to 1pm) or email committee@warwickdc.gov.uk, anytime after the publication of this agenda, but before 12 noon on the working day before the day of the meeting and you will be advised of the procedure.
- (d) please note, that the running order for the meeting may be different to that published above, in order to accommodate items where members of the public - Have registered to address the Committee.
- (e) occasionally items are withdrawn from the agenda after it has been published. In this instance, it is not always possible to notify all parties interested in the application. However, if this does occur, a note will be placed on the agenda via the Council's web site, and where possible, the applicant and all registered speakers (where applicable) will be notified via telephone.

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General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

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For enquiries about specific reports, please contact the Case Officer named in the reports.

You can e-mail the members of the Planning Committee at
planningcommittee@warwickdc.gov.uk

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The agenda is available in large print on request,
prior to the meeting, by telephoning (01926)
353362

Planning Committee

Minutes of the meeting held on Tuesday 16 September 2014 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Rhead (Chairman); Councillors Boad, Brookes, Mrs Bromley, Mrs Bunker, De-Lara-Bond, Doody, MacKay, Weber, Weed and Williams.

75. Substitutes

Councillor Weed substituted for Councillor Wilkinson.

76. Declarations of Interest

Minute Number 79 – Agenda Item 5 – W14/0746 – Warwick Printing Co Ltd, Theatre Street, Warwick

All Members declared an interest in the item because the application site was on Council owned land.

Minute Number 84 – Agenda Item 8 – W14/0868 – 66 All Saints Road, Warwick

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

Minute Number 85 – Agenda Item 12 – W14/0746 – Westend Centre, Hampton Road, Warwick

All Members declared an interest in the item because the application site was on Council owned land.

Minute Number 89 – Agenda Item 10 – W14/0975 – 10 Earl Rivers Avenue, Warwick Gates, Warwick

Councillor Mrs Bromley declared an interest because the application site was in her Ward.

Minute Number 91 – Agenda Item 14 – W14/1086 – 19 Field Barn Road, Hampton Magna, Budbrooke, Warwick

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

77. Site Visits

To assist with decision making, Councillors Boad, Mrs Bromley, Mrs Bunker, Rhead, Weber and Williams visited the following application sites on Saturday 13 September 2014:

W14/0868 – 66 All Saints Road, Warwick

W14/0746 – Warwick Printing Co Ltd, Theatre Street, Warwick

PLANNING COMMITTEE MINUTES (Continued)

W14/1051 – Westend Centre, Hampton Road, Warwick
W12/1018 – Land west of junction between Mill Lane and Old Warwick Road, Lapworth.

78. Minutes

The minutes of the meeting held on 19 and 20 August 2014 were agreed and signed by the Chairman as a correct record.

79. W14/0746 – Warwick Printing Co Ltd, Theatre Street, Warwick

The Committee considered an application from Waterloo Housing Group for the demolition of the Warwick Printing Company building and single storey building to Bowling Green Street and Market Street, the erection of 37 apartments with associated parking.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

PLANNING COMMITTEE MINUTES (Continued)

HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting proposed that an additional pre-commencement condition requiring the submission of a construction method statement, be added should planning permission be granted.

It was the officer's opinion that the development would result in the significant enhancement of this part of the Warwick Conservation Area, whilst making provision for a substantial number of affordable residential units without unacceptably impacting upon the amenities of nearby residential properties. The proposal was therefore considered to comply with the policies listed.

The following people addressed the Committee:

Mr Mackay, representing the views of Warwick District Conservation Advisory Forum, the Warwick Society and the 20th Century Society, objecting; Mrs Astill, objecting; Mr Kambo, on behalf of the applicant; and Councillor Mrs Higgins in her capacity as Ward Councillor.

It was proposed, and duly seconded, that the application be refused because it was too big in mass, spoilt the views of, and was inappropriate development in, the Conservation Area. On being put to the vote, the motion was lost 2 votes to 6.

Members raised concerns that there was little or no pavement or walkway within the site especially considering the parking for cars and potential delivery traffic using the turning area. It was agreed that this issue could be addressed by adding a suitable condition.

The Chairman also requested that a 10% renewal energy provision condition be added along with the construction method statement condition, as detailed in the addendum.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/0746 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this Item 4 / Page 3

PLANNING COMMITTEE MINUTES (Continued)

permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing numbers 025 Rev D; 026 Rev B; 027 Rev B; 030 Rev D; 14068-D51 Rev P1; 200; 201 and 202 and specification contained therein, submitted on 27 August 2014, 28 August 2014, 2 September 2014 and 4 September 2014. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (5) the development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site

PLANNING COMMITTEE MINUTES (Continued)

investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **Reason:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011;

- (6) the development shall not begin until a scheme detailing the affordable housing provisions has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall be retained as such at all times thereafter and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- (a) the tenure split;
 - (b) the arrangements for the management of the affordable housing;
 - (c) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - (d) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: Since planning permission has only been granted for residential development on this employment site on the grounds that the development is for 100% affordable housing, in accordance with Policies SC1, SC2 & SC11 of the Warwick District Local Plan 1996-2011;

- (7) no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in

PLANNING COMMITTEE MINUTES (Continued)

accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. **Reason:** To ensure that any archaeological remains are recorded in accordance with Policy DP4 in the Warwick District Local Plan 1996-2011;

- (8) the development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. **Reason:** To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution;
- (9) prior to the first occupation of the development hereby permitted, the building shall be insulated in strict accordance with a scheme of works which have been submitted to and approved in writing by the local planning authority and thereafter such works shall not be removed or altered in any way. **Reason:** To ensure that the level of external noise is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of the apartments, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;
- (10) none of the apartments hereby permitted shall be occupied unless and until the car parking provision has been constructed and laid out, and made available for use by the occupants and thereafter those spaces shall be retained for parking purposes. **Reason:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies DP1 & DP8 of the Warwick District Local Plan 1996-2011;
- (11) the development hereby permitted shall not be occupied unless and until a written agreement has been entered into to ensure that residents of the new building have 24 hour access to

PLANNING COMMITTEE MINUTES (Continued)

Linen Street car park for the duration of their occupation, and such agreement has been submitted to and approved in writing by the Local Planning Authority. **Reason:** To ensure that there is adequate parking is available, in accordance with Policy DP8 in the Warwick District Local Plan 1996-2011;

- (12) the development shall not be occupied until all parts of the existing accesses within the public highway not included in the permitted means of access have been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (13) the gradient of the access for vehicles to the site shall not be steeper than 1 in 15 at any point as measured from the near edge of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (14) the access to the site for vehicles shall not be used in connection with the development until they have been surfaced with a suitable bound material for a distance of at least 15 metres as measured from the near edge of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (15) the access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (16) no Gates/barriers/doors shall be erected at the entrance to the site for vehicles/heavy goods vehicles. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;
- (17) the Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. **Reason:**

PLANNING COMMITTEE MINUTES (Continued)

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

- (18) the development hereby permitted shall not be occupied unless or until a Traffic Regulation Order has been made by the Highway Authority to remove the application property from the existing Traffic Regulation Order thereby securing the removal of the rights of the applicant/ future owner/ tenants of the application property to apply for residents parking permits. **Reason:** To ensure the proposed development does not result in an increase in on-street parking pressure in an area with already high demand to the detriment of highway safety and residential amenity in accordance with Policies DP8, DP2 and the Vehicle Parking Standards SPD of the Warwick District Local Plan 1996-2011;
- (19) a construction method statement be submitted prior to works commencing;
- (20) 10% renewable energy provision be provided; and
- (21) additional pavement/walkways are added within the site, underneath the archway / turning area for vehicles, to ensure pedestrian safety;

80. W14/1036 – 134 Warwick Road, Kenilworth

The Committee considered an application from Mrs Phillips for the erection of a single storey side and rear extension and a one and two storey rear and side extension. Change of use from Use Class C3 (single dwelling house) to use Class D1 (complementary health practice) at ground floor and a studio apartment and one bedroom apartment at first floor.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

BE1, BE3, NE3, TR1, TR2, TR4, CC2, HS4.

Guidance Documents

Sustainable Buildings (Supplementary Planning Document - December 2008)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
The 45 Degree Guideline (Supplementary Planning Guidance)
Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting advised that Warwickshire County Council Highway's department had no objection, subject to the stated conditions. Officers advised that there was a temporary agreement in place between the applicant and a local church, who had agreed to clients of the practice using their parking area.

It was the officer's opinion that the proposal was unlikely to lead to significant harm to highway safety, visual or neighbouring amenity, and the benefits of the scheme were not outweighed by any likely adverse impacts, therefore the proposal would comply with paragraph 14 of the NPPF.

The following people addressed the Committee: Mr Woodcock, objecting, and Mrs Phillips the applicant.

Members raised concerns about the traffic disruption and the lack of parking on site but noted that the WCC Highways department had withdrawn their objection subject to the stated conditions.

In addition, Members were worried about the cramped living conditions being proposed in the residential dwellings and felt that there was insufficient space for two flats.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/1036 be **refused** because it was felt that the proposal of two residential dwellings on the top floor was overdevelopment and would lead to cramped living conditions and was contrary to policies DP1 and DP2.

PLANNING COMMITTEE MINUTES (Continued)

81. W14/1166 – 11 Wise Grove, Warwick

The Committee considered an application from Mrs Chatha for the erection of a first floor front extension and a two storey side and rear extension.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 - 2011

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

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

Vehicle Parking Standards (Supplementary Planning Document)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

Warwick District Local Plan 2011-2029 - Publication Draft April 2014

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

An addendum circulated at the meeting advised that the resident at 12 Wise Grove had commented on the 45 degree sight line taken from their front window. Officers confirmed that the proposed extension did not breach the 45 degree sightline.

It was the officer's opinion that the proposed front/side and rear extensions were acceptable in terms of their character and appearance within the street scene and did not significantly impact on the amenities of surrounding neighbours.

The following people addressed the Committee: Mr Emmerson, objecting; Mr Gent, objecting; and Ms Chatha, in support of her application.

Members felt that, having heard the representatives concerns and the potential inaccuracy of the plans, they would be able to make a fair decision if a site visit was undertaken.

PLANNING COMMITTEE MINUTES (Continued)

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/1166 be **deferred** to allow a site visit to take place.

82. W14/1202 – Haseley Fields Farm, Haseley Knob, Haseley, Warwick

The Committee considered an application from Mr and Mrs Lewis for the erection of new gates.

The application was presented to the Committee at the request of the Ward Councillor, Councillor Mrs Gallagher.

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 - 2011

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

Warwick District Local Plan 2011-2029 - Publication Draft April 2014

DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that the proposal would not harm the visual amenity of the surrounding area or have a detrimental impact on highway safety, and would comply with the policies listed.

The following people addressed the Committee: Mr Lewis, the applicant and Councillor Mrs Gallagher, in her capacity as Ward Councillor.

Members sought clarification on the lack of openness of the proposed gates, compared to the traditional five bar style gate and the previous decision to remove permitted development rights from the property.

Following consideration of the report, presentation and the representations made at the meeting, the Committee

Resolved that W14/1202 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended); and

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing titled proposed plans, drawing No.1, and specification contained therein, submitted on 5th August 2014.

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

83. TPO 486 – Provisional Tree Preservation Order, Newlands barn, Five Ways Road, Haseley, Warwick

The Committee considered a report about a provisional Tree Preservation Order (TPO 486) made following a request from a local resident and a Parish Councillor that this TPO be made following submission of a prior notification proposing the use of a nearby agricultural building for residential purposes.

The subject of the order was an oak tree, approximately 200+ years of age and was located within a native roadside hedgerow in the open countryside.

The Tree Preservation Order was presented to the Committee because an objection to it being confirmed had been received.

The tree was approximately 15m in both height and crown spread, with an attractive asymmetric crown. As a result of its positioning, size and distinctive character as a mature oak tree, officers felt that it significantly contributed towards the visual amenity of the area and the Arden Parkland landscape within which it was situated.

Upon inspection of the tree, there was no evidence of structural weaknesses or the presence of fungal fruiting bodies and it appeared to be in a sound biological state.

The Council had received two objections and two letters supporting the making of the order and these were summarised in the officer's report.

Councillor Mrs Gallagher addressed the Committee in support of the making of the order, in her capacity as Ward Councillor.

Following consideration of the report, presentation and the representation made at the meeting, the Committee

Resolved that Tree Preservation Order 486 be **confirmed**, without modification, in accordance with the recommendations in the report.

PLANNING COMMITTEE MINUTES (Continued)

84. W14/0868 – 66 All Saints Road, Warwick

The Committee considered an application from Mr and Mrs Shaw for alterations to 66 All Saints Road and the erection of a dwelling adjacent to the existing property.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 - 2011

DP8 - Parking (Warwick District Local Plan 1996 - 2011)
Distance Separation (Supplementary Planning Guidance)
Open Space (Supplementary Planning Document - June 2009)
Vehicle Parking Standards (Supplementary Planning Document)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
The 45 Degree Guideline (Supplementary Planning Guidance)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

Warwick District Local Plan 2011-2029 - Publication Draft April 2014

HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

PLANNING COMMITTEE MINUTES (Continued)

TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that, the proposed house was considered acceptable in principle and design. The proposed house accorded with the adopted Supplementary Planning Guidance with regards to separation distances; bulk and massing. The proposed extensions to No.66 would not have an impact on the occupiers of the new house through visual intrusion or loss of light. Whilst the Council would resist the development of garden land, due to the lack of housing land supply and the design of the new house, it was considered acceptable. The proposed house would not have a detrimental impact on highway safety and was therefore considered to be in accordance with the aforementioned policies.

Members raised concerns that the drawings were misleading and the proposed new dwelling would not run flush within the street scene. Members also discussed the small separation distance between the proposed new dwelling and the existing property at 68A All Saints Road.

It was proposed, and duly seconded, that the application be refused but having been put to the vote, the motion was lost.

Members sought advice on the possibility of restricting the ridge height of the new dwelling, to help minimise the loss of sunlight to number 68A.

Following consideration of the report and presentation, the Committee agreed that the application should be granted, subject to an additional condition restricting the height of the new dwelling to the ridge height of number 68A All Saints Road. It was therefore

Resolved that W14/0868 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 356.01GB dated 12th August 2014; 356.02GB, 356.03GB, 356.04GB, 356.05GB, 356.06GB, 356.07GB, 356.08GB dated 5th August 2014 and 356.09 dated 12th August 2014 and specification contained therein, submitted on 5th August 2014 **Reason :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

PLANNING COMMITTEE MINUTES (Continued)

- (3) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of the new dwelling and the extensions to No.66 will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;
- (4) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary 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 to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwelling hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-

PLANNING COMMITTEE MINUTES (Continued)

balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;

- (5) the development (specifically relating to the new dwelling) hereby permitted shall be carried out only in full accordance with sample details of the external facing brick and roof tiles which have been submitted to and approved in writing by the local planning authority. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;
- (6) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:
- (i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and
- (ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

Reason: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011;

- (7) no facing and roofing materials shall be used on the extensions hereby approved other than materials similar in appearance to those used in the construction of the exterior of the existing building in association with the extensions for No.66 All Saints Road. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick

PLANNING COMMITTEE MINUTES (Continued)

District Local Plan 1996-2011;

- (8) the extensions to No.66 as detailed on plan No. 356.09 dated 12th August 2014 hereby permitted shall be completed before the commencement of the construction of the detached dwelling hereby approved. **Reason:** Without the extensions completed to No.66 the proposed dwelling would infringe the 45 degree sightline which would be contrary to DP2 of the Warwick District Local Plan 1996 – 2011;
- (9) the dwellinghouse 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 and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011;
- (10) The height of the proposed dwelling be restricted to the ridge height of the existing dwelling at 68A All Saints Road.

85. W14/1051 – Westend Centre, Hampton Road, Warwick

The Committee considered an application from West Midlands Reserve Forces and Cadets Association for a single storey modular building for Joint Army Cadet Force (ACF) and Air Training Corps Youth Organisation (ATC).

The application was presented to the Committee because the proposal was contrary to the development plan due to it being sited within the Area of Restraint, and because the site was on Warwick District Council land.

