

Planning Committee

Minutes of the meeting held on Tuesday 28 March 2023 at the Town Hall, Royal Leamington Spa at 6.00pm.

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

Also Present: Committee Services Officer – Sophie Vale; Legal Advisor – Sue Mullins; Business Manager – Sandip Sahota; and Principal Planning Officer – George Whitehouse.

143. Apologies and Substitutes

- a) Apologies for absence were received from Councillors Ashford, Noone, and Skinner; and
- b) There were no substitutes.

144. Declarations of Interest

Minute Number 146 - W/22/1558 – 18-24 The Square, Kenilworth

Councillor Jacques declared an interest because he had sat on the Licensing & Regulatory Panel which had determined the premises licence application for this site. However, there were materially different considerations when determining a planning application, meaning that he was not barred from participating in this item. He stated that he was willing to be open-minded and listen to the debate before voting on the application.

145. Site Visits

Minute Number 144 – W/22/0400 - Land at Goggbridge Lane, Hampton Road, Warwick

Councillor Jacques made an independent site visit to this location.

Minute Number 146 – W/22/1558 - 18-24 The Square, Kenilworth

Councillor R Dickson made an independent site visit to this location.

Minute Number 148 – W/22/2000 - 149-151 Warwick Road, Kenilworth

Councillor R Dickson made an independent site visit to this location.

146. **W/22/0400 – Land at Goggbridge Lane, Hampton Road, Warwick**

The Committee considered an application from Taylor Wimpey UK Ltd for the development of 69 dwellings with access parking and associated infrastructure.

The application had been referred to the Planning Committee because of the number of objections and an objection from Warwick Town Council having been received.

PLANNING COMMITTEE MINUTES (Continued)

The officer was of the opinion that the loss of employment land was justified in this case and the development of this site for the construction of 69 dwellings, together with the necessary infrastructure and associated works, was considered to be acceptable in principle in accordance with Local Plan Policy DS11.

The proposals would ensure appropriate levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants. The situation concerning potential noise levels from the A46 and their impact on some of the proposed dwellings was recognised. However, when balanced against the other aspects of the scheme, it was not considered to be sufficient for an objection to be raised to the proposal.

The proposals would have a positive impact on the character and appearance of the area. Additionally, the proposals were considered to be acceptable in terms of car parking and highway safety.

Furthermore, the proposals were considered to be acceptable in ecological terms and there were a number of necessary and relevant conditions recommended in the event that permission was forthcoming which would ensure that any possible impacts of the development were adequately mitigated.

Overall, the development was considered to accord with all relevant provisions of the Development Plan and for these reasons, it was therefore recommended that planning permission be granted.

The following people addressed the Committee:

- Councillor Butler, Warwick Town Council, speaking in objection;
- Ms Wright, speaking in objection; and
- Ms Griffiths, speaking in support.

An addendum circulated prior to the meeting advised that:

- Recommended Condition 2 (approved plans) had not been populated in the Committee Report. In the event that the application was approved by Members, this would be updated to reflect the up-to-date documents as shown on the Council's website.
- A further response from the Lead Local Flood Authority had been received in which they expressed their view that their preference would be for the required hydraulic modelling to be undertaken prior to determination of the application. However, they requested that should the application progress to Planning Committee in advance of that, the following conditions and notes be added:
 - Condition: No development shall commence until a hydraulic model representing overland flow paths and surface water flooding, along with any details regarding mitigation measures have been submitted to and approved by the LPA, in consultation with the LLFA.

PLANNING COMMITTEE MINUTES (Continued)

- Condition: No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA.
 - Condition: No occupation of the development shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority.
 - Condition: No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the LPA in consultation with the LLFA.
 - Notes regarding advice relating to the detailed design of the development.
- No further requests for S106 Agreement contributions had been received.

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

The Committee therefore

Resolved that W/22/0400 be **refused**, contrary to the recommendation in the report, for the following reasons:

1. BE3 amenity in terms of open space, noise, air pollution, light and outlook;
2. lack of evidence to demonstrate compliance with policy FW1, due to the absence of hydraulic modelling, as requested by Warwickshire County Council's Flood Risk Management Team; and
3. sufficient weighting had not been demonstrated for change of use from employment land contrary to policy EC3.

147. **W/22/0830 – 90 Nelson Lane, Warwick**

The Committee considered an application from Sunkari Ltd SSAS and First One Ltd for the demolition of existing buildings, erection of eight dwellings and associated external works.

