

Planning Committee

Tuesday 6 January 2015

A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Tuesday 6 January 2015 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 Planning Committee of 9 December 2014.

(To follow)

Part B – Planning Applications

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

- *5. W14/1704 – Newbold Centre, Leicester Street, Royal Leamington Spa (Item 5/Page 1)**
****Major Application****
- *6. W14/1435 – 33 Vicarage Fields, Warwick (Item 6/Page 1)**
- *7. W14/1570 – 28 Clarendon Street, Royal Leamington Spa (Item 7/Page 1)**
- *8. W14/0915 – Hybrid Arts, Riverside, Adelaide Road, Royal Leamington Spa (Item 8/Page 1)**
- *9. W14/1493 – 6 Jury Street, Warwick (Item 9/Page 1)**
- *10. W14/1625 – 36 Paradise Street, Warwick (Item 10/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 9 December 2014 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Rhead (Chairman); Councillors Brookes, Mrs Bromley, Mrs Grainger, MacKay, Mrs Syson, Weber, Wilkinson and Williams.

An apology for absence was received from Councillor Ms De-Lara-Bond.

118. **Substitutes**

Councillor Mrs Syson substituted for Councillor Boad. Councillor Mrs Grainger substituted for Councillor Mrs Bunker.

The Chairman announced that the following applications had been withdrawn from the agenda:

W14/1555 – 98 Bridge End, Warwick

W14/1684 – Hampton View, Henley Road, Hampton on the Hill

119. **Declarations of Interest**

Minute Number 122 – W14/1548 – 11 York Road, Royal Leamington Spa

Councillor Mrs Syson declared an interest because the application site was in her Ward. Additionally, she informed the Committee that she considered herself pre-determined because she had sat on the Conservation Advisory Committee when it had debated this application. She left the room whilst this application was debated and returned after the decision had been made.

Councillor Wilkinson declared an interest because the objectors were known to him.

Minute Number 123 – W14/1340 – Land north of Common Lane, Kenilworth

Whilst this application was being discussed, Councillor Weber declared an interest because one of the objectors was a long-standing friend.

Minute Number 124 – W14/1570 – 28 Clarendon Street, Royal Leamington Spa

Councillor Brookes declared an interest because he considered himself pre-determined; the applicant being a work colleague. He left the room throughout the whole debate and decision making process for this application.

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

PLANNING COMMITTEE MINUTES (Continued)

120. Site Visits

To assist with decision making, Councillors Mrs Bromley, MacKay, Rhead, Wilkinson and Williams visited the following application sites on Saturday 6 December 2014:

W14/1340 – Land north of Common Lane, Kenilworth

W14/1548 – 11 York Road, Royal Leamington Spa

W14/1555 – 98 Bridge End, Warwick

121. Minutes

The minutes of the meeting held on 11 & 12 November 2014 were agreed and signed by the Chairman as a correct record.

The Chairman announced a change to the published running order for the meeting. Application W14/1548 would be heard ahead of W14/1340 to allow some residents, whose names had not appeared on the list of speakers but had informed officers that they had registered to speak, to have time to liaise with all objectors in respect of application W14/1340.

122. W14/1548 – 11 York Road, Royal Leamington Spa

The Committee considered a resubmission of an application from Mr Librowski for the demolition of the existing garage to the rear of the property and the erection of a new detached double garage.

The application was presented to the Committee because a number of objections had been received including an objection from Royal Leamington Spa 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)

DP8 - Parking (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)

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)

PLANNING COMMITTEE MINUTES (Continued)

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

Guidance Documents

Vehicle Parking Standards (Supplementary Planning Document)

Distance Separation (Supplementary Planning Guidance)

Sustainable Buildings (Supplementary Planning Document - December 2008)

An addendum circulated at the meeting advised Members that six further letters of objection had been received, plus one from the Conservation Advisory Forum. A slight amendment to Condition 2 was also made.

It was the officer's opinion that the application complied with the Local Plan policies listed.

The following people addressed the Committee:

Councillor Gifford, representing both Royal Leamington Spa Town Council and his Ward as a District Councillor, spoke in opposition to the application, followed by Mr Viner who also spoke in opposition to the application.

Mr Librowski addressed the Committee in support of the application.

Councillors felt that the two Velux windows facing inwards towards the other properties should be removed from the plans. It was also felt that Condition 3 should be amended to include the architectural details (corbels) referred to in the report.