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

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

DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)

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

DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)

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

The Emerging Local Plan

DS5, PC0, CT1, CT7, SC0, BE1, BE3, TR1, TR2, TR4, HS1, HS6, HS7, CC1, CC2, CC3, FW1, FW2, FW3, FW4, HE1, HE2, NE2, NE4, NE5.

Guidance Documents

Vehicle Parking Standards (Supplementary Planning Document)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the development would have an acceptable impact on upon openness, would preserve the appearance of the Conservation Area, and would not cause harm to highway safety or flood risk, and should therefore be approved.

Members asked for clarity on the lack of a response so far from the Environment Agency regarding the Flood Risk Assessment (FRA). Following advice from officers, it was agreed that officers should be given delegated authority to grant the application on acceptance of the FRA by the Environment Agency.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/1051 be **granted** subject to the approval of a Flood Risk Assessment by the Environment Agency, authority for which to be delegated to officers and subject to the following conditions:

- (1) The development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (2K1405 01/E Rev.C submitted on 10 July 2014. 959.03.A submitted on 25 July 2014. 959.02.A

PLANNING COMMITTEE MINUTES (Continued)

submitted on 30 July 2014), and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (3) no development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root structure may extend within the site and which are within the Warwick District Council Conservation Area. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).

Reason: To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

- (4) the building shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority. **Reason:** To ensure that a satisfactory provision of off-street car parking and turning facilities are

PLANNING COMMITTEE MINUTES (Continued)

maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011;

- (5) the building shall be used only by the Army Cadet Force (ACF) and the Air Training Corps (ATC) only and by no other persons or group.
Reason: Since the proposed use is only acceptable on the basis of the likely associated vehicle movements, in the interests of highway safety in accordance with Policies DP6, DP7 and DP8 of the Warwick District Local Plan 1996-2011; and
- (6) the development hereby permitted shall only be undertaken in strict accordance with drainage details, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan, which have been submitted to and approved in writing by the local planning authority. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details. **Reason:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

86. W12/1018 – Land west of junction between Mill Lane and Old Warwick Road, Lapworth, Solihull

The Committee considered an application from Mr Vincent for the erection of eight dwellings following partial demolition of one existing building.

The application was presented to the Committee because an objection had been received from Lapworth Parish Council. In addition, the application had been on hold whilst archaeological investigations were carried out.

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan

RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
DP5 - Density (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

Policies: DS2, DS3, DS5, DS6, DS7, DS10, DS11, HO, H1, H2, H4, SC0, BE1, BE2, BE3, TR1, TR2, TR3, TR4, HS1, HS4, HS5, HS6, HS7, CC1, CC2, CC3, FW2, FW3, FW4, HE6, NE2, NE3, NE4, NE5, W1, DM1.

Guidance Documents

The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Open Space (Supplementary Planning Document - June 2009)
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Affordable Housing (Supplementary Planning Document - January 2008)

An addendum circulated at the meeting advised of comments received from a Lapworth Parish Councillor, in a personal capacity. The concerns related to Highway issues and safety concerns on the access to the site. Members noted however, that the County Highways department had no objection subject to satisfactory conditions.

It was the officer's opinion that the proposal would not have an adverse impact on the visual amenity of the rural area or character of the village, would not cause harm to highway safety, and would make appropriate provision for affordable housing. The development was therefore recommended for approval.

Members also received advice regarding the need for the applicant to submit a satisfactory Section 106 agreement by 19 September 2014 and it was agreed that this could be covered by a condition.

PLANNING COMMITTEE MINUTES (Continued)

Following consideration of the report, presentation and information contained in the addendum, the Committee

Resolved that W12/1018 be **granted** subject to the following conditions

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing(s) (01, 03A, 04A, 05A, 06A submitted on 17 December 2012. 02C submitted on 24 January 2013), and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) prior to commencement of the development hereby approved, details of a porous surface treatment for the drive or where a non-porous surface treatment is proposed, details of the provision to be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, shall have been submitted to and approved by the District Planning Authority. The drive shall be constructed and surfaced, in full accordance with the approved details. **Reason:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan;
- (4) no part of the development hereby permitted shall be commenced until a scheme for the provision of suitable bat boxes and bird boxes (the latter being suitable for use by house sparrow, starling or swift), to be erected on trees/buildings within the site as appropriate, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **Reason:** In accordance with National Planning Policy Framework and ODPM Circular 06/2005

PLANNING COMMITTEE MINUTES (Continued)

and Policies DP3 and DAP3 of the Warwick District Local Plan;

- (5) no development shall be carried out on the site which is the subject of this permission, until large scale details of boundary walls and fences (including materials and finishes) fronting the canal have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **Reason:** To ensure an appropriate standard of design and appearance adjoining the canal, and to satisfy Policy DP1 of the Warwick District Local Plan 1996-2011;
- (6) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any construction works are commenced. Development shall be carried out in accordance with the approved details. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (7) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;
- (8) the dwellings hereby approved shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter

PLANNING COMMITTEE MINUTES (Continued)

those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority. **Reason:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011;

- (9) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), the garaging shown on the plans hereby approved shall be retained and kept available for such purposes and shall not be altered either internally or externally without the prior consent of the District Planning Authority. **Reason:** To ensure that there are adequate parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;
- (10) the development shall not be occupied until visibility splays have been provided to the vehicular access to the site (passing through the limits of the site fronting the public highway) with an 'x' distance of 2.4 metres and 'y' distances of 90 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **Reason:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (11) the access to the site for vehicles shall not be used in connection with the development hereby permitted until it has been surfaced with a bound material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority (in consultation with the Highway Authority). **Reason;** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011; and

PLANNING COMMITTEE MINUTES (Continued)

(12) No part of the development hereby permitted shall be commenced until a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) has been completed in order to secure the following matters:-

1. The appropriate provision of affordable housing within the site and the management of such affordable housing;
2. Where appropriate the provision of an appropriate commuted sum in lieu of the provision of any such affordable housing;
3. The appropriate provision of or improvement of open space within the catchment area of the application site or alternatively the provision of an appropriate commuted sum towards the provision of offsite public open space serving the development; and
4. The provision of an appropriate commuted sum towards the provision of library facilities serving the development.

REASON: In order to ensure the provision of appropriate affordable housing and infrastructure to serve the development in accordance with policies SC11 and SC13 of the Warwick District Local Plan 1996 - 2011.

87. **W14/0467 – Corner of Mill Lane and Old Warwick Road, Lapworth, Solihull**

The Committee considered an application from Mr Potterton for the demolition of the existing shop, chiropody office and apartment over, the erection of a new shop, chiropody office, apartment over plus three number two bedroom houses and one number three bedroom houses with ancillary parking.

The application was presented to the Committee because it was recommended that an existing legal agreement relating to the approved application be varied.

The application was originally considered by Planning Committee in September 2010 when it was resolved to grant planning permission subject to a legal agreement requiring three out of the four proposed new dwellings to be affordable. Prior to the completion of the agreement, in February 2012 the applicant asked Planning Committee to consider a revised proposal which provided two affordable dwellings out of four. Planning Committee agreed this revised proposal and the permission was issued following the completion of the legal agreement in April 2012.

This S106 agreement was then agreed to be varied by Planning Committee in October 2013, to allow for a financial contribution of £68,750 in lieu of the affordable housing provision on site, with 50% to be paid on completion

PLANNING COMMITTEE MINUTES (Continued)

of the sale of the first dwelling, and the remaining 50% on completion of the sale of the second unit. However, this variation was not signed due to administrative delays.

This report requested a variation to the legal agreement previously agreed in October 2013, to require the payment to be index linked and paid within two years of completing the deed.

The officer considered the following policies to be relevant:

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

It was the Housing Development Officer's opinion that, the sum of £68,750 was acceptable in lieu of affordable housing. 50% could be paid on completion of the sale of the first dwelling, with the remainder on completion of the sale of the second unit. The officer therefore requested the payment to be index linked and paid within two years of completing the deed and supported the recommendation in the report.

Following consideration of the report and presentation, the Committee

Resolved to vary the Section 106 agreement relating to planning permission W11/0467 and to accept a financial contribution of £68,750 in lieu of the affordable housing provision on site, with 50% to be paid on completion of the sale of the first dwelling, and the remaining 50% on completion of the sale of the second unit (as previously agreed by Planning Committee in October 2013), with the amount to be index linked and with a deadline for payment within two years of the deed of variation.

88. W14/0965 – 16 Alderman Way, Weston under Wetherley, Royal Leamington Spa

The Committee considered an application from Mr Edwards for a loft conversion with velux rooflights and raising ridge line of the existing rear gable.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Current Local Plan policies

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

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

Emerging Local Plan Policies

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance

Sustainable Buildings (Supplementary Planning Document - December 2008)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

It was the officer's opinion that the development respected the scale, design and character of the original dwelling and did not harm the general openness or rural character of the green belt/rural area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the report and presentation, the Committee

Resolved that W14/0965 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing number 14/04/14-03 Rev D, and specification contained therein, submitted on 5 August 2014. **Reason :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

PLANNING COMMITTEE MINUTES (Continued)

89. W14/0975 – 10 Earl Rivers Avenue, Warwick Gates, Warwick

The Committee considered a retrospective application from Mr Dulay for the erection of a boundary wall.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 – 2011

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

The 45 Degree Guideline (Supplementary Planning Guidance)

The Emerging Warwick District Local Plan 2011 - 2029

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

An addendum circulated at the meeting advised of further comments from neighbouring residents.

It was the officer's opinion that, the retrospective application for the brick built boundary wall was considered to be of acceptable design and scale which did not impact adversely on the character or appearance of the street scene and did not substantially impact on the amenity of neighbouring properties.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/0975 be **granted** retrospectively subject to the following conditions:

- (1) the development hereby permitted relates strictly with the details shown on the site location plan and approved amended drawing No. 2, and specification contained therein, submitted on 28th July 2014. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (2) the existing hedge to the front boundary of the application site shall not be cut down, grubbed out or otherwise removed. If the hedge is

PLANNING COMMITTEE MINUTES (Continued)

removed without consent or is dying, or becomes severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the date of this permission, it shall be replaced within the next planting season with hedging of such size and species details of which must be submitted to and approved by the local planning authority.

Reason: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

90. W14/1062 – 1 Oak Tree Close, Royal Leamington Spa

The Committee considered an application from Mr Liddar for erection of a single storey detached games room / gym in the rear garden.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa Town Council.

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 - 2011

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Warwick District Local Plan 2011-2029 - Publication Draft April 2014

CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that, the proposed building was satisfactory in regard to Design, Impact on Neighbours, Impact the Streetscene and Sustainability, and therefore the application complied with Adopted Local Plan Policies DP1, DP2 and DP13, and Draft Local Plan Policies BE1, BE3 and CC2, and the National Planning Policy Framework (2012).

PLANNING COMMITTEE MINUTES (Continued)

Members raised concerns that the building should only be used ancillary to the main house and not be used as a separate dwelling and suggested adding a condition to ensure this.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/1062 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 1519-14B, 1519-15B, 1519-LOC and 1519-BL, and specification contained therein, submitted on 17/7/14. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy

PLANNING COMMITTEE MINUTES (Continued)

resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011; and

- (5) The proposed building should only be used ancillary to the main dwelling.

91. **W14/1086 – 19 Field Barn Road, Hampton Magna, Budbrooke, Warwick**

The Committee considered an application from Mr Wood for the erection of a replacement front porch.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Warwick District Local Plan 1996 – 2011

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

The Emerging Warwick District Local Plan 2011 - 2029

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that, the proposed single storey ground floor front extension was considered to be of acceptable design and scale which would not impact adversely on the character or appearance of the street scene and did not substantially impact on the Green Belt or amenity of neighbouring properties which would support a reason for refusal.

PLANNING COMMITTEE MINUTES (Continued)

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

Resolved that W14/1086 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended); and
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 1868A, and specification contained therein, submitted on 15th July 2014. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

(The meeting ended at 9.20 pm)

Planning Committee: 14 October 2014

Item Number: 5

Application No: W 14 / 0811

Town/Parish Council: Kenilworth

Case Officer:

Emma Spandley

01926 456533 emma.spandley@warwickdc.gov.uk

Registration Date: 28/07/14

Expiry Date: 22/09/14

Rear of The Old Vicarage, 36 High Street, Kenilworth, CV8 1LZ

Erection of a detached dwelling and the removal of 4no. Cypress Lawson trees. FOR
Ms Karen Ward

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes to demolish the existing double garage to the rear of No.36 High Street and erect a detached dwelling with the removal of 4no. Cypress Lawson trees.

THE SITE AND ITS LOCATION

The application site is to the rear of No.36 High Street. The rear garden currently benefits from a double garage which is accessed via Elmbank Road. The main dwelling is a Grade II Listed Building and the whole site is within the Conservation Area.

Elmbank is a modern housing estate constructed in the late 1960's. No.9 Elmbank is located to the west of the site, with No.7 Elmbank located to the east of the site.

PLANNING HISTORY

In 1969 outline planning permission was granted for a detached dwelling, garage, service road from Elmbank (7425)

In 1970 the garages were approved (ref: 8196).

In 1985 outline planning permission was granted for a dwelling.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Distance Separation (Supplementary Planning Guidance)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - Do not object to the principal of the new dwelling; require that there is adequate parking provision for the existing house.

WCC Archaeology - No objections, subject to condition

WCC Highways - No objection - The existing access located to the rear of 36 High Street, shall be used to serve the parking area for the proposed dwelling. Although the access is currently below standard, the access is existing with no reported accidents associated to it and the proposed development will not intensify the use of the access.

WCC Ecology - Will be updated at the Planning Committee Meeting

Public Response - 6 letters of objection have been received on grounds of parking and highway safety, overlooking, adverse impact on streetscene, loss of light, loss of privacy, out of keeping with the area, loss of trees, harm to conservation area,

ASSESSMENT

The main issues in the consideration of this application are:-

- The principle of the development;
- The impact on the character and appearance of the area;
- The impact on the amenity of neighbouring properties and whether the proposed development will provide adequate living conditions for future occupiers;
- Highway safety and parking;
- Ecology;
- Renewable energy;
- Open space;
- Drainage
- Health & wellbeing

Principle Development

Policy UAP1 of the Warwick District Local Plan 1996-2011 states that residential development will be permitted on previously development land within the confines of the urban areas subject to compliance with other policies.

The application site relates to land to within the curtilage of No.36 High Street, which does not fall within the definition of previously developed land contained in the NPPF. However, only limited weight can be attached to this policy because the Council does not have a five year supply of deliverable housing sites. In such circumstances paragraph 49 of the NPPF is relevant such that Policy UAP1 cannot be regarded as being up to date and the principle of the development is considered to be acceptable, subject to the compatibility with other national and local policies.

The impact on the character and appearance of the Conservation area

Policy DAP8 of the Warwick District Local Plan 1996-2011 requires development to preserve or enhance the special architectural and historic interest of the District's Conservation Areas.

The proposed dwelling, whilst being at the end of the rear garden of No.36 High Street, is proposed to be located fronting onto Elmbank, thereby retaining a presence in the street scene.

The objections regarding the design of the proposed dwelling and the impact on the Conservation Area are noted. However, there are a number of different style of properties within the immediate area, most notably, the 1960's two storey dwellings. No.7 is a different style with a projecting gable to the front elevation and a cat slide roof over the porch. Nos. 6 - 10 Elmbank which are located beyond a bend in the road to the east of the proposed site are dual pitched roofs left to right with a cat slide roof over the porch with a dormer window. The proposed house will have a low eaves level with dormer windows to the front and rear. It is considered that the proposed dwelling is of an acceptable design and scale which will sit comfortably in the streetscene within this part of the Conservation Area and will not harm the setting or integrity of the Listed Building.

As part of the proposal 4no. Cypress Lawson trees are to be removed. The Tree Preservation Officer has raised no objections to the loss of these trees, which are not worthy of a Tree Preservation Order. A TPO Ash tree is to be retained, together with a group of TPO trees within the garden of No.36 High Street. An Arboricultural Method Statement has been submitted, which outlines the methods which will be employed during construction to protect the TPO trees. The Tree Preservation Officer is satisfied with the contents of the report and the recommendations can be secured by condition.