The application had been referred to the Planning Committee because of an objection from Warwick Town Council having been received.

The officer was of the opinion that the development was located within the urban area where housing was considered acceptable in principle, and it had been demonstrated that the site was not suitable for employment uses.

PLANNING COMMITTEE MINUTES (Continued)

The proposal had been assessed and was considered acceptable having regard to the impact on the character and amenity of the local area and the Canal Conservation Area, the impact on the amenity of neighbours and future occupiers, highway safety, ecological matters, impact on trees and drainage and flooding. It was considered that site specific matters could be adequately controlled by condition.

For the above reasons, officers recommended that the application be granted, subject to conditions.

An addendum circulated prior to the meeting advised that:

- three additional objections had been received, which raised the following issues:
 - request for Councillors to drive down Nelson Lane during the day;
 - Highways concerns:
 1. Access for large vehicles
 2. Poor visibility at existing junction
 3. Parking restrictions should be put in place on local roads
 4. Safety concerns for children; and
- due to a technical issue the numbering of the conditions in the committee report was incorrect and condition 15 was not populated in full. The numbering for the conditions had now been corrected and the full wording for condition 15 was set out below:

*15. Prior to the occupation of the dwellings hereby permitted, a detailed maintenance plan, written in accordance with CIRIA C753, shall be submitted to the Local Planning Authority giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan. The surface water systems shall be maintained as detailed within the approved plan thereafter. **Reason:** To ensure the future maintenance of the sustainable drainage structures and to prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity in accordance with Policies FW1, FW2 and NE2 of the Warwick District Local Plan 2011-2029.*

Following consideration of the report, presentation, and the information contained in the addendum, it was proposed by Councillor Jacques and seconded by Councillor Gifford that the application be granted in line with the recommendations in the report and the amendments contained in the addendum.

The Committee therefore

Resolved that W/22/0830 be **granted** subject to the following conditions:

No.	Condition
(1)	the development hereby permitted shall begin not later than three years from the date of this permission.

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
(2)	<p>the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings and specification contained therein:</p> <ul style="list-style-type: none">- 4721-101, received on 17/05/2022;- 4721-102, received on 17/05/2022;- 4721-112, received on 17/05/2022;- 4721-113 Rev D, received on 13/03/2023;- 4721-114 Rev B, received on 13/03/2023;- 4721-115 Rev B, received on 13/03/2023;- 4721-120 Rev B, received on 13/03/2023;- 4721-200 Rev P0, received on 17/05/2022;- 210 Rev P1, received on 12/10/2022;- 1970_066_PL01, received on 24/08/2022;- Design and Access Statement by Robothams, received on 17/05/2023;- Flood Risk Assessment by Couch Consulting Engineers Revision P01, dated February 2022, received on 17/05/2022;- Document titled, 'Greenfield runoff rate' by HR Wallingford, dated 14th February 2022, received on 17/05/2022;- Noise Assessment by Noise Consultants Ltd, report number J20-13085A-20/F2, dated 6 May 2022, received on 17/05/2022;- Planning Statement, by Marrons Planning, received on 17/05/2022;- Preliminary Ecological Appraisal by Midland Ecology, dated 19th April 2022, received on 17/05/2022;- Document titled 8132 – Storm Water Calcs by Couch Consulting Engineers, dated 15/02/22, received on 12/10/2022;- Transport Statement, reference DN/KH/23567-01a, dated 9th February 2022, received on 17/05/2022;

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <ul style="list-style-type: none">- Biodiversity Net Gain Assessment by Logika Consultants, document number 13085A-R01-01-F2, received on 24/08/2022;- Document titled 'Soakaway Testing – 90 Nelson Lane, Warwick', dated 8th September, reference AG3368A-22-AP18, received on 12/10/2022; and- Biodiversity Metric 3.1 Spreadsheet, Project name 13085A 90 Nelson's Road, dated 28/07/2022, received on 13/10/2022. |
| | <p>Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (3) | <p>no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (4) | <p>no ground works shall commence until foundation details and a method statement has been submitted to and approved in writing by the Local Planning Authority. The foundations details and method statement shall as a minimum:</p> <ul style="list-style-type: none">- Show the location, depth, distance from the waterway, and method of construction of any proposed foundations. Suitably scaled cross-sections should be provided, including the canal, with measurements shown.- Show the depth of any proposed excavations and any other earthworks, their distance from the waterway, and the method of excavation. Suitably scanned cross-sections should be provided, including the canal, with measurements shown.- Demonstrate the adoption and use of the best practicable means to control the effects on the stability of the |

PLANNING COMMITTEE MINUTES (Continued)

No.

Condition

waterway of any excavation, piling, storage of materials and waste, siting of construction plant (including vehicles and cranes), and vibrations resulting from any construction activities. A plan should be provided showing the proposed location of materials and waste storage, and the locations of any plant and construction vehicles.

No development shall be carried out other than in accordance with the approved foundation details and method statement.

Reason: In the interests of protecting the structural stability of the waterway during construction in accordance with the aims of the National Planning Policy Framework paragraphs 174 (e), 183 (a) and 184;

(5) no development, including demolition and site preparation, shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall as a minimum:

- Demonstrate the adoption and use of the best practicable means to control the environmental risks to the canal arising from any construction activities, during and after development in accordance with NPPF, ODPM Circular 2005/06 and to comply with guidance within the Water Framework Directive. The CEMP should include:
 - Proposed management of airborne debris during construction to prevent the transport of debris into the waterway; and
 - Proposed management of surface water during construction to prevent surface water transporting sediment and debris into the waterway.

The Environment Agency can provide further details if required. There should be a buffer zone of at least 8 metres between the edge of the watercourse, (i.e. the top of the bank), and the development.

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>No development shall be carried out other than in accordance with the approved Construction Environment Management Plan.</p> <p>Reason: In the interests of protecting the canal from pollution during construction, and protecting the nature conservation and biodiversity value of the canal corridor in accordance with the aims of the National Planning Policy Framework paragraph 174 (a), (b), (d) and (e), and in accordance with Warwick District Local Plan Policies NE1, NE2 and NE3;</p> |
| (6) | <p>the development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full.</p> <p>Reason: To ensure a net biodiversity gain in accordance with NPPF;</p> |
| (7) | <p>no development shall commence unless and until a scheme ("the scheme") to ensure that there is no net biodiversity loss as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity offsetting metric as applied in the area in which the site is situated at the relevant time and the scheme shall include:</p> <ol style="list-style-type: none">(1) Proposals for on-site mitigation and/or for any off-site offsetting;(2) A methodology for the identification of any receptor site(s) for offsetting measures; |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>(3) The identification of any such receptor site(s);</p> <p>(4) The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery); and</p> <p>(5) A management and monitoring plan (to include for the provision and long term maintenance of any offsetting measures in perpetuity).</p> <p>The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of any offsetting measures have been executed. The scheme shall be implemented in full accordance with the requirements of the scheme or any variation so approved.</p> <p>Reason: To ensure a net biodiversity gain in accordance with NPPF and ODPM Circular 06/2005;</p> |
| (8) | <p>no part of the development hereby permitted shall be commenced until a scheme for the provision of 2 bat boxes and 2 bird boxes to be erected on buildings within the site, 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.</p> <p>Reason: To ensure a net biodiversity gain in accordance with NPPF and ODPM Circular 06/2005;</p> |
| (9) | <p>the development hereby permitted shall not commence until:</p> <ul style="list-style-type: none">a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.b) If identified as being necessary having completed the desk-top |

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No.

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

- A risk assessment to be undertaken relating to human health
 - A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
 - An appropriate gas risk assessment to be undertaken
 - Refinement of the conceptual model
 - The development of a method statement detailing the remediation requirements
- c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
- d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.

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

If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be deal with.</p> <p>Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.</p> <p>Reason: To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029;</p> |
| (10) | <p>the development hereby permitted shall not commence until a detailed surface water drainage scheme for the site, based on the approved FRA (Revision P02 dated 08.11.2022), and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme to be submitted shall:</p> <ul style="list-style-type: none">• Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to 0.50l/s for the site.• Provide provision of surface water attenuation storage as stated within the FRA of 48m³ and/ or in accordance with 'Science Report SC030219 Rainfall Management for Developments'.• Surface water is to be provided via a minimum of two trains of treatment using the proposed above ground drainage features within the drainage design. This includes permeable |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	<p>paving and a bioretention system (rain garden).</p> <ul style="list-style-type: none"><li data-bbox="804 255 1385 465">• Assess potential water quality hazards and provide appropriate mitigation where required. This can be done through using the Simple Index Approach (CIRIA C753 SuDS Manual).<li data-bbox="804 472 1385 645">• Calculations and plans provided should also be cross referenceable, with details such as dimensions and levels of drainage components consistent.<li data-bbox="804 651 1423 1252">• Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network. Whilst a developer enquiry has been provided, this is dated January 2022. As developer enquiries are valid for 6 months, updated correspondence from Severn Trent Water is required. A developer enquiry should progress to a S106 agreement at the discharge of conditions stage. Reason To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