The impact on the amenity of neighbouring properties and whether the proposed development will provide adequate living conditions for future occupiers

Policy DP2 of the Warwick District Local Plan 1996-2011 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents.

The Residential Design Guide SPG (April 2008) provides a design framework for Policies DP1 & DP2 and includes the Distance Separation SPG. The design guide states that development cannot breach a 45 degree line taken from the centre point of the nearest habitable room of a neighbouring property at ground floor; from the quarter point at first floor, nor should an extension restrict the outlook or amenity of a neighbouring property.

The 45 degree sightline will not be breached taken from either neighbouring property. No.9 Elmbank is set further back into the plot and No.7 has an angled

relationship to the proposed dwelling which means that it faces onto the proposed dwelling.

In terms of the impact on No.7 Elmbank (The Vicarage), the Separation Distance SPG states that a distance of 12 metres is required between the blank gable of one property and habitable windows to another. As stated above, No.7 Elmbank faces onto the proposed dwelling and the front window is located 12 metres from the blank end gable of the proposed dwelling and therefore the proposal is in accordance with the SPG.

The proposal is therefore considered to have an acceptable impact on neighbouring properties and provide adequate living conditions for future occupiers.

Highway safety and parking

Policy DP6 of the Warwick District Local Plan 1996 - 2011 states development will only be permitted which provides safe and convenient access and where it can be demonstrated that development does not cause harm to highway safety. Policy DP8 states that development will only be permitted which does not result in on-street parking detrimental to highway safety. In addition, the Vehicle Parking Standards SPD sets out the required off street parking for new houses. For a two bedroomed property two off street car parking spaces are required; therefore two car parking spaces are required for the existing property and two car parking spaces are required for the proposed dwelling.

An amended plan has been submitted which shows the main property that the owners of No.36 High Street also own an area of land on the opposite side of the road which benefits from 2 off road car parking spaces. These spaces will be retained for the main house. The proposed house shows 2 car parking spaces to the front garden area. The Highways Authority have stated that whilst the access proposed for the new dwelling is below standard, the access is existing with no reported accidents associated with it and the proposed development will not intensify the use of the access and therefore have raised no objections to the proposed dwelling

Ecology

Policy DP3 of the Warwick District Local Plan 1996-2011 states that development will only be permitted which protects and positively contributes to the character and quality of its natural and historic environment. Ecology comments will be updated before the planning committee meeting.

Renewable energy

Policy DP12 states new development will be required to be energy efficient, whilst DP13 states all development will be required to show how 10% of the predicted energy consumption of the property has been generated by renewables. Further

guidance is set out within the Sustainable Buildings Statement SPD. A Sustainable Buildings Statement has been submitted with the application, indicating that the new dwelling will accommodate air source heat pumps; however no details have been submitted. Further details will need to be secured by condition.

Open space

No public open space is provided as part of the proposal. It will therefore be necessary for a contribution to be made in accordance with Policy SC13 to provide, improve and maintain appropriate open space to meet local needs.

The Open Space SPD sets out the monetary requirement for residential developments. One new two bedroomed house would attract a contribution of £1256. This can be dealt with by a suitably worded condition.

Drainage

The application form indicates that the existing hard surface will provide the hardstanding for the off street parking to the front of the property. As a result, there is no new hardstanding required.

Health & wellbeing

N/A

SUMMARY/CONCLUSION

The application proposes the erection of a detached dwelling on the site of a double garage. The proposed design of the property is considered to be acceptable within the area due to the existing styles of properties within the immediate vicinity. The distance separation guidelines are met in respect of impact on neighbouring properties and the proposal is considered to be in accordance with the aforementioned policies.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the amended site location plan dated 18th August 2014; approved drawing no. 2/36 & 3/36 dated 23rd May 2014, and The Arboricultural Method Statement produced by Arbortrack Systems Ltd dated 17th July 2014, including appendix A tree protection plan drawing dated July 2014 and specification contained therein. **REASON:** For the avoidance of doubt and to secure a

satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.
REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 4 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

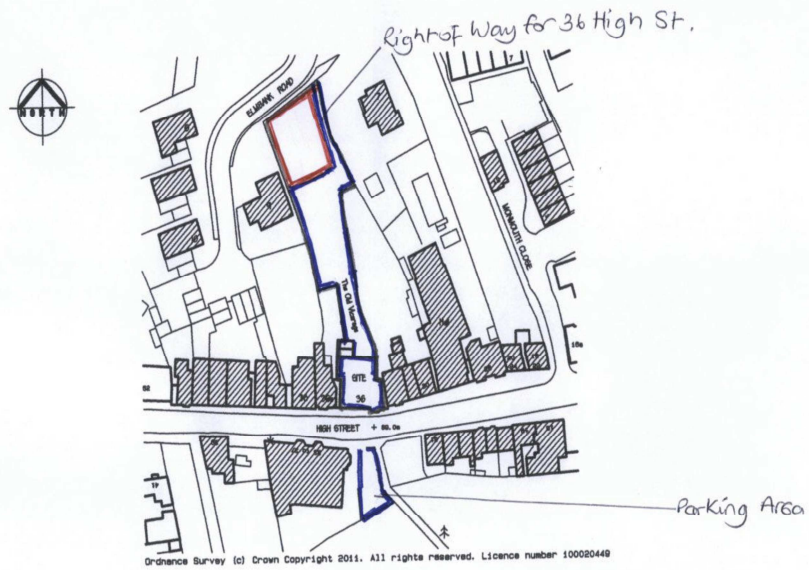
- 5 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority.
REASON: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

- 6 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise

than in full accordance with such approved details. **REASON:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.

- 7 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless and until the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 8 The development hereby permitted shall not be occupied unless and until the area of land shown on the approved plans to provide the parking area for 36 High Street has been provided and made available for that use and thereafter this facility shall remain available for this purpose. **REASON:** To ensure that a satisfactory provision of off-street car parking is maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

Amended Location Plan.
Application W/14/0811



PROPOSED DETACHED HOUSE REAR OF 'THE OLD VICARAGE' 36 HIGH STREET KENILWORTH

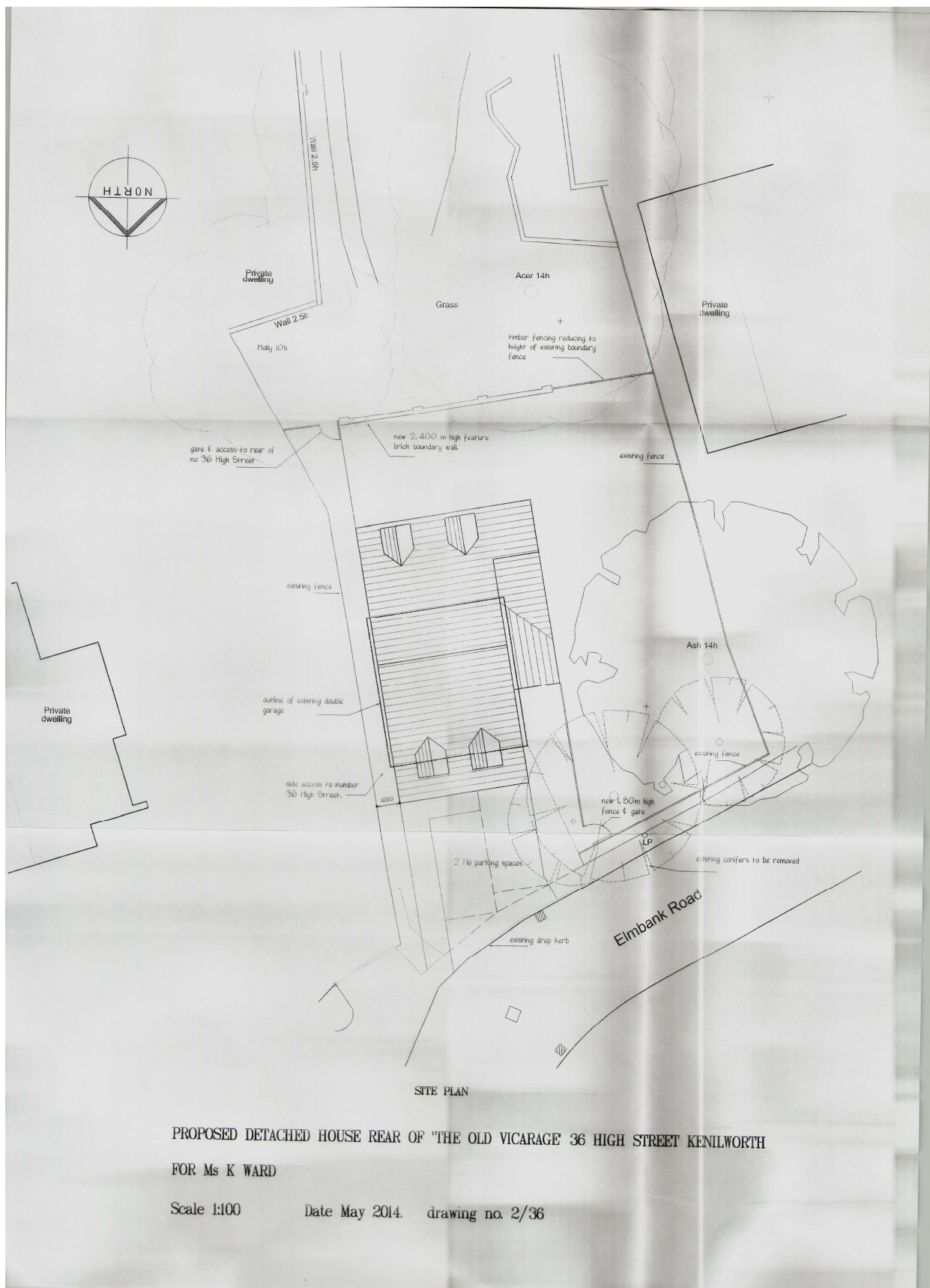
FOR Ms K WARD

Scale 1:1250

Date ~~May 2014~~ drawing no. 4/36

AMMENDED

AUGUST 2014





Application No: W 14 / 1133

Town/Parish Council: Rowington

Case Officer: Liam D'Onofrio

01926 456527 liam.donofrio@warwickdc.gov.uk

Registration Date: 05/09/14

Expiry Date: 31/10/14

**The Cottage, Sandall House Farm, Narrow Lane, Lowsonford, Solihull,
B95 5HN**

Variation of condition 4 imposed upon planning permission W/99/1562, (which currently restricts the use of the building to be occupied solely by persons employed in association with the operation of the equestrian and/or agricultural activities at Sandall House Farm), to include its use as holiday accommodation with no occupation as permanent, unrestricted accommodation or as a primary place of residence. FOR Ms Saber

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to vary Condition 4 imposed under planning approval W/99/1562, which granted a change of use of outbuildings to form grooms accommodation (to be used in association with the existing equestrian yard). The conditions reads: *The occupation of the dwelling shall be limited to a person solely or mainly working at the adjoining equestrian enterprise known as Sandall House Farm.* It is proposed to vary this condition to read: *The occupation of the dwelling shall be limited to persons solely or mainly working at the adjoining equestrian/agricultural enterprise known as Sandall House Farm or as holiday accommodation and shall not be occupied as a permanent, unrestricted accommodation or as a primary place of residence.*

The applicant advises that four members of staff live permanently on site in a flat above one of the stables, which is sufficient to meet the operational needs of the equestrian business. The building subject to this application is surplus to staffing requirements and is currently empty. Therefore an alternative use is proposed, which will provide an additional source of income. The applicant considers that the traffic generated by one holiday cottage will make little impact on the local roads or character of the area.

There is a concurrent application seeking to extend the outbuilding to provide a second bedroom.

THE SITE AND ITS LOCATION

The application site relates to Sandall House Farm located on the northern side of

Narrow Lane, between Santan Farm and Sanbrook Farm, within the Green Belt. The site relates to a substantial equestrian establishment with a range of buildings of various ages and designs. The site is within Flood Zone 3. The outbuilding, subject of this application, is located immediately to the rear (north) of the main farmhouse.

PLANNING HISTORY

Various planning history for the wider site, the most recent/relevant for this application is concurrent planning application W/14/1134 for a single storey extension: Pending.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE4 - Converting Rural Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CT4 - Extensions to Tourism, Cultural or Leisure Facilities in Rural Areas (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Rowington Parish Council: Objection. 1. Planning permission W99/1562 for conversion of this building was granted on the basis that special circumstances existed i.e. the equestrian activities at the site. The Planning Statement accompanying this application states that there are 7 full time staff employed plus part time staff. The current staff accommodation is stated to be a 4 bedroom flat and no evidence has been provided to substantiate the claim that The Cottage is surplus to requirements 2. It would not be possible to monitor the

use of The Cottage should a variation of Condition 4 be allowed. 3. No justification provided for further commercial development at this site which is already intensively developed. It is stated that the primary use of this site is equestrian and holiday accommodation would extend that site to multi use. No evidence of the need for diversification from the primary equestrian use has been demonstrated. 4. The proposal does not comply with RAP6 directing new employment i.e. what is the new employment? 5. The proposal does not comply with RAP7 converting rural buildings – the building has already been converted but only as a result of the special circumstances which existed at the time of the original conversion application. 6. The proposal does not comply with Para 28 of the NPPF in that it is difficult to accept that the current condition of the site would encourage tourism, assist the local economy or provide further rural employment. 7. P.P. 93/0189 clearly stated that “permission would not normally be granted other than in the special circumstances put forward by the applicant” and the PC cannot see any evidence to support any alteration to the planning use of this building or indeed an extension to the building as the applicant has already stated that the building is surplus to requirements. 8. This property is situated in Flood Zone 2/3 where the NPPF confirms that no unnecessary development should take place. 9. No supporting evidence provided to justify the need for holiday accommodation in this area.

National Grid: National Grid high pressure pipeline in locality - no habitable buildings should be constructed within 49m of the pipeline position.

Environment Agency: No objection

Community Protection: No objection (verbal)

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The principle for the variation of condition;
- The impact upon visual amenity;
- Neighbouring amenity;
- The impact upon highway safety;
- Health and Wellbeing.

The Principle of the Development

The former agricultural building is of substantial and permanent construction and was considered suitable for reuse in 1999. Given its small scale and close proximity to Sandall House Farmhouse and the associated equestrian facility it is unlikely that an independent dwellinghouse would have been considered appropriate and the use was restricted under condition 4 limiting occupation to staff working at the equestrian facility. Expanding this use to include employees of the equestrian/agricultural use on site or as holiday accommodation is considered to be entirely appropriate.

In terms of including 'agriculture' within the varied condition the applicant states that the whole farm covers 26.4 hectares with 16.6 hectares farmed for haylage, which yields about 400 bales of hay each year. In terms of holiday accommodation this is clearly an appropriate use and will accord with the National Planning Policy Framework 2012, which supports sustainable rural

tourism that benefit businesses in rural areas, communities and visitors. The Parish Council's comments are noted, however as these uses are acceptable in principle there are no reasons why the applicant should have to provide justification for the proposed uses.

The variation of condition is therefore considered appropriate. All other relevant conditions would also be replicated on the new decision notice.

The impact on the Character and Appearance of the Area

The proposed variation of condition will not affect the character or appearance of the existing building or the openness of the Green Belt.

The impact on the living conditions of nearby dwellings

The building is contained within an existing equestrian site and set well away from surrounding residential properties, the closest being Santan Farm, some 80 metres distant. The proposed agricultural/holiday let uses are still residential in nature and considered compatible with surrounding uses. The scheme is not therefore considered to create any significant impact upon the amenities of the occupiers of surrounding properties.

Car Parking and Highway Safety

There is ample parking within the site and room to turn and exit in a forward gear. No issues are raised in term of highway safety.

Drainage and Flood Risk

The site is located within Flood Zone 3, however the Environment Agency and Community Protection have raised no objection to the proposed variation of condition.

Renewable Energy

The building exists and has already been converted to a habitable use. The variation of condition to allow a broader use is not considered to trigger the need for renewable technology.

Health and Wellbeing

There is a high pressure gas pipeline within the locality and the National Grid have commented that there should be no habitable buildings constructed within 49 metres of this pipeline. The building has an existing habitable use and will be located some 70 metres away. It is noted that other existing properties are in closer proximity. The variation of condition to broaden the existing habitable use is not therefore considered to raise any health or wellbeing concerns for future residents.