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

- (11) the development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.</p> <p>Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;</p> |
| (13) | <p>no development or other operations (including demolition, site clearance or other preparatory works) shall commence unless and until a Tree Protection Plan detailing methods of protecting the overhanging trees on any neighbouring sites has been submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be carried out as agreed prior to commencement of development or other operations (including demolition, site clearance or other preparatory works) and remain in place for the full duration of any such construction work.</p> <p>Reason: In order to protect and preserve existing trees which overhang the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029;</p> |
| (14) | <p>notwithstanding details contained within the approved documents, prior to commencement of development other than site clearance, preparation works or demolition works, a Sustainability Statement including a programme of</p> |

PLANNING COMMITTEE MINUTES (Continued)

No.

Condition

delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;

- a) How the development will reduce carbon emissions and utilise renewable energy;
- b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;
- c) Details of the building envelope (including U/R values and air tightness);
- d) How the proposed materials respond in terms of embodied carbon;
- e) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading,

No dwelling shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019);

- (15) prior to the occupation of the dwellings hereby permitted, a detailed maintenance plan, written in accordance with CIRIA C753, shall be submitted to the Local Planning Authority giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan. The surface water systems shall be maintained

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	as detailed within the approved plan thereafter. Reason: To ensure the future maintenance of the sustainable drainage structures and to prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity in accordance with Policies FW1, FW2 and NE2 of the Warwick District Local Plan 2011-2029;
(16)	no development shall take place above slab level until details of all external light fittings and external light columns including location, height from ground level, luminance in candelas, horizontal spread, hours of operation 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. In discharging this condition the Local Planning Authority expects lighting to be restricted in proximity to trees, hedges and the proposed bat boxes and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways: <ul data-bbox="804 1182 1401 1568" style="list-style-type: none">• Lighting should be directed away from vegetated areas• Lighting should be shielded to avoid spillage onto vegetated areas• The brightness of lights should be as low as legally possible• Lighting should be timed to provide some dark periods• Connections to areas important for foraging should contain unlit stretches.

Any external lighting proposed should be designed in accordance with the principles set out on page 22 of the Preliminary Ecological Appraisal and should confirm to the protocols set out in Guidance Note 08/18 – Bats and Artificial Lighting in the UK (BCT and ILP, 2018)

Reason: To safeguard the population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029 and in the

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | interests of protecting the nature conservation value of the canal, and in the interests of preserving the character and appearance of the canal. This is in accordance with the aims of the National Planning Policy Framework paragraph 185 (c), and in accordance with Warwick District Local Plan Policies NE1, NE2 and NE3; |
| (17) | <p>the development shall not be occupied until the vehicular access into the application site have been provided, as shown indicatively on Drawing Number 4271-113 Rev D and constructed to the standard specification of the Local Highway Authority.</p> <p>Reason: In the interests of highway safety and the free flow of traffic in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;</p> |
| (18) | <p>the development shall not be occupied until space has been provided within the site for the parking of vehicle types in accordance with Drawing Number 4271- 113 Rev D and construction details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: In the interests of highway safety, the free flow of traffic and local parking conditions, in accordance with Policy TR1 and TR3 of the Warwick District Local Plan 2011-2029;</p> |
| (19) | <p>prior to the occupation of the dwellings hereby permitted, the noise mitigation measures shall be carried out as recommended and detailed within the report J20-13085A-20/F2 by Noise Consultants Limited dated 6th May 2022, received on 14/07/2022. The mitigation measures shall be retained thereafter and shall not be altered in any way unless agreed in writing by the local planning authority.</p> <p>Reason: To ensure satisfactory living conditions for future occupiers of the dwellings, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (20) | <p>the development hereby permitted, including all demolition and construction works, shall be completed in accordance with Warwick District Council's construction guidelines available on our website at:</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
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| | <p>https://www.warwickdc.gov.uk/download/downloads/id/5812/construction_site_working_-_guidance_for_contractors.pdf</p> <p>Reason: In the interests of the amenities of the occupiers of nearby properties, in accordance with Policies BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (21) | <p>prior to the occupation of the dwellings hereby permitted, one 16amp (minimum) electric vehicle recharging point per dwelling shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging points has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging points shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).</p> <p>Reason: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document;</p> |
| (22) | <p>the development hereby permitted shall not be occupied unless and until details of accessible, covered, secure bicycle parking facilities (both shared facilities and those in the rear garden area of unit 8) have been submitted to and approved in writing by the Local Planning Authority. Thereafter those facilities shall be retained.</p> <p>Reason: In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029;</p> |
| (23) | <p>the development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of</p> |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
(24)	<p data-bbox="756 190 1406 680">110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.</p> <p data-bbox="756 689 1406 857">Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029; and</p> <p data-bbox="756 898 1406 1285">the development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been constructed or laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.</p> <p data-bbox="756 1328 1406 1536">No dwelling shall be occupied unless and until it has been provided with the appropriate refuse containers necessary for the purposes of refuse, recycling and green waste, in accordance with the Council's specifications.</p> <p data-bbox="756 1579 1406 1747">Refuse and recycling storage containers must be stored within the refuse and recycling storage area shown on the approved plans, unless when being presented on street for collection facilities.</p> <p data-bbox="756 1789 1406 1995">Reason: To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.</p>