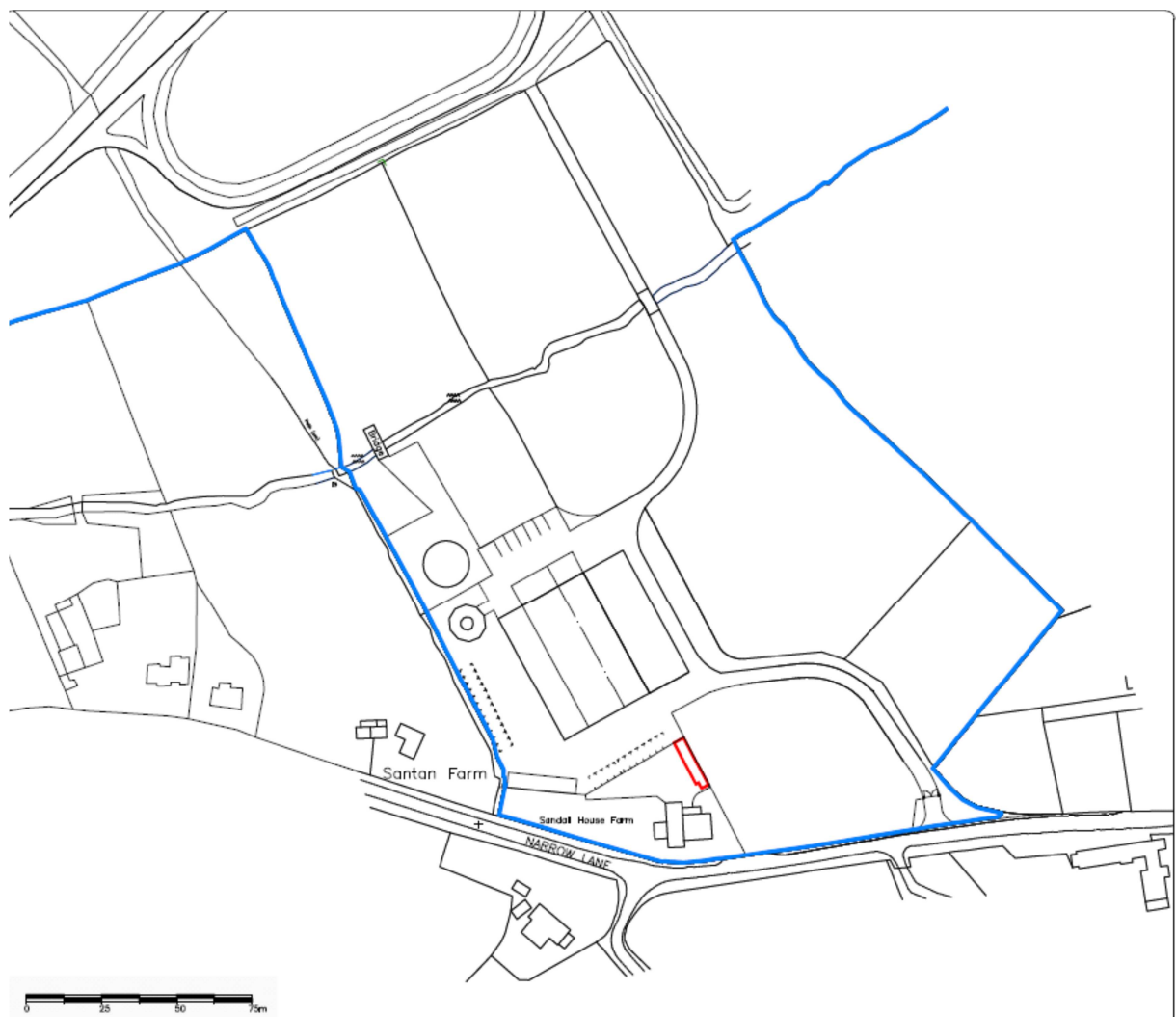
SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the proposed uses are acceptable and will not harm the character of the existing building, openness of the Green Belt, neighbours' amenity or highway safety. The proposal is therefore

considered to comply with the policies listed.

CONDITIONS

- 1 The occupation of the dwelling shall be limited to persons solely or mainly working at the adjoining equestrian/agricultural enterprise known as Sandall House Farm or as holiday accommodation and shall not be occupied at any time as permanent, unrestricted accommodation or as a primary place of residence. **REASON:** To avoid the creation of a sub-standard dwelling unit, which is intrinsically linked to the equestrian facilities, in accordance with Policies DP1, DP2 & DP9 of the Warwick District Local Plan 1996-2011 and the aims of NPPF 2012.
 - 2 All foul drainage shall be discharged to a septic tank with an adequate land soak away such that there is no discharge of sewage effluent to any ditch or watercourse, nor to any land drainage system leading thereto. The soak away should be sited no closer than 10 metres to any such watercourse. **REASON:** To ensure that adequate drainage facilities are available for the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
 - 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the Local Planning Authority. **REASON:** To ensure that the openness of the rural area and the scale, character and appearance of the building are not altered by further extensions, in accordance with the aims and objectives of the NPPF 2012.
-



Planning Committee: 14 October 2014

Item Number: 7

Application No: W 14 / 1134

Town/Parish Council: Rowington

Case Officer: Liam D'Onofrio

01926 456527 liam.donofrio@warwickdc.gov.uk

Registration Date: 28/07/14

Expiry Date: 22/09/14

Sandall House Farm, Narrow Lane, Lowsonford, Solihull, B95 5HN

Single storey extension FOR Ms Saber

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for an extension to a (former) agricultural barn, which was granted permission to be converted to grooms accommodation associated with the equestrian activities on site under planning application W/99/1562. There is a concurrent application seeking to extend this restricted use to a holiday let (W/14/1133). The proposed extension will measure 3.7m by 4.1m by 4.1m high and will provide a second bedroom for the barn.

The applicant's supporting letter states that the current building is a one bedroom property with a floor space of 55sq.m. It is proposed to extend the cottage by 15sq.m by adding another bedroom to the north elevation. Policy RAP2 relates to extensions to dwellings and states that extensions will be permitted unless they result in disproportionate additions to the original dwelling. The applicant concludes that Paragraph 8.25 of Policy RAP2 provides a guide that more than 30% increase in floor space is likely to be considered disproportionate. In this case the proposed increase in floor space is 27% and can be regarded as proportionate.

THE SITE AND ITS LOCATION

The application site relates to Sandall House Farm located on the northern side of Narrow Lane, between Santan Farm and Sanbrook Farm, within the Green Belt. The site relates to a substantial equestrian establishment with a range of buildings of various ages and designs. The site is within Flood Zone 3. The outbuilding, subject of this application, is located immediately to the rear (north) of the main farmhouse.

PLANNING HISTORY

Various planning history for the wider site, the most recent/relevant for this application is: Concurrent application W/14/1133 Variation of condition 4 imposed upon planning permission W/99/1562, (which currently restricts the use

of the building to be occupied solely by persons employed in association with the operation of the equestrian and/or agricultural activities at Sandall House Farm), to include its use as holiday accommodation with no occupation as permanent, unrestricted accommodation or as a primary place of residence: Pending.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- RAP16 - Directing New Visitor Accommodation (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE4 - Converting Rural Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Rowington Parish Council: Objection. 1. Contrary to RAP2 (WDC Local Plan 1996-2011) Contrary to H14 (WDC Draft Local plan 2011-2029) i.e. " in the case of barn conversions in the open countryside, the Council is extremely unlikely to grant approval for any extensions" 2. No supporting evidence provided to justify any need for holiday accommodation in this area. 3. The commercial development at this site to date has been considerable and any further unnecessary or unjustified development should be resisted in this Green Belt location 4. The site is within Flood Zone 2/3 where the NPPF confirms that no unnecessary development should take place. This extension is not considered necessary. 5. As the original p.p. for conversion of this barn was on the basis of special circumstances the applicant would need to provide details of further special circumstances to justify any extension to the building

WCC Ecology: No objection, the Ecologist is satisfied that the roof slates and gable end (where the extension is proposed) appears well sealed and a bat note is sufficient in this case.

National Grid: National Grid high pressure pipeline in locality - no habitable buildings should be constructed within 49m of the pipeline position.

Community Protection: Verbal response - No objection.

Environment Agency: No objection.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Principle for the development;
- Siting and design considerations;
- Impact upon neighbouring amenity;
- Ecology matters;
- Health and Wellbeing.

The Principle of the Development

The reuse of this rural building would have been originally considered under PPG2, which largely reflects the current NPPF 2012 paragraph 90, stating that certain forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction. The applicant's consideration of the extension under Local Plan Policy RAP2 - 'Extensions to dwellings' is not therefore considered an appropriate policy for a re-used barn building, as a 30% increase in floor space may erode the character of a barn building and fail to preserve the openness of the Green Belt.

Nevertheless NPPF paragraph 89 advises that the extension or alteration of a building *is* appropriate provided that it does not result in disproportionate additions over and above the size of the original building. In this case despite providing a 27% increase in floor space the extension will provide just 15sq.m of additional floor space and is considered to be well-proportioned and will not overwhelm the character of the original building. Despite longer views of the building from the highway the extension will be located in an unobtrusive position and viewed within the context of the existing building group. The scheme is therefore considered to be acceptable in principle.

Siting and design

The proposed extension will be located in an unobtrusive position and will not harm the visual amenity of the streetscene. The extension will follow the existing linear character of the building with a matching eaves and ridge line. The extension is considered to integrate well with the style and character of the host building. A condition is suggested to ensure that matching materials are used and that windows are constructed of timber to match the existing.

The impact on the living conditions of nearby dwellings

The extension will be set some distance from neighbouring properties and will therefore accord to all relevant separation distances. The scheme is not considered to result in any significant impact upon the amenities of the occupiers of surrounding properties.

Ecology

The Ecologist is satisfied that the roof slates and gable end (where the extension is proposed) appears well sealed and a bat note is sufficient in this case.

Health and Wellbeing

There is a high pressure gas pipeline within the locality and the National Grid have commented that there should be no habitable buildings constructed within 49 metres of this pipeline. The proposed extension will be located some 70 metres away from the pipeline. The scheme is not therefore considered to raise any health or wellbeing concerns for future residents.

Drainage and Flood Risk

The applicant has confirmed that the extension is not considered to affect the watercourse, flood plane or flood defences and the extension's floor level will be set no lower than existing levels with flood proofing and high level power sockets incorporated into the design. The Environment Agency and Community protection have raised no objection to the scheme in terms of flooding.

Renewable Energy

The proposed extension will provide some 15sq.m of new floorspace and is not considered to be of a scale that triggers the need for renewable technology.

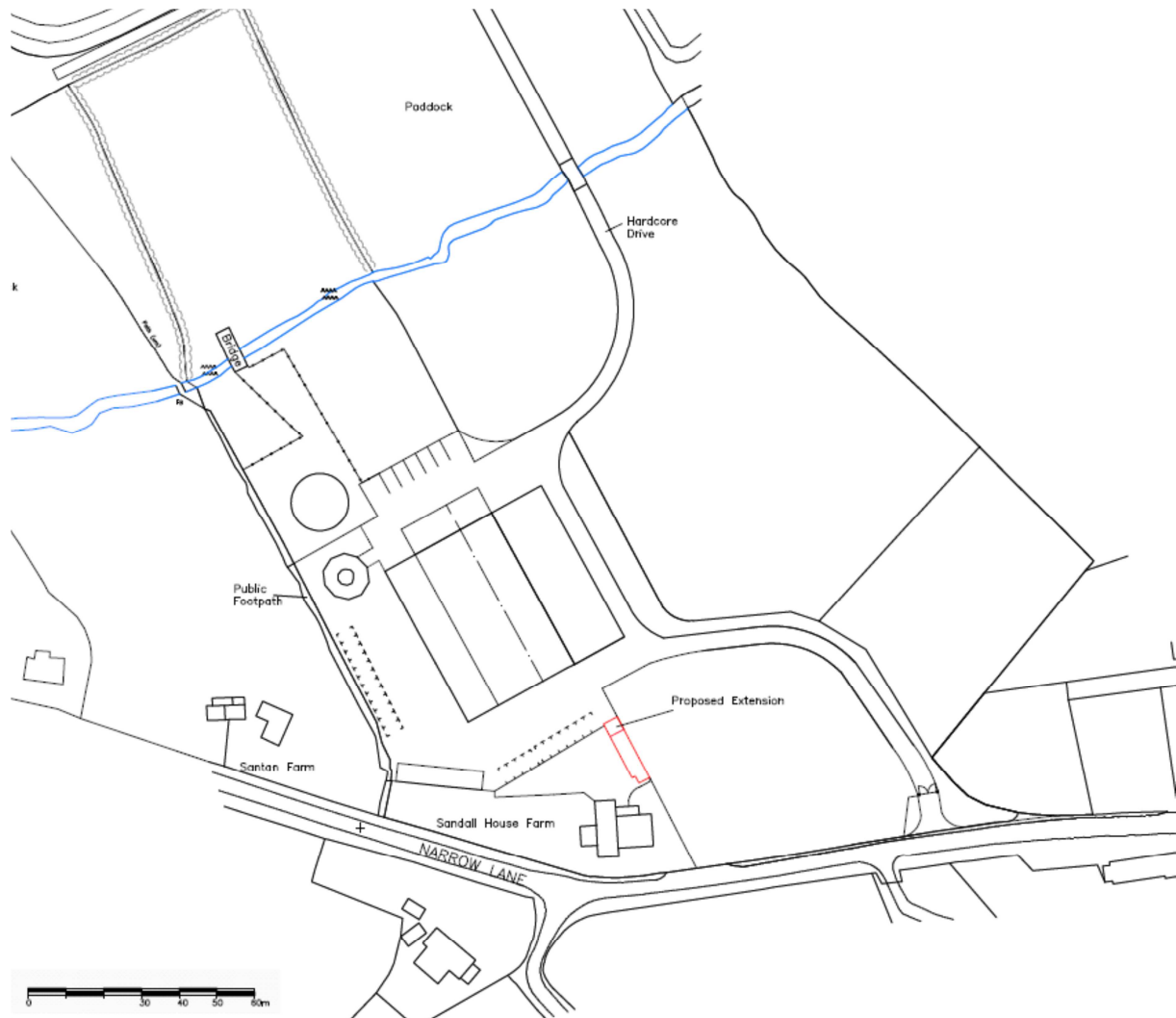
SUMMARY/CONCLUSION

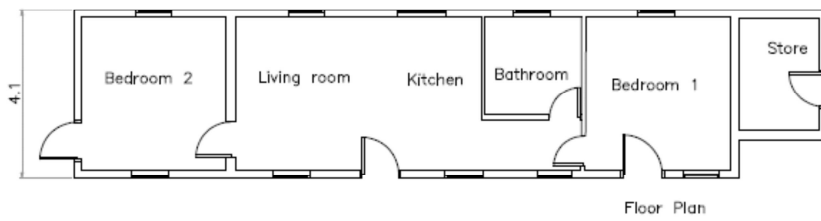
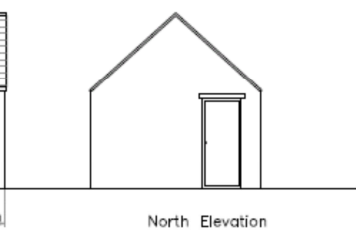
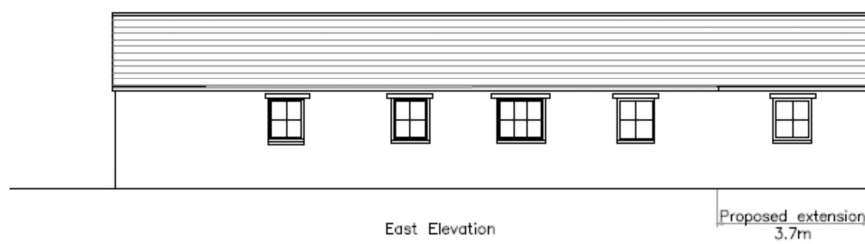
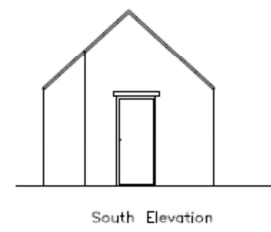
In the opinion of the Local Planning Authority, the building proposed extension is acceptable in principle and will provide an appropriate design solution that will not affect neighbouring amenity. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 5407-A-301 and specification contained therein, submitted on 25/07/14. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
 - 4 All window and door frames shall be constructed in timber and shall be painted and not stained. **REASON:** To ensure a high standard of design and appearance for this converted former rural building and to satisfy Policy DP1 of the Warwick District Local Plan 1996-2011.
-





Application No: W 14 / 1157

Town/Parish Council: Leamington Spa
Case Officer: Rob Young

01926 456535 rob.young@warwickdc.gov.uk

Registration Date: 01/08/14

Expiry Date: 31/10/14

Regent Court, Livery Street, Leamington Spa, CV32 4NG

Removal of condition 15 of planning permission no. W/13/1578 for change of use of ground floor retail units to cafes / restaurants and other alterations (condition 15 requires on-site renewable energy production) FOR New River Retail

This application has been requested to be presented to Committee by Councillor Weber.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission for the removal of this condition.