PLANNING COMMITTEE MINUTES (Continued)

148. W/22/1558– 18-24 The Square, Kenilworth

The Committee considered an application from JD Wetherspoons PLC for change of use from retail (Use Class E) to Public House/ restaurant (Sui Generis/ Class E) together with the provision of external terrace, acoustic screening and canopy to the rear; demolition of a concrete delivery canopy and roller shutter doors; alterations to the front & rear fenestration; and installation of plant equipment (resubmission of application ref. W/22/1242).

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

The officer was of the opinion that the development was located within Kenilworth Town Centre where restaurant and drinking establishment uses were considered acceptable in principle. The proposal had been assessed and was considered acceptable having regard to the impact on the character and amenity of the local area, the impact on the amenity of neighbours, highway safety, ecological matters and all other matters. It was considered that site specific matters can be adequately controlled by condition. For the above reasons, officers recommended that the application be granted, subject to conditions.

Following consideration of the report and presentation, it was proposed by Councillor Quinney and seconded by Councillor Murphy that the application be granted in line with the recommendations in the report.

The Committee therefore

Resolved that W/22/1558 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (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 and documents and specification contained therein:

-7591-00, received on 28/09/2022;
-7591-001 Rev B, received on 28/09/2022;
-7591-002 Rev B, received on 28/09/2022;
-7591-003 Rev B, received on 28/09/2022;
-7591-004 Rev G, received on 05/12/2022;
-7591-005 Rev D, received on 05/12/2022;
-7591-006, received on 28/09/2022;
-7591-007, received on 28/09/2022; |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	<p>-7591-008 Rev B, received on 28/09/2022; -7591-009 Rev C, received on 06/03/2023; -7591-01, received on 28/09/2022; -7591-014, received on 28/09/2022; -7591-015, received on 28/09/2022; and -7591-017, received on 03/03/2023.</p> <ul style="list-style-type: none">• Document titled, 'JD Wetherspoon 18-24 The Square, Kenilworth. Appendix 3: Risk Assessment for Odour', received on 28/09/2022• Planning Statement, reference n1963, dated September 2022, received on 28/09/2022• Document titled, 'Kitchen extract odour control system at JD Wetherspoon 18-24 The Square, Kenilworth, CV8 1EB' by APL Mechanical Services, received on 05/12/2022• Planning Noise Impact Statement by Spectrum Acoustic Consultants, reference RK3443/22263/Rev2, dated 02/12/2022, received on 05/12/2022

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

- (3) no works of demolition or construction shall be undertaken unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include details of any temporary measures required to manage traffic during construction, plans and details for the turning and unloading and loading of vehicles during construction, dust suppression, noise and vibration, demolition or clearance works, site working hours and delivery times, restrictions on burning and details of all temporary contractors' buildings, plant and storage of materials associated with the development process. All works of demolition or construction shall be carried out in strict accordance with the approved construction management plan.