DETAILS OF THE DEVELOPMENT

The application proposes the removal of condition 15 of planning permission no. W13/1578. Planning permission no. W13/1578 was for the change of use of ground floor retail units to cafes / restaurants and other alterations. Condition 15 requires on-site renewable energy production.

THE SITE AND ITS LOCATION

The application relates to the Regent Court Shopping Centre which is situated within the retail area of Leamington Town Centre and within the Leamington Spa Conservation Area. The shopping centre comprises units along either side of Livery Street, units fronting Regent Street to either side of the junction with Livery Street, units fronting Regent Grove, the Regent Hotel and flats on the upper floors of the buildings. The current application specifically refers to the units along Livery Street. The Regent Hotel is a Grade II* Listed Building and there are other Listed Buildings adjacent to the site, including Leamington Town Hall. The commercial units in Regent Court currently comprise a mix of shops and restaurants.

PLANNING HISTORY

In 2002 planning permission was granted for "Change of use and conversion of Regent Hotel at basement and ground level (in parts) for Class A1 or A3 purposes with continued use of upper floors for hotel purposes. Erection of a new mixed development of 132 flats with ground floor Class A1 or A3 units and a basement car park for 131 vehicles accessed off Regent Grove. The scheme

included alterations and extensions to Listed Buildings within the site including the demolition of rear wings to the Regent Hotel, No. 90 Regent Street and 31 Regent Grove, the demolition of non-listed buildings within the site, and the creation of a new street linking Regent Street and Parade, all as shown on the submitted plans" (Ref. W01/0483).

In February 2014 planning permission was granted for "Change of use of ground floor retail units (Use Class A1) to cafes / restaurants (Use Class A3) (known as units SU1C, SU2A, SU3A, SU3B, SU4, SU5, SU6, SU7A, SU7B, SU8, SU12); shopfront alterations; public realm works; and alterations to highway land at the Regent Street entrance" (Ref. W13/1578).

RELEVANT POLICIES

Current Local Plan

- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- TCP13 - Design of Shopfronts (Warwick District Local Plan 1996 - 2011)
- Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- TCP5 - Secondary Retail Areas (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Town Council: No objection.

Public response: 1 resident has submitted comments in support of the application.

Cllr Weber: Requests that the application is referred to Planning Committee. The applicant offers a rationale for not complying with condition 15. Although this is in the Conservation Area, I believe that as a modern structure a range of options are available.

WDC Sustainability & Climate Change Officer: Having reviewed this application I consider that the applicant's request to remove the ten percent renewable requirement is acceptable.

ASSESSMENT

The main issue relevant to the consideration of this application is compliance with Local Plan Policy DP13.

Local Plan Policy DP13 states that In appropriate residential and non-residential developments, including conversions, the Council will require 10% of the predicted energy requirements to be produced on site, or in the locality, from renewable energy resources. The condition in question was imposed to meet this requirement.

The Sustainable Buildings Supplementary Planning Document gives guidance on the circumstances when the requirements of Policy DP13 may be waived. Paragraph 4.2 states as follows:

*"The 10% requirement will be applied to **all** developments unless the applicant can demonstrate it would not be appropriate."*

Paragraph 4.3 goes on to state as follows:

"In the case of smaller developments and in constrained sites (such as town centres) it may not be technically possible to implement certain types of renewables. For example, the change of use of a ground floor unit where the upper floors are not in the same ownership is likely to prohibit the use of solar panels or wind turbines which need to be mounted on an unobstructed wall or roof. Similarly for town centre sites there may not be the physical space to install certain technologies. In such cases the applicant must demonstrate that all possible renewable options have been fully explored."

The applicant has submitted a Sustainable Buildings Statement that assesses the feasibility of the various renewable energy technologies that are available. This concludes as follows:

"Solar PV and Solar Thermal - To achieve the necessary energy production over 100m² of south facing roof space would be required. The roof over is in separate ownership and there is no space available for such an array to any of the proposed A3 units. We therefore consider solar power to be not appropriate and unviable.

Wind Turbine - The potential of installing a pole mounted wind turbine in this location is rejected on grounds of visual impact and lack of operational wind speed. There is no suitable space available to site a turbine. The visual impact of such a scheme in the Conservation Area would be highly controversial and likely to attract substantial opposition.

Hydro-Electricity - The site has no access to flowing water and this option has therefore not been considered.

Air Source Heat Pump - To achieve the necessary energy production 6 No air source heat pumps would be required. There is no space available to install the units. If space could be found the units are likely to attract opposition from the residents living nearby due to noise and visual impact. Potential operators have also expressed opposition to air source heat pumps as they would have little benefit to the operation of the restaurants as cooling is required for the majority of the year.

Ground Source Heat Pump - The ground has no ancillary land to accommodate a ground loop system and this option has therefore not been considered."

It is considered that the information submitted with the current application (quoted above) demonstrates that all renewable options have been fully explored. In assessing this it is important to have regard to the fact that this is a change of use rather than a new build development, with the change being from one commercial use to another. Given the constraints of the site, as outlined by the applicant, it is not considered that retro-fitting renewable energy technologies to serve the new restaurant uses would be feasible. This has been confirmed by the Council's Sustainability and Climate Change Officer.

SUMMARY / CONCLUSION

The applicant has demonstrated that it would not be appropriate to require on-site renewable energy production as part of this development. Therefore it is recommended that planning permission is granted for the removal of this condition.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 301B, 302A, 303A, 304B, 307A & 309A, and specification contained therein, submitted on 17 January 2014 in

relation to planning application no. W13/1578 and drawing no. 0132, submitted on 20 March 2014 in relation to planning application no. W14/0430 and drawing no. 0134, submitted on 27 March 2014 in relation to planning application no. W14/0437. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2 and DAP8 of the Warwick District Local Plan 1996-2011.

- 3 The development hereby permitted shall be carried out only in full accordance with sample details of the facing and surfacing materials which shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies DP1 and DAP8 of the Warwick District Local Plan 1996-2011.
- 4 No development shall be carried out on the site which is the subject of this permission until further details of the box planters, tree pots, litter bins, public art, canopies and seating have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 5 No customers shall be permitted to be on the premises other than between 0730 and 2330 hours on any day. **REASON:** To ensure that the premises are not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 6 No external seating shall be provided in association with any of the restaurants hereby permitted, except for the areas in front of Units 2 and 6 shown on drawing nos. 0132 & 0134. No customers shall be permitted to use these external seating areas before 0930 hours or after 1930 hours on any day. At all times that these external seating areas are in use, the canopies to be approved under Condition 11 shall be maintained in the open position between 1700 hours and 1930 hours. No furniture within the external seating areas shall be moved before 0930 hours or after 1930 hours on any day. Any part of any furniture that is in contact with the ground shall be fitted with rubber stoppers to minimise noise. **REASON** : To protect the living conditions of nearby dwellings, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.
- 7 No deliveries, waste collections or other noisy activities likely to cause nuisance to nearby residents shall take place before 0700 hours or after 2130 hours on Monday to Saturday or before 0900 hours or after 1800

hours on Sundays. **REASON:** To ensure that noisy activities do not take place at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 8 Noise arising from any plant or equipment, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). 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 Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 9 No restaurant / cafe hereby permitted shall be occupied unless:
- (a) a noise assessment has been undertaken to assess the impact of noise arising from any plant, fume extraction, air conditioning or refrigeration equipment that is required to serve that unit;
 - (b) a noise assessment has been undertaken to assess the suitability of the existing sound insulation in the ceiling of that unit to ensure that internal noise levels within adjoining or nearby residential premises comply with the criteria outlined in BS8233:1999 and World Health Organisation guidelines;
 - (c) the results of the noise assessments carried out to comply with criteria (a) and (b), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority; and
 - (d) any necessary mitigation measures approved under (c) have been implemented in full accordance with the approved details.

The mitigation measures shall be 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 the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 10 No restaurant / cafe hereby permitted shall be occupied unless:
- (a) an odour assessment has been undertaken to assess the impact of odour arising from cooking and any proposed fume extraction system that is required to serve that unit;
 - (b) the results of the odour assessments carried out to comply with criterion (a), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local

planning authority; and

(c) any necessary mitigation measures approved under (b) have been implemented in full accordance with the approved details.

The mitigation measures shall be 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 the premises are not used in a manner prejudicial to or likely to cause nuisance to the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 11 No restaurant / cafe hereby permitted shall be occupied unless:

(a) details of an acoustically absorbent canopy, to include enclosed sides, have been submitted to and approved in writing by the local planning authority; and

(b) the canopy approved under (a) has been installed in strict accordance with the approved details.

The canopy shall be retained and maintained in accordance with the approved details at all times that the premises are used as a restaurant / cafe.

At all times that Units 2 and 6 are used as a restaurant / cafe, the canopies to those units shall be maintained in a fully open position between 1700 hours and 2330 hours.

REASON : To protect the living conditions of nearby dwellings, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.

- 12 All of the restaurants / cafes hereby permitted shall be operated in strict accordance with the Operational Management Plan submitted on 12 May 2014 (in relation to planning application nos. W14/0430 and W14/0437). **REASON :** To protect the living conditions of neighbouring dwellings and to prevent crime and anti-social behaviour, in accordance with Policies DP2, DP9 and DP14 of the Warwick District Local Plan.

- 13 No restaurant / cafe hereby permitted shall be occupied unless:

(a) details of a refuse storage area for that unit have been submitted to and approved in writing by the local planning authority; and

(b) the refuse storage area approved under (a) has been constructed and laid out in strict accordance with the approved details.

The refuse storage area shall thereafter be kept free of obstruction and be available at all times for the storage of refuse associated with the development.

REASON: To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

- 14 No more than two of the restaurant / cafes hereby permitted shall be occupied unless:

(a) a CCTV scheme for Livery Street has been submitted to and approved in writing by the local planning authority; and
(b) the CCTV scheme approved under (a) has been implemented in strict accordance with the approved details.

REASON: In the interests of reducing crime and anti-social behaviour, in accordance with Policy DP14 of the Warwick District Local Plan 1996-2011.

- 15 No restaurant / cafe hereby permitted shall be occupied unless:

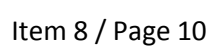
(a) a scheme showing how 10% of the predicted energy requirement of that unit will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority; and
(b) all the works within the scheme approved under (a) have been completed.

Thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

REASON : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 16 No lighting or illumination of any part of any buildings or the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **REASON:** To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 17 No more than 28 covers shall be permitted in the external seating area of Unit 2 at any one time. No more than 24 covers shall be permitted in the external seating area of Unit 6 at any one time. **REASON:** To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
-



Planning Committee: 14 October 2014

Item Number: 9

Application No: W 14 / 1166

Town/Parish Council: Warwick
Case Officer: Liz Galloway

Registration Date: 04/08/14
Expiry Date: 29/09/14

01926 456528 Liz.galloway@warwickdc.gov.uk

11 Wise Grove, Woodloes Park, Warwick, CV34 5JW

Erection of a first floor front extension and a two storey side and rear extension.
FOR Mrs G Chatha

This application is being presented to Committee due to the number of objections received and after being deferred at the last meeting to enable Members to undertake a site visit.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The applicant seeks to construct a first floor front extension and a two storey side and rear extension.

THE SITE AND ITS LOCATION

The application property is a detached dwelling with integral garage and side car port, located to the north of Wise Grove.

PLANNING HISTORY

There is no relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- Vehicle Parking Standards (Supplementary Planning Document)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection

Public Response: 7 letters of objection have been received on the following grounds: Loss of light, unneighbourly, loss of privacy, traffic generation, inadequate parking, dominant, scale, bulk and massing, impact on the street scene and setting of a precedent. A petition against the proposal signed by 5 people on grounds of the development being dominant, overbearing and having inadequate parking has also been received.

WCC Ecology: Recommend bat and bird notes.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Design
- The impact on the living conditions of nearby dwellings
- Renewable Energy
- Parking
- Ecology Issues
- Health and Wellbeing

Design

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 1996 - 2011 policy

DP1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. Emerging Local Plan Policy BE1 reiterates that development will be permitted which positively contributes to the character and quality of its environment through good layout and design. The current and emerging Local Plans call for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide SPG sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed extension will be situated on the front/side and rear of the property and will be visible within the street scene, however, it is considered that the front extension will be similar to Number 12 (the adjacent house) and therefore, this element of the development would be acceptable. The rear extension will not be readily visible within the public realm but will be subordinate to the existing property being set down from the dominant roof level thus creating a subservient form of extension, which respects the character of the existing dwelling and will meet the Council's adopted Residential Design Guide SPG and will comply with Warwick District Council Local Plan Policy DP1.

The impact on the living conditions of nearby dwellings

Warwick District Local Plan Policy DP2 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. Local Plan Policy DP2 and emerging Local Plan Policy BE3 highlight that there is a requirement for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, noise disturbance, light pollution or create visual intrusion. The Residential Design Guide provides a framework for Local Plan Policy DP2 and emerging Local Plan Policy BE3, which stipulates that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

Number 12 lies adjacent to the eastern boundary of the application site and has a 1.8m deep single storey rear kitchen extension which contains one ground floor side facing obscure glazed window and a set of rear patio doors which also allow light into this room. It is considered that in relation to windows belonging to habitable rooms at 12 Wise Grove, the proposal would meet the Council's adopted 45 degree guideline and would comply with Warwick District Local Plan Policy DP2.

Number 10 lies adjacent the western boundary of the application site and has a one rear lounge window and two full height clear glazed doors leading into a rear glazed conservatory. It is considered that the proposal would not breach the Council's 45 degree guideline and would therefore accord with Warwick District Council Local Plan Policy DP2.

Renewable Energy

Due to the scale of the proposed extensions, it is considered that there would be a requirement for the provision of renewables in accordance with Policy DP13 and the associated SPD. No details have been submitted and therefore this will need to be secured by condition.

Parking

It is considered that there is sufficient off-street parking to the front of the property and that the proposed development would comply with Warwick District Council Local Plan Policy DP8 and the Council's adopted Vehicle Parking Standards.

Ecology issues

WCC Ecology have commented on this application site, however, they consider that a cautionary bat and bird note would be sufficient and that this application in its present form is acceptable and complies with Warwick District Council Policy DP3.

Health and Wellbeing

N/A.

SUMMARY/CONCLUSION

In conclusion, it is considered that the proposed front/side and rear extensions are acceptable in terms of their character and appearance within the street scene and do not significantly impact on the amenities of surrounding neighbours.

CONDITIONS

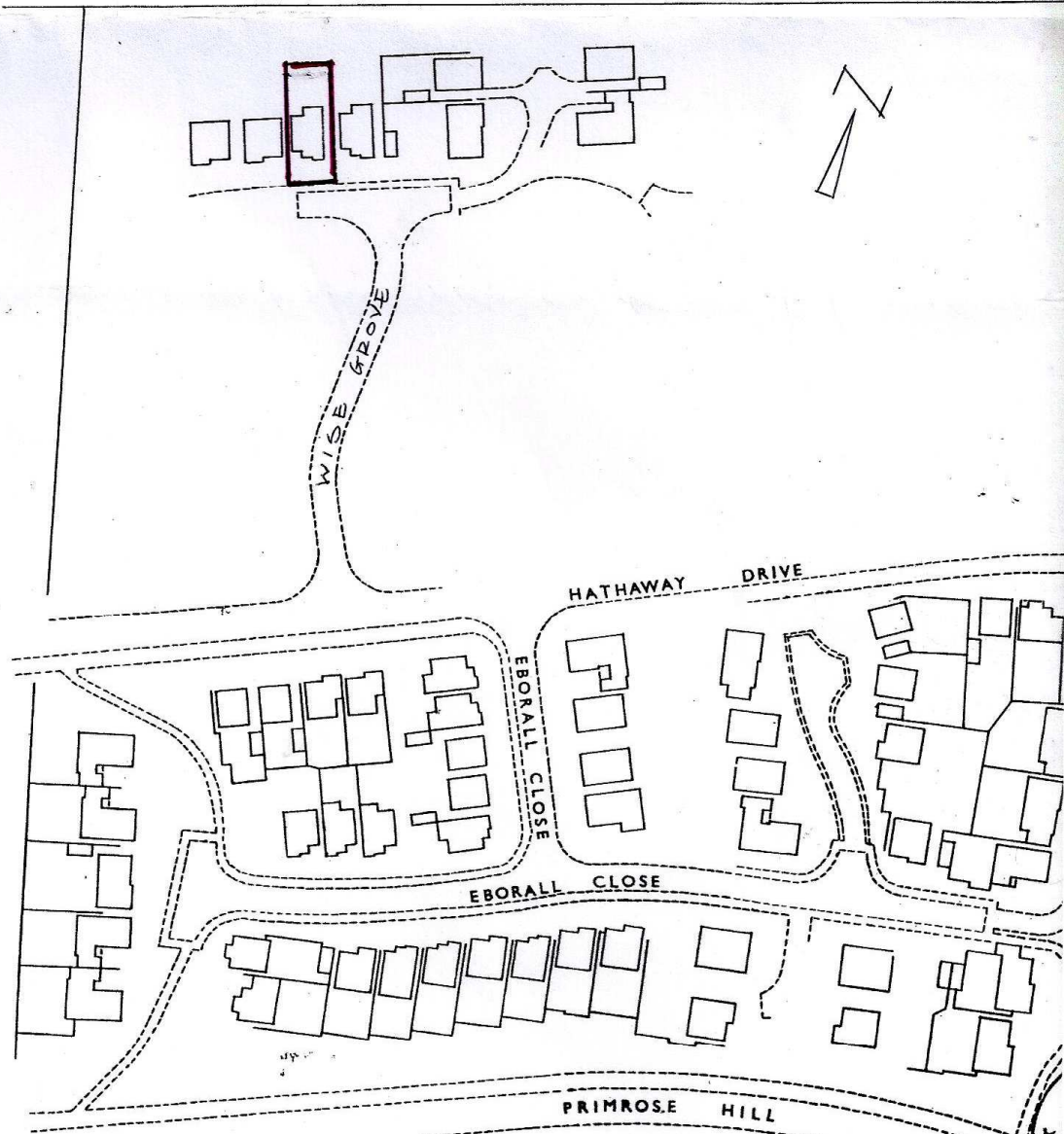
- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved amended drawings 2037/2/A, 2037/3/A, and specification contained therein, submitted on 1st September, 2014. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement

of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 4 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 5 Prior to the occupation of the development hereby permitted, the first floor windows in the west and east elevations shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

A46

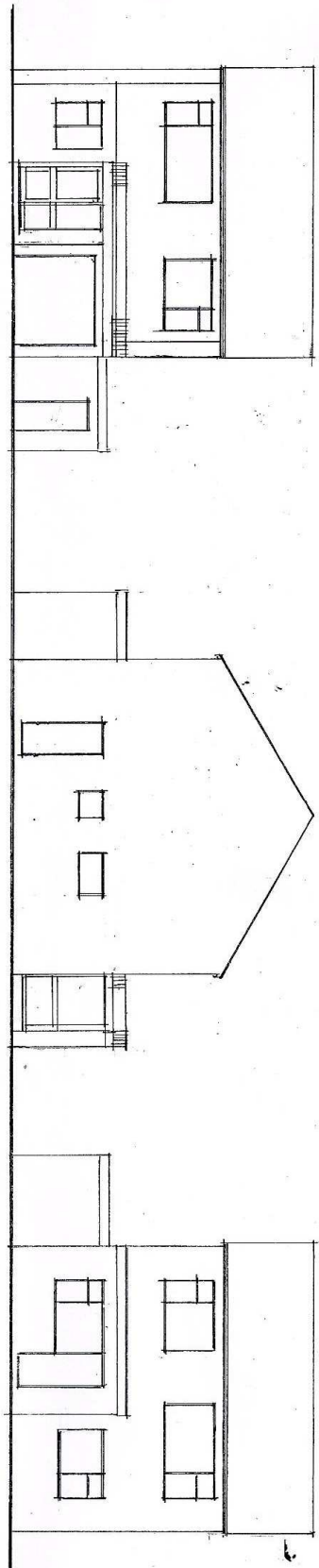


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KEY

THE REGISTERED LAND CONSISTING OF THE PART OR PARTS EDGED WITH A THICK LINE REPRESENTING THE RED EDGING ON THE FILED PLAN IS MORE PARTICULARLY DESCRIBED IN THE PROPERTY REGISTER IF THE THICK LINE ENCLOSES ANY NUMBERED PARTS BEARING LETTERED PREFIXES THEN THOSE PARTS HAVE BEEN REMOVED FROM THE TITLE.

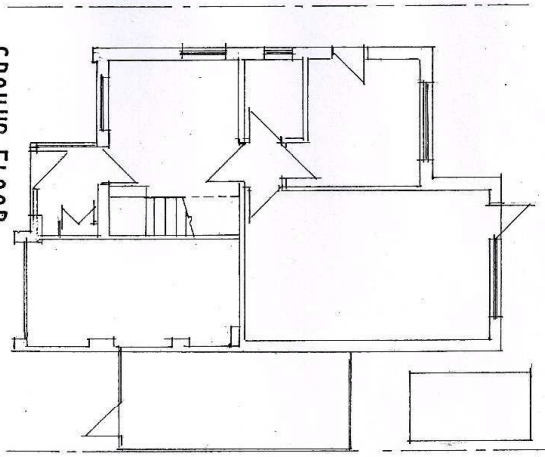
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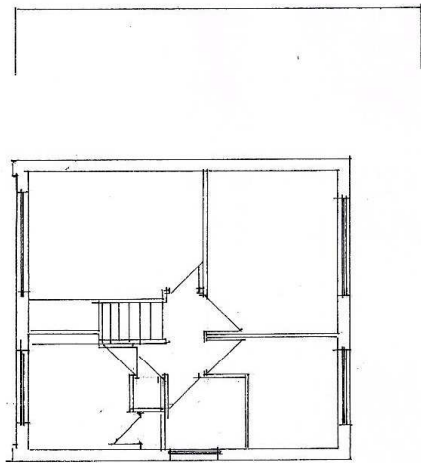
FRONT
ELEVATIONS AS EXISTING

SIDE

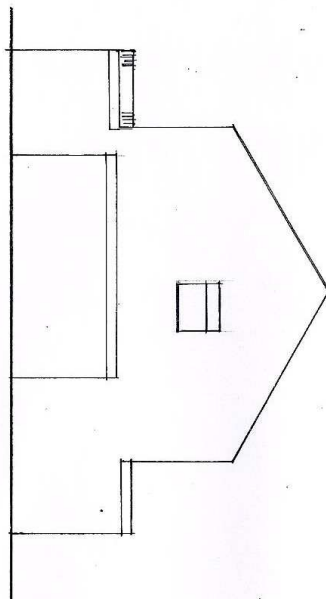
REAR



GROUND FLOOR
PLANS AS EXISTING



FIRST FLOOR

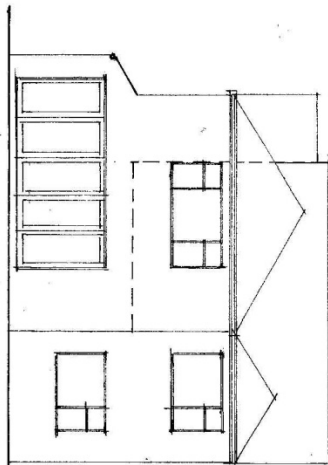


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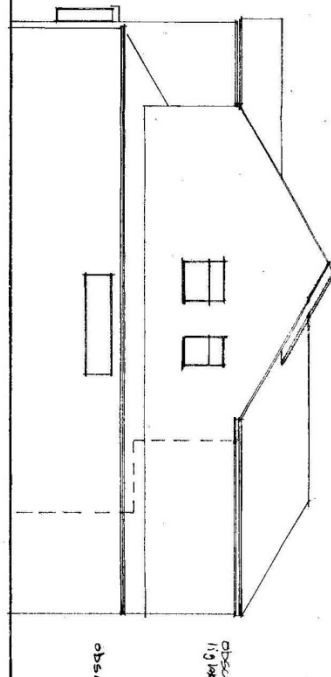
PROPOSED EXTENSION TO
HQ.11, WISE GROVE,
WARWICK

1:100

200371/L



REAR
ELEVATIONS AS PROPOSED

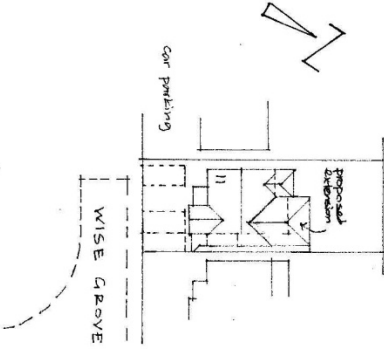


SIDE

obscure glazed windows with opening light 1.7m above f.f.

obscure glazed fixed light

W114/1166



SITE PLAN 1:500



PROPOSED EXTENSION TO
NO. 11, WISE GROVE,
WARWICK

Planning Committee: 14 October 2014

Item Number: 10

Application No: W 14 / 1222

Town/Parish Council: Rowington

Case Officer:

Helena Obremski

01926 456531 Helena.Obremski@warwickdc.gov.uk

Registration Date: 21/08/14

Expiry Date: 16/10/14

**The Elephant and Castle, Old Warwick Road, Rowington, Warwick, CV35
7AD**

Re-roofing of existing outbuildings and extension of existing shed and greenhouse to incorporate one garden store / garden room. FOR Mr Adam Kitchener

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The applicant seeks to replace the existing flat roofs to the shed and barn with dual pitched roofs. It is also proposed to add a small extension to the shed. The applicant also seeks to link the existing barn and green house to provide a garden store and enlarged garden room.

THE SITE AND ITS LOCATION

The application site is positioned to the West of Old Warwick Road and is situated within the Green Belt. The main dwelling on the application site is a detached dwelling with driveway parking and has two existing outbuildings which are in disrepair. The permitted development rights for part 1 and part 2 development have been removed for this site.

PLANNING HISTORY

W/07/2040 - application granted for a two storey rear and single storey side extensions to the main dwelling.

W/11/1189 - application granted for a single storey side and two storey rear extensions.

RELEVANT POLICIES

- National Planning Policy Framework
-

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Rowington Parish Council - Object on grounds of unnecessary overdevelopment, over intensification of the site, concerns regarding the position of the outbuildings in relation to the residential curtilage of the site and that the proposed development is contrary to the NPPF.

WCC Ecology - No objection, recommend bat, bird, reptile and amphibian notes be attached to any approval granted.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The impact on the character and appearance of the area
- The impact on living conditions of nearby dwellings
- The impact on the Green Belt
- Renewable Energy

- Health and Wellbeing
- Ecological Impact

The impact on the character and appearance of the area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 1996 - 2011 policy DP1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Emerging Local Plan 2011-2029 policy BE1 reiterates these requirements and goes on to say that development should harmonise with or enhance the existing settlement.

The proposed development will not be visible within the street scene. While the existing outbuildings are positioned to the side of the application property, there is dense, established shrubbery and trees which line the site boundary and screen views from the public highway. The proposed alterations and extensions will be constructed in materials to match those of the main dwellinghouse, therefore creating a sympathetic addition to the site, which will harmonise well with the existing wider surroundings. The proposed modifications of the roofs to dual pitched roofs is considered to be more appropriate and is considered to enhance the character and appearance of the outbuildings. The proposed development is considered to be small in scale and is not considered to have a detrimental impact on the character of the area. Therefore, the proposal is considered to comply with the NPPF, Local Plan policy DP1 and Emerging Local Plan policy BE1.

The impact on living conditions of nearby dwellings

There are no adjoining neighbours which would be impacted as a result of the proposed development.

The impact on the Green Belt

The NPPF states that the fundamental purpose of Green Belt is to prevent urban sprawl by keeping land permanently open and that inappropriate development is by definition harmful to the Green Belt. The NPPF defines the construction of new buildings as inappropriate within the Green Belt, however, para 89 lists exceptions

which include the extension of a building provided it does not result in disproportionate additions over and above the size of the original building.

The proposed development represents an increase of 3.44m² of gross floor space and will link two existing outbuildings. Although the proposed roofs will be slightly higher than the existing roof line of the outbuildings, this is not considered to materially impact on the openness of the Green Belt due to the small scale of the development.

It is noted that the Parish Council have objected to the application on the basis that the development represents over-development and over-intensification of the site. However, it is considered that as the proposal merely seeks to modestly extend and link two existing outbuildings, this would not be disproportionate and would therefore constitute appropriate development in accordance with para 89 of the NPPF.

It is also noted that the Parish Council object to the proposal as one of the outbuildings appears to them to be outside of the residential curtilage within a Green Belt paddock. However, the amended block plan clearly shows that the proposed development is situated within the site's residential curtilage. In any case, as far as para 89 of the NPPF is concerned whether the buildings are in or out of residential curtilage is irrelevant.

The proposed development is considered to comply with the NPPF.

Renewable Energy

Due to the limited scale of the proposed development, it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables in accordance with Local Plan policy DP13 and the associated SPD would not be appropriate.

Health and Wellbeing

N/A

Ecological Impact

WCC Ecology have commented on this application site, however, they consider that cautionary bat, nesting bird, amphibian reptile notes would be sufficient and that this application is acceptable and complies with Warwick District Council Local Plan policy DP3 and Emerging Local Plan policy NE2.