Reason: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029; |
| (4) | <p>no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (5) | <p>the opening hours of the premises shall be as follows:</p> <ul style="list-style-type: none">• Sunday to Thursday – 0700 to 2330• Friday/Saturday – 0700 to 0030• Christmas Eve/New Year’s Eve – 0700 to 0130• Boxing Day/Sundays before Bank Holidays – 0700 to 0030 <p>Reason: To ensure that the site is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (6) | <p>the development hereby permitted shall be carried out strictly in accordance with the mitigation proposals as set out in the ‘Planning Noise Impact Assessment: Report RK3443/22263/Rev 2’ produced by Spectrum Acoustic Consultants and dated 2nd December 2022, submitted to the local planning authority on 5th December 2022.</p> <p>Reason: To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (7) | <p>noise arising from any plant or equipment (measured as LAeq,5 minutes), when</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | measured (or calculated to) one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.
Reason: To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029; |
| (8) | no deliveries, waste collections or similar noisy external activities likely to cause nuisance to nearby residents shall take place before 0800 hours or after 2000 hours on Monday to Saturday or before 0900 hours or after 1800 hours on Sundays.
Reason: To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029; |
| (9) | no live or recorded music (except for background music) or any other form of amplified entertainment shall take place at the premises unless and until:
<ul style="list-style-type: none">a) a noise assessment has been undertaken to assess the impact of entertainment noise on adjoining and nearby residential premises; andb) the results of the noise assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority. |

Upon approval, any mitigation measures required by criteria (b) shall be implemented in full and retained at all times thereafter and shall not be altered in any

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	way without the prior written approval of the local planning authority.
	Reason: To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029; and
(10)	the development shall be carried out strictly in accordance with the odour mitigation proposals as set out in the 'Kitchen extract odour control system details report: Rev A' produced by APL Mechanical Services, submitted to the local planning authority on 5th December 2022. Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

149. **W/22/1889– Green Acres, 34 Bridge Street, Barford, Warwick**

The Committee considered an application from Mr & Mrs Locker for the raising of the existing roof to enable a loft conversion with new dormer windows, a single storey rear extension with a swimming pool, a two-storey extension to the side, a new render finish with timber cladding, and a new detached garage to frontage.

The application had been referred to the Planning Committee because of a recent refusal at a committee meeting (15/11/2022). The application was deferred at the Planning Committee meeting on 28 February 2023 for officers to obtain further information on the impact on the amenity of the neighbouring property. The application had subsequently been amended to change the element adjacent to the neighbour from a pitched roof to a flat roof to reduce the impact.

The officer was of the opinion that the proposals did not result in unacceptable impact on the street scene, amenity of neighbouring occupiers nor did they unacceptably impact protected species. The proposal was considered to satisfy the criteria of Local Plan Policies HE1, BE3 and NE2 and Neighbourhood Plan Policies B6 and B8. It was recommended that planning permission be granted subject to conditions.

Following consideration of the report and presentation, it was proposed by Councillor Jacques and seconded by Councillor Gifford that the application be granted in line with the recommendations in the report.

The Committee therefore

PLANNING COMMITTEE MINUTES (Continued)

Resolved that W/22/1889 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (1) | <p>the development hereby permitted shall begin not later than three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);</p> |
| (2) | <p>the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 4115-02V, 4115-03K, and specification contained therein, submitted on 30/11/2022 & 08/03/2023.</p> <p>Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (3) | <p>no part of the development hereby permitted shall be commenced until a scheme for the provision of 1 bat box and 2 bird boxes to be erected on buildings within the site has been submitted and approved in writing by the Local Planning Authority. This shall include details of box type, location, and timing of works. The development shall not be occupied until the boxes have been installed in strict accordance with the approved details. Thereafter the boxes shall be retained and maintained in perpetuity.</p> <p>Reason: To ensure net gains in biodiversity and mitigation for protected species, in accordance with Local Plan Policy NE2, the NPPF and ODPM Circular 2005/06; and</p> |
| (4) | <p>no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.</p> |

PLANNING COMMITTEE MINUTES (Continued)

The Committee considered an application from Mr Muthalagappan for the demolition of the existing hotel and 151 Warwick Road, and the construction of four dwellings and five apartments (resubmission of application ref. W/22/1450).

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

The officer was of the opinion that the proposed development was considered to adopt a good standard of design that responded harmoniously with the wider street scene and surrounding form. While adopting a contemporary design approach, the development would respect local architecture bordering the site, and was not viewed to result in the generation of harm to the nearby Conservation Area.

The development was viewed acceptable in terms of amenity, preserving neighbouring light, outlook and privacy to an appropriate degree, despite the remodelled layout and massing of buildings within the site. Similarly, the proposal would provide acceptable living conditions for future occupiers of the site with regard to light, outlook and access to amenity space. An acceptable access arrangement had been proposed which catered for both vehicles and pedestrians, and an appropriate level of cycle and car parking had been detailed within the development.

The provision of nine residential units in a sustainable urban location was considered a further benefit of the scheme that weighed in its favour. While the neighbour comments submitted in objection to the proposal had been carefully considered, officers viewed that the proposed layout formed a well-designed and suitably scaled redevelopment of the hotel site that did not result in material harm.

It was therefore recommended that the application be approved.

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

The Committee therefore

Resolved that W/22/2000 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|---|
| (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 approved site location |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | <p>plan '1275.01' submitted on the 20th December 2022, drawings '1275.17A' submitted on the 11th January 2023, '1275.20A' submitted 17th February 2023, '1275.18B, '1275.19B' submitted 2nd March 2023, '1275.15G', 'SK01 1650 REV.H' submitted on the 9th March 2023, and specification contained therein.</p> <p>Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (3) | <p>notwithstanding details contained within the approved documents, prior to commencement of development other than site clearance, preparation works or demolition works, a Sustainability Statement including a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;</p> <ul style="list-style-type: none">a) How the development will reduce carbon emissions and utilise renewable energy;b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;c) Details of the building envelope (including U/R values and air tightness);d) How the proposed materials respond in terms of embodied carbon;e) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading, |

No dwelling shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | Warwick District Local Plan (2011-2029) and National Design Guidance (2019); |
| (4) | <p>the development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.</p> <p>Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;</p> |
| (5) | <p>no development above slab level shall take place unless and until an environmental noise assessment has been carried out by a competent person and a report of that assessment together with recommendations for any necessary mitigation measures to comply with BS 8233:2014 and the World Health Organisation guidelines for community noise (1999) has been submitted to and approved in writing by the local planning authority. Thereafter the approved details</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | <p>shall be carried out strictly in accordance with all recommendations contained within the approved noise report, prior to the first occupation of the development hereby permitted. Thereafter the mitigation measures shall be maintained in accordance with the approved details.</p> <p>Reason: To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (6) | <p>the development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: details of any temporary measures required to manage traffic during construction; plans and details for the turning, loading and unloading of vehicles within the site during construction; details of demolition or clearance works; restrictions on burning; details of all temporary contractors buildings; the parking of vehicles of site operatives and visitors; site working hours and delivery times; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction, together with any details in relation to noise and vibration; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP.</p> <p>Reason: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029; |
| (7) | no development above slab level shall take place until: <ol style="list-style-type: none">a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:<ul style="list-style-type: none">- A risk assessment to be undertaken relating to human health- A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected- An appropriate gas risk assessment to be undertaken- Refinement of the conceptual model- The development of a method statement detailing the remediation requirementsc) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site |

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site. All development of the site shall accord with the approved method statement.

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

Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.'

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

- (8) no development shall take place until:
- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.
 - b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements

PLANNING COMMITTEE MINUTES (Continued)

No.	Condition
	for the deposition of the archaeological archive, has been submitted to the planning authority.
c)	An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation. The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

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

- (9) the access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.

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

- (10) the development hereby permitted shall be carried out in full accordance with the recommendations for bats and birds contained in section 5 of the Phase 1 Bat & Nesting Bird Survey report by Ridgeway Ecology, report dated 23 May 2022 and amended 16 December 2022.

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 NE2 of the Warwick District Local Plan 2011-2029;