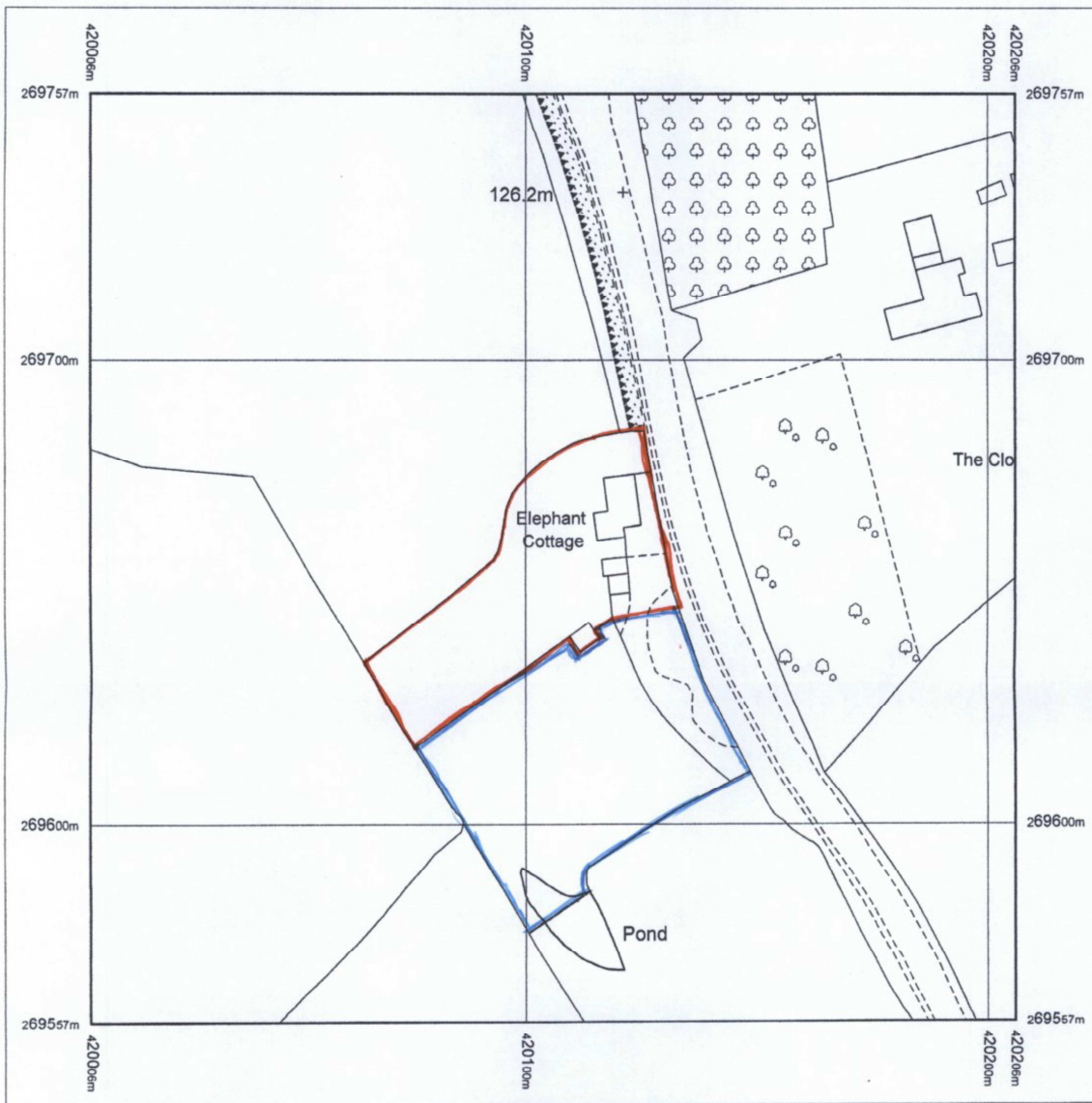
Conclusion

In conclusion, the proposed replacement of the flat roofs to dual pitched roofs over the existing two outbuildings and extension of the shed and greenhouse to link the two outbuildings is considered to be of acceptable design and scale which would not

impact adversely on the on the character or appearance of the street scene, or cause significant harm to the Green Belt and does not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing entitled "PROPOSED RE-FURBISHMENT OF OUTBUILDINGS AT ELEPHANT & CASTLE, OLD WARWICK ROAD, ROWINGTON", and specification contained therein, submitted on 11th August 2014. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
 - 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing main dwelling. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
-



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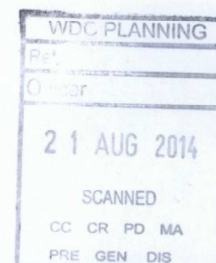
The representation of features as lines is no evidence of a property boundary.

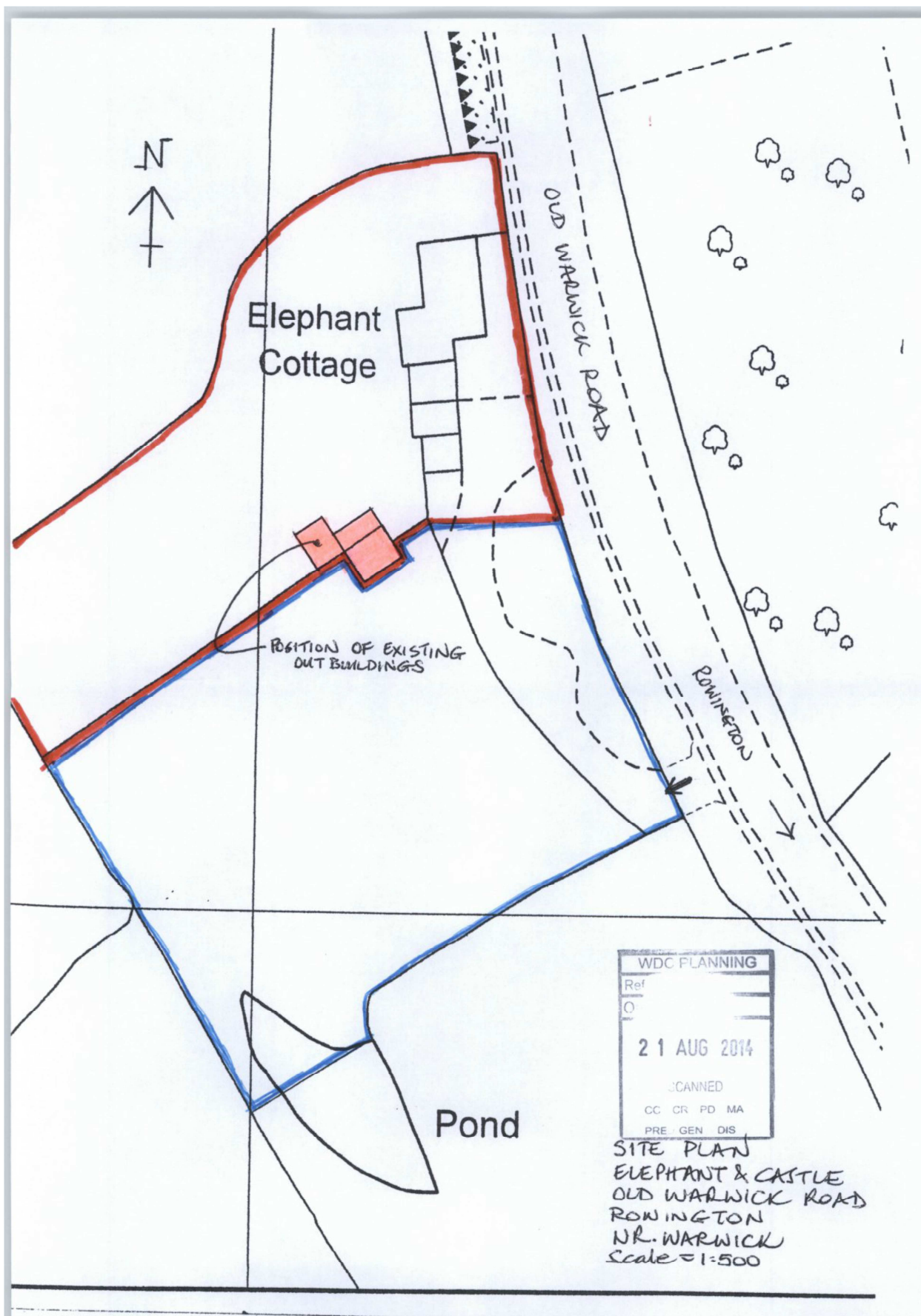


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SITE PLAN
ELEPHANT & CASTLE
OLD WARWICK ROAD
ROWINGTON
NR. WARWICK
Scale = 1:500

Planning Committee: 14 October 2014

Item Number: 11

Application No: W 14 / 1226

Town/Parish Council: Burton Green

Case Officer:

Liam D'Onofrio

01926 456527 liam.donofrio@warwickdc.gov.uk

Registration Date: 13/08/14

Expiry Date: 08/10/14

Dixons Barn, Westwood Heath Road

Conversion and change of use of barn to a dwellinghouse. FOR Mr T Whale

This application is being presented to Committee due to an objection from the Parish Council having been received. Councillor Blacklock has also requested that the application be considered at Planning Committee.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the conversion of a barn building to a dwellinghouse (Use Class C3). The scheme involves the insertion of eight roof lights (four to each roof plane) and window alterations. The scheme will provide a three bedroom unit. The residential curtilage has been defined on amended plans and the remaining land will effectively be 'paddock' not forming part of the residential garden.

The application is accompanied by a supporting letter and a Bat Survey.

THE SITE AND ITS LOCATION

The application site relates to an existing barn building set within a rectangular plot located south of Westwood Heath Road, which also forms Warwick District's boundary with the City of Coventry, and east of Bockendon Road. The site is within Green Belt, however the built up area of Coventry is located on the opposite side of the road to the north.

PLANNING HISTORY

W/90/0662 Erection of detached dwelling and garage: Refused 20/06/90

W/84/0524 Erection of detached dwelling: Refused 23/07/84. Appeal: Dismissed 21/06/85

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Guidance Documents
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE4 - Converting Rural Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Burton Green Parish Council: Objection on the following grounds:

- The scheme is contrary to Local Plan Policy RAP1 and Green Belt safeguards set between WDC and Coventry City Council.
- There is a gas pipeline safety zone for good reason.
- There are highway safety issues.
- The scheme will set a precedent.

Health & Safety Executive: Comments awaited, to be reported to members at the meeting.

Cllr Blacklock: Object on road safety and health and safety implications of the gas pipeline running through the site.

WCC Ecology: Bat survey requested. No objection raised subject to condition.

British Pipeline Authority: No objection.

Highway Authority: Comments awaited, to be reported to members at the meeting.

Public response: One objection raising the following concerns - the barn was built for conversion to a house, another attempt to exploit Green Belt, the location is very dangerous, near a road junction that is busy at rush hour.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Principle;
- Design considerations;
- Neighbouring amenity;
- Parking Highway safety;
- Ecology;
- Health and wellbeing
- Foul sewage and drainage.

The Principle of the Development

The brick barn building is clearly of permanent and substantial construction. The conversion is considered to accord with Local Plan Policy RAP7 'Converting rural buildings' and Paragraph 90 of the NPPF 2012, which states that the reuse of buildings within the Green Belt is not inappropriate, provided that the buildings are of permanent and substantial construction and preserve the openness of the Green Belt. The size of the residential curtilage has been significantly reduced in size to limit the domestic encroachment of the development through physical conversion to garden land and associated residential paraphernalia, i.e. lawns, flower beds, washing lines, garden furniture, trampolines etc. It is considered necessary to remove permitted development rights to avoid any further extensions once the barn gains permitted development after occupation to ensure that the character of the existing barn and openness of the Green Belt are not eroded further.

The proposal is located within a sustainable location on the urban edge of Coventry and close to local services and public transport. The scheme is not therefore

considered to be contrary to the NPPF paragraph 55, which seeks to avoid new homes in isolated locations.

The scheme therefore represents appropriate development within the Green Belt and is acceptable in principle.

The previous applications to erect new dwellinghouses within the Green Belt are materially different and would remain inappropriate development within the Green Belt under current policy.

The impact on the Character and Appearance of the Area

The proposed conversion will largely retain the structure, as existing. The scheme originally proposed dormer windows within the roof slope to provide light to the first floor, however these are a domestic feature and have been amended to much more visually sympathetic roof lights in accordance with advice set out in the Council's Barn Conversion Guidance document. The new windows originally showed single large glazed units and amendments have been requested to show glazing bars to provide a vertical emphasis to the window units. The amended plans appear to show Georgian glazing bars, which are also inappropriate for a former rural building. Nevertheless it is considered that large scale details of new timber windows would be necessary and finer details can therefore be agreed through condition.

The scheme, as amended, is considered to provide an appropriate design solution that will help to retain the agricultural character of the barn building.

The impact on the living conditions of nearby dwellings

The building is located some distance from the closest property and all necessary separation distances will be met. The scheme will not therefore result in any significant harm to the amenities of the occupiers of surrounding properties.

Car Parking and Highway Safety

There is ample parking within the site to serve the new dwelling, with room to turn and exit the site in a forward gear. The Parish Council have raised concerns with regard to highway safety and the potential for mud to be pulled onto the highway as the access between the highway and tarmac drive is unmade. This is an existing access point and the comings and goings associated with a single dwelling are not considered to be so significantly greater from that of an agricultural use as to raise safety concerns or warrant refusal of the scheme. The Highway Authority have been consulted and Members will be updated on their comments at the meeting.

Renewable Energy

The scheme will require renewable technology to meet the Council's 10% renewable energy requirement. The applicant has considered air source and ground source

pumps, together with log burning stove and rainwater harvesting or solar panels. This can be successfully agreed and secured by planning condition.

Ecological Impact

The applicant has submitted a pre-determinative ecological survey at the request of the Ecologist. The Ecologist is confident in its findings and has suggested a condition to ensure that protected species are not harmed by the development.

Health and Wellbeing

The site is within the 100 metre consultation zone for the British Pipeline Agency (BPA) managed pipeline and as such the conversion cannot be undertaken under the agricultural to residential permitted development rights under Class MB of the General Permitted Development Order. The BPA have raised no objection to the scheme and therefore there are no concerns as to the health and well-being of future residents.

Foul sewage and drainage

The application forms state that the foul sewage will be disposed of by a septic tank. The NPPF states that "Septic tanks should only be considered if it can be clearly demonstrated by the applicant that discharging into a public sewer to be treated at a public sewage treatment works or a package sewage treatment plant is not feasible (taking into account cost and/or practicability)". This can be adequately controlled by planning condition.

Other matters

The site is not located in close proximity to WDC public open space and the Green Space manager has verbally conformed that open space contributions would not therefore be considered reasonable.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the building proposed for conversion is of permanent and substantial construction and the proposed use can be accommodated without extensive rebuilding or alteration to the external appearance of the building. It is considered that there will be no increased hazard to highway users and the proposed development is of an acceptable standard of design and detailing. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

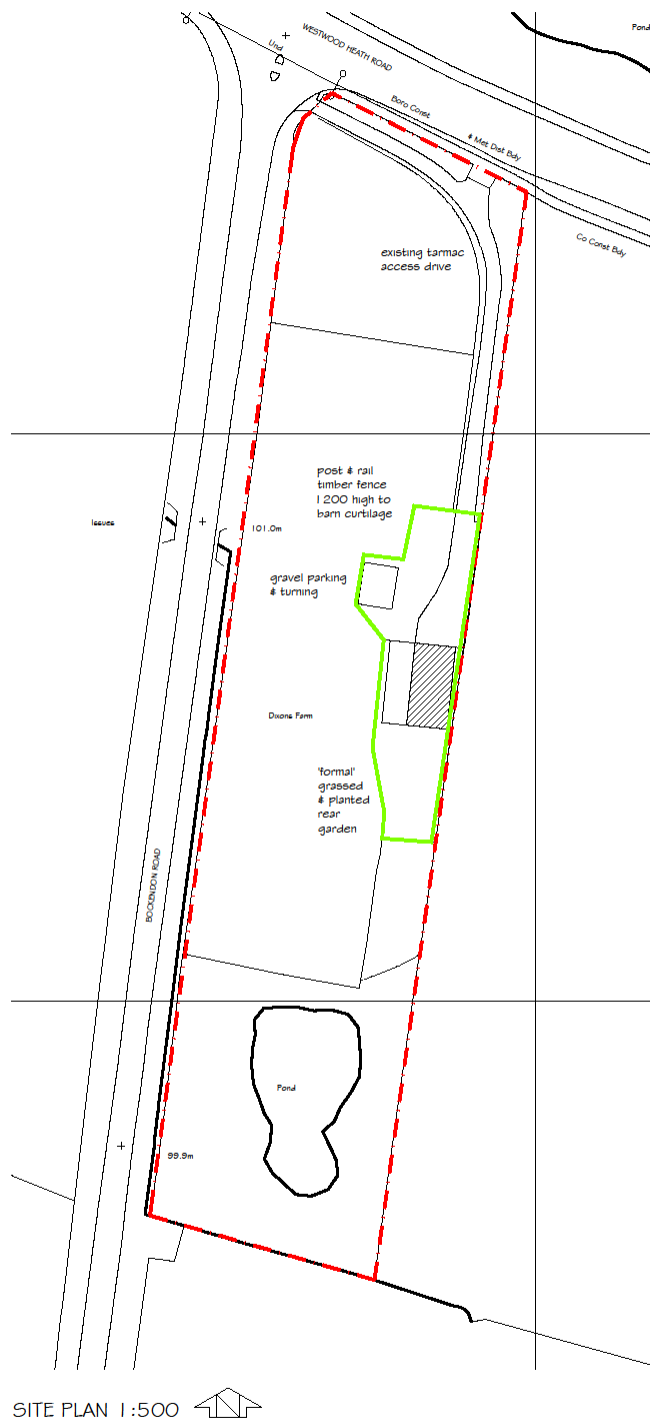
- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with

Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 14/01/14-01 Rev A and 14/01/14-02 Rev A, and specification contained therein, submitted on 10/09/14, except as required by condition 3, 4, 5 and 6. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 4 Before development hereby approved commences details must be submitted to and approved in writing by the Local Planning Authority showing: (a) 1:10 drawings of all external frames and associated joinery sections for the new doors and windows; (b) conservation rooflight details. Thereafter the development shall be carried out in accordance with the approved details. **REASON:** To ensure the character and appearance of the rural building is preserved in accordance with Policies DP1 and RAP7 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not commence until a detailed schedule of bat, nesting bird, reptile and great crested newt mitigation measures (to include timing of works, supervision of clearance works, protection measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full in accordance with the approved details. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 6 The development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local

planning authority. The use of septic tanks should be avoided unless it can be clearly demonstrated that discharging to a public sewer or package sewage treatment plant is not feasible. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011 and the aims of the NPPF 2012.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of the dwellinghouse hereby permitted. **REASON:** To ensure that the openness of the rural area and the scale, character and appearance of the original barn building is not altered by further extensions, in accordance with Policy RAP7 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the NPPF 2012.
- 8 For making good of window and rooflight apertures no facing and roofing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing barn building. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies DP1 and RAP7 of the Warwick District Local Plan 1996-2011.
- 9 All window and door frames shall be constructed in timber and stained and not painted. **REASON:** To ensure a high standard of design and appearance to satisfy Policies DP1 and RAP7 of the Warwick District Local Plan 1996-2011.