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| (11) | no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. Reason: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029; |
| (12) | <p>the development hereby permitted shall not be occupied unless and until:</p> <p>(a) details of a biodiversity enhancement scheme have been submitted to and approved in writing by the local planning authority (The scheme is to include provision for bats, nesting birds and access gaps for hedgehogs in any new fencing); and</p> <p>(b) the biodiversity enhancement measures approved under (a) have been completed in strict accordance with the approved details, with the exception of any planting, which must be completed within the first planting season following first occupation.</p> <p>The biodiversity enhancement measures shall thereafter be retained and maintained in strict accordance with the approved details in perpetuity.</p> <p>Reason: To ensure net gains in biodiversity, in accordance with the requirements of the NPPF;</p> |
| (13) | <p>no development above slab level shall take place unless and until:</p> <p>a) an overheating assessment has been undertaken in accordance with the Chartered Institution of Building Services Engineers Technical Memorandum 59; and</p> <p>b) the results of the assessment carried out to comply with criteria (a), together with any necessary mitigation measures, have been submitted to and approved in writing by the district planning authority.</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | Any mitigation measures approved under (b) shall be implemented in full and shall be retained at all times thereafter. The approved mitigation measures shall not be removed or altered in any way without the prior written approval of the district planning authority.
Reason: To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029; |
| (14) | the development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details.
Reason: In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029; |
| (15) | prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).
Reason: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document; |
| (16) | the development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.
Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029; |
| (17) | <p>the development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been constructed or laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.</p> <p>No dwelling shall be occupied unless and until it has been provided with the appropriate refuse containers necessary for the purposes of refuse, recycling and green waste, in accordance with the Council's specifications.</p> <p>Refuse and recycling storage containers must be stored within the refuse and recycling storage area shown on the approved plans, unless when being presented on street for collection facilities.</p> <p>Reason: To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (18) | <p>the development hereby permitted 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.</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | Reason: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029; |
| (19) | the development hereby permitted shall not be occupied unless and until the approved cycle parking facilities have been provided and made available for use in accordance with the details on the approved plans and thereafter those facilities shall remain available for use at all times.
Reason: In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029; and |
| (20) | notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development shall take place which falls within Part 1, Classes A, AA, B, C, D, E, or F of this Order.
Reason: Due to the nature of the application site and its relationship with adjoining properties it is considered necessary to ensure that no additional development is carried out without the permission of the Local Planning Authority in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029. |

151. **W/23/0018 – 7 Almond Grove, Warwick**

The Committee considered an application from Mr Sittambalam for the erection of two-storey front and rear extensions.

The application had been referred to the Planning Committee because of an objection from Warwick Town Council having been received.

The officer was of the opinion that the proposal was considered to constitute good quality design and to have an acceptable impact on the amenity of the neighbours and the current and future occupiers of the dwelling. The proposal was considered to satisfy the criteria of Local Plan Policies BE1, BE3 and the Residential Design Guide SPD.

An addendum circulated prior to the meeting advised of minor changes to the plans.

PLANNING COMMITTEE MINUTES (Continued)

Following consideration of the report, presentation, and the information contained in the addendum, it was proposed by Councillor Jacques and seconded by Councillor Gifford that the application be granted in line with the recommendations in the report.

The Committee therefore

Resolved that W/22/0018 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|--|
| (1) | <p>the development hereby permitted shall begin not later than three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);</p> |
| (2) | <p>the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings ALM 04A, ALM 05A, ALM 06A, ALM 07B, and specification contained therein, submitted on 06/02/2023 and 08/03/2023.</p> <p>Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;</p> |
| (3) | <p>all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building.</p> <p>Reason: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029;</p> |
| (4) | <p>prior to the occupation of the development hereby permitted, the two additional first-floor windows in the east elevation 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.</p> <p>Reason: To protect the privacy of users and occupiers of nearby properties and to satisfy</p> |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|---|
| | the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029; and |
| (5) | the development hereby permitted 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.
Reason: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029. |

152. **W/23/0035 – 13 Hall Close, Stoneleigh**

The Committee considered an application from Mr Bal for the erection of a single-storey rear and side extension.

The application had been referred to the Planning Committee because of an objection from Stoneleigh and Ashow Parish Council having been received.

The officer was of the opinion that there would be no harm to the openness of the Green Belt, general character of the surrounding area and no harm to neighbouring amenity. Therefore, it was recommended that planning permission be granted.

Following consideration of the report and presentation, it was proposed by Councillor Morris and seconded by Councillor Dickson that the application be granted in line with the recommendations in the report.

The Committee therefore

Resolved that W/23/0035 be **granted** subject to the following conditions:

- | No. | Condition |
|------------|--|
| (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 01-01-23 04C, 01-01-23 05 C, 01-01-23 06 C, and specification contained therein, submitted on 08/03/2023. |

PLANNING COMMITTEE MINUTES (Continued)

- | No. | Condition |
|------------|--|
| | Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and |
| (3) | notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no part of the dwellinghouse shall be clad in timber other than as shown on the approved drawings.
Reason: To secure a satisfactory form of development in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029. |

(The meeting ended at 8.03pm)

CHAIRMAN
23 May 2023