The image displays four architectural elevation drawings of a building, arranged horizontally. Each drawing is a simple line drawing showing the outline and major features of the building's exterior.

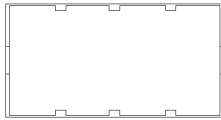
- SIDE ELEVATION:** Shows a building with a gabled roof. The front facade features a small square window above a dashed horizontal line (likely a roofline or eave line) and a small rectangular door below it.
- REAR ELEVATION:** Shows a building with a flat roof. The rear facade features two small rectangular windows positioned side-by-side.
- SIDE ELEVATION:** Shows a building with a gabled roof. The front facade features a small square window above a dashed horizontal line and a large rectangular door below it.
- FRONT ELEVATION:** Shows a building with a flat roof. The front facade features two small rectangular windows positioned side-by-side, and a large rectangular door to the right of the windows.

SIDE ELEVATION

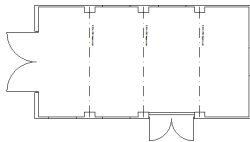
REAR ELEVATION

SIDE ELEVATION

FRONT ELEVATION



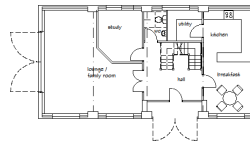
FIRST FLOOR PLAN



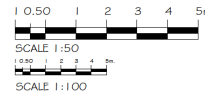
GROUND FLOOR PLAN



FIRST FLOOR PLAN

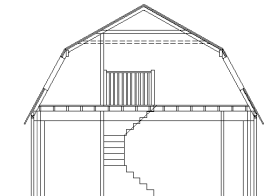


GROUND FLOOR PLAN

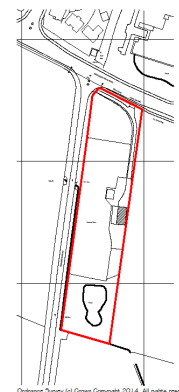


SCALE 1:50

SCALE 1:100



CROSS SECTION



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LOCATION PLAN 1:1250

Architectural drawings of the proposed building showing four elevations: Side Elevation, Rear Elevation, Side Elevation, and Front Elevation. The drawings are simple line art with blue highlights on windows and doors.

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

FRONT ELEVATION

NOTES:
FACING BRICKWORK, TO MATCH EXISTING

Fig. A. minor ameliorarea de planare anul 50i sept 2014



PROPOSED BARN CONVERSION

Client **Mr T WHALE**
OXFONS FARM WESTWOOD HEATH ROAD

<p> <input type="checkbox"/> Unreimbursed <input type="checkbox"/> Reimbursed </p>	
<p> <input type="checkbox"/> Unreimbursed <input type="checkbox"/> Reimbursed </p>	<p> <input type="checkbox"/> Unreimbursed <input type="checkbox"/> Reimbursed </p>

Scale 1:100, 1:50 (when plotted at A1 format)

33 Belvidere Road, Earlston, Coventry CV5 6PG
Telephone (024) 7667 9753. Fax (024) 7667 0667
Email: fisher548@aol.com

Drawing number	14/01/14-01	Rev A
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Planning Committee: 14 October 2014

Item Number: 12

Application No: W 14 / 1262

Town/Parish Council: Leamington Spa
Case Officer: Emma Spandley

Registration Date: 22/08/14

Expiry Date: 17/10/14

01926 456533 emma.spandley@warwickdc.gov.uk

10 Wheathill Close, Leamington Spa, CV32 6PL

Erection of a single storey front, two storey side / rear and single storey rear extension. FOR Mr Batra

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to the conditions listed below.

DETAILS OF THE DEVELOPMENT

Erection of a single storey front, two storey side / rear and single storey rear extension.

THE SITE AND ITS LOCATION

The application property is a two storey detached chalet style dwelling located within a cul de sac off Beverley Road, outside of the Leamington Conservation Area. The cul de sac benefits from varying styles of properties located on differing building lines.

PLANNING HISTORY

W/82/1101 - Erection of a front porch, extensions to front and rear garage, covered way to side and bathroom and bedroom extension - granted 20th December 1982.

W/13/0592 & W/13/1250 - both proposed two storey extensions to the front, side and rear - both withdrawn for further amendments to design.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Distance Separation (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection

WCC Ecology: No objection

Public Response: 6 objections have been received on grounds of overlooking, loss of privacy; loss of sunlight; extension is disproportionately large and set further forward in the street scene; overbearing; out of keeping with the area; overdevelopment.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Impact on the living conditions of neighbouring dwellings;
- Impact on the character and appearance of the area;
- Renewables
- Parking; and
- Drainage.

The impact on the living conditions of neighbouring dwellings

Policy DP2 of the Warwick District Local Plan 1996-2011 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents.

The Residential Design Guide SPG (April 2008) provides a design framework for Policies DP1 & DP2 and states that extensions should not breach a 45 degree sightline taken from the quarter point of the nearest habitable room of a neighbouring property at ground floor and the centre point at first floor.

The proposed two storey extension will project 3.5 metres at the front, which means that it will be set 2.3 metres further forward than the neighbouring property at No.12. However, due to the staggered building lines of the Close, it will be set 0.3 metres back from the other neighbouring property at No.8. Attached to the two storey front extension will be a single storey flat roofed extension which projects a further 2.6 metres.

The proposal also includes a first floor side and two storey rear extension which will project the full depth of the existing property and then extend a further 3.4 metres to the rear and then span the full width of the rear of the property. Within the side gable of the extension will be a number of windows at first floor, which will serve bathrooms and will be obscured glazed. A number of roof lights are proposed to be installed within the side roof plane of the proposed extension; these too will be obscured glazed.

Within the side gable of both neighbouring properties are landing windows at first floor. As such the proposed extension will not restrict light to any habitable rooms.

In terms of the proposed rear extension, this element will be set 1.5 metres in from the shared boundary with both neighbouring properties, it will project 4.5 metres past the rear elevation of No.8 to the north east and 3 metres beyond No.12, which is set to the south west. No.8 benefits from a single storey garage to the side immediately adjacent to the application property, plus a path. The proposed extension does not breach the 45 degree sightline taken from either neighbouring property.

It is acknowledged that the proposed extension which is set to the south east of No.12 will create some overshadowing; however, this is considered not to be to such an extent that would warrant refusal of the application.

The proposal is therefore considered to accord with Policy DP2 of the Local Plan.

The impact on the character and appearance of the area

Warwick District Local Plan Policy DP1 states extensions should harmonise and enhance existing settlements and reinforce or enhance the established urban

character of streets; reflect local architecture and historic distinctiveness and respect the surrounding buildings in terms of scale, height, form and massing.

Within Wheathill Close there are a number of different types, styles and sizes of houses. The proposed design has been amended so that now, whilst it is large in comparison to the main house, it still reads from the front as a subservient extension, with the main design and feature of the chalet style property remaining the dominant aspect.

Whilst the footprint of the property will be extended forward, the two storey element will be set slightly back from the two storey element of No.8 and it is considered that the proposed extensions will not introduce an incongruous feature within the street scene.

Renewables

The proposed extensions would result in a significant increase in the energy requirements of the application property and it would be therefore be appropriate to require on site renewable energy production as part of these proposals, in accordance with Local Plan Policy DP13 and the associated SPD. A sustainable buildings statement has not been submitted, however, a renewable energy scheme can be secured by a condition.

Parking

Policy DP8 states development will only be permitted which does not result in on-street parking detrimental to highway safety. In addition, The Vehicle Parking Standards SPD sets out the required off street parking for houses with 3 or more bedrooms to be 2 car parking spaces. The existing property benefits from off street car parking for at least 2 vehicles and the proposal is therefore acceptable in this respect.

The comments are noted regarding the extension of the dropped kerb, however, this element does not require planning permission. The applicant will, however, be required to apply for a seek permission from the Highway Authority.

Drainage

The application form indicates that new black tarmac and grey edging kerb stones will be provided for additional hard standing to the front of the property. In order to comply with Policy DP11, a condition will required to secure a surface which is either porous or shall drain to a porous area within the site.

Health & Wellbeing

N/A

SUMMARY/CONCLUSION

The proposed extension complies with the Residential Design Guide SPG (April 2008) and the supplementary 45 degree sightline SPG and is not considered to have a detrimental impact on the neighbouring properties through increased visual intrusion or loss of light. It is acknowledged that the proposed extension which is set to the south east of No.12 will create some overshadowing; however, this is considered not to be to such an extent that would warrant refusal of the application. Subject to matching materials, the design and form of the extension is considered to be acceptable and will not introduce an incongruous feature within the street scene.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan submitted and approved drawings No. 1535-EV-005B and 1535-XS-006 submitted 21st August 2014 and No.1535-SK-004C submitted 26.09.14, and specification contained therein. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 4 Prior to commencement of the development hereby approved, details of a porous surface treatment for the drive or where a non-porous surface treatment is proposed, details of the provision to be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, shall have been submitted to and approved by the District Planning Authority. The drive shall be constructed and surfaced, in full accordance with the approved

details. **REASON:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan.

- 5 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the window(s) to be formed in the north facing elevation of the two storey side extension hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or openings (apart from any shown on the approved drawings) shall be formed in the north facing elevation of the two storey side extension hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or openings, including dormer windows (apart from any shown on the approved drawings) shall be formed in the north and south side facing roof slope hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.



LOCATION PLAN - 1 : 1250

Vagdia and Holmes

CHARTERED ARCHITECTS
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Chesham, Bucks, Bucks, HP8 4JY
T: 0494 502 200 F: 0494 502 000
E: info@vagdiaandholmes.co.uk

REVISIONS

No.	Date	Description	No.

Project: Location and Access
to the New Church,
Chesham, Bucks
Date: 10/10/20
DW: V & H
Scale: 1:1250
Drawing: 1535-LP-001



Date:
10/10/20
Drawing:
1535-LP-001

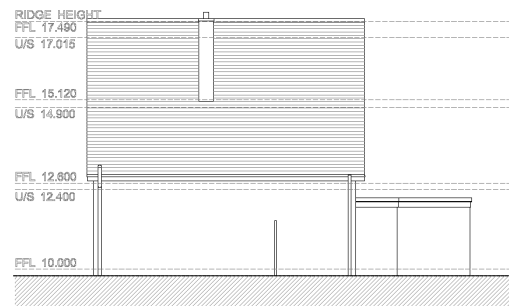
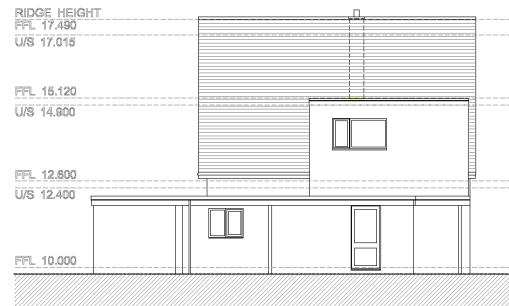
Page: 1 of 1
Date: 10/10/20

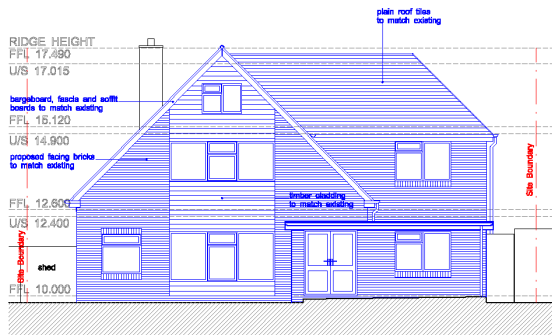
1535-LP-001

PLANNING

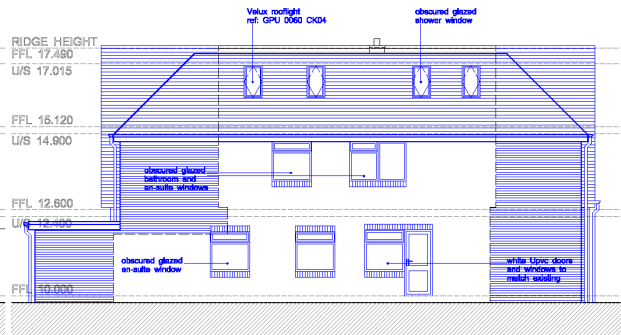
ALL DIMENSIONS ARE TO BE
READ TO THE CENTRE OF
DIMENSION LINE UNLESS
OTHERWISE SPECIFIED
DRAWN BY: VAGDIA & HOLMES
CHECKED BY: VAGDIA & HOLMES
DATE: 10/10/20

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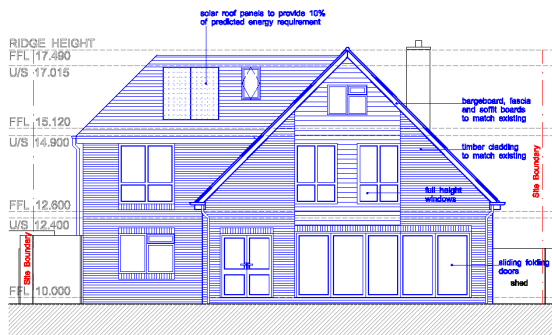
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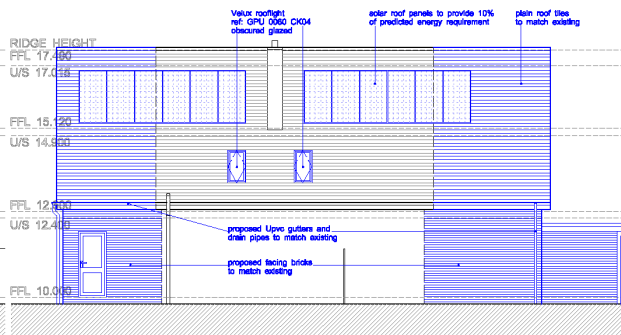
Proposed Front Elevation [North-East]



Proposed Side Elevation [North-West]



Proposed Rear Elevation [South-West]



Proposed Side Elevation [South-East]

ALL DIMENSIONS ARE TO BE VERIFIED ON SITE, BEFORE CONSTRUCTION AND CHOICE OF MATERIALS PLEASE CONTACT THE ARCHITECT FOR CLARIFICATION ON DISCREPANCIES - DO NOT ASSUME.

REVISIONS		
No.	Rev.	Description
1	00001	Revised to match existing
2	00002	Revised to match existing

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Project: 1535-EV-005B
Client: Mr & Mrs Smith
Title: Proposed Extension

Date: June 2014
Drawn by: [Name]
Checked by: [Name]
Drawing Number: 1535-EV-005B

1535-EV-005B
PLANNING

This drawing is intended to be used in conjunction with the Planning Application Form. It is not intended to be used for any other purpose. It is the responsibility of the client to ensure that the drawing is used in accordance with the Planning Application Form.