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

Resolved that application W14/1548 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 002 A & 003 Rev B, and specification contained therein, submitted on 21 October & 19 November 2014, except as required by condition 5 below. **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) no development shall be carried out on the site

PLANNING COMMITTEE MINUTES (Continued)

which is the subject of this permission, until large scale details of doors, eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) 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;

(This condition was amended to include the architectural details referred to in the report e.g corbels.)

- (4) the development hereby permitted 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 Policies DP1 and DAP8 of the Warwick District Local Plan 1996-2011;
- (5) notwithstanding the details in respect of the garage doors shown on drawing number 003 Rev B submitted on 19 November 2014, the garage doors shall be side hung timber doors, painted not stained, and retained as such at all times thereafter. **Reason:** To ensure a high standard of design and appearance within the Conservation Area and to satisfy the requirement of Policy DAP8 in the Warwick District Local Plan 1996-2011;
- (6) the garages and store room hereby permitted shall be used for such purposes only and not for habitable accommodation. **Reason:** In the interests of the amenities of nearby residents and to satisfy the requirements of Policy DP2 in the Warwick District Local Plan 1996-2011; and
- (7) the two Velux windows facing inwards towards the other properties will be removed from the plans.

PLANNING COMMITTEE MINUTES (Continued)

(Councillor Mrs Syson left the room whilst this application was discussed. She returned after the decision had been made to consider the remaining applications.)

123. W14/1340 – Land north of Common Lane, Kenilworth

The Committee considered an outline application from Bloor Homes Limited & Bluemark Projects Limited for the erection of up to 93 dwellings together with open space, drainage infrastructure and access from Common Lane. This was a resubmission of a previously refused application W14/0618.

The application was presented to the Committee due to the number of objections received from local residents and because objections had been received from Kenilworth Town Council and Stoneleigh & Ashow Parish Council.

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)
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)
SC14 - Community Facilities (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)
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)

The Emerging Local Plan

Warwick District Local Plan 2011-2029 Publication Draft - published April 2014. Relevant 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.

PLANNING COMMITTEE MINUTES (Continued)

Guidance Documents

Sustainable Buildings (Supplementary Planning Document - December 2008)

Affordable Housing (Supplementary Planning Document - January 2008)

Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)

Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)

Warwickshire Landscape Guidelines SPG

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)

An addendum circulated at the meeting informed Members that:

- three letters had been received making the case that neither Common Lane nor the infrastructure would cope with the additional traffic flow;
- Kenilworth Town Council still maintained its objection and felt that the lane would not cope with large vehicles;
- in respect of contributions, the sum of £100,921.84 should be added towards the care and to accommodate population growth for South Warwickshire NHS;
- the applicant had confirmed certain points on the plan which were shown on the drawing;
- an additional condition was recommended on planning permission; and
- a low emissions statement had been received from the agent and this referred to the methods by which the developer would seek to reduce traffic flow.

It was the officer's opinion that due to the Council's lack of a five year supply of housing land, Local Plan Policy RAP1 was out of date. Therefore, the NPPF required applications to be considered in the context of the presumption in favour of sustainable development. This stated at paragraph 14 that where the development plan policies were out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

There were three dimensions to sustainable development: economic, social and environmental. The development would deliver economic benefits through the generation of employment during the construction phase, and from the increased population which would contribute towards increased expenditure in the local area and dependence on local facilities. Businesses would also benefit economically through the provision of highway network improvements. Social benefits would include the provision of a mix of types and sizes of market and affordable housing to meet identified local needs, the provision of open space, and improvements to shared infrastructure. Environmental benefits would arise from measures to increase biodiversity, sustainable transport improvements, more efficient use of land, provision of

PLANNING COMMITTEE MINUTES (Continued)

open spaces, sustainable drainage measures and improved footpath/cycle way links. The site was in a sustainable location adjacent to the urban area and would be integrated into the existing settlement by sustainable transport links. It was, therefore, concluded that the development represented sustainable development by satisfying the three dimensions identified in the NPPF.

It had been concluded that any issues of concern that had been raised could be satisfactorily addressed through the assessment of reserved matters applications, the provision of new facilities, and the provision of new infrastructure by way of financial contributions. It had also been concluded that very special circumstances had been demonstrated to justify the inappropriate development in the small areas of the site that were in the Green Belt.

The development was considered to comply with all current Local Plan policies aside from RAP1, which the NPPF advised could not carry any weight. Furthermore, the development was considered to comply with the policies of the NPPF, taken as a whole. The presumption in favour of sustainable development carried substantial weight, as did the contribution the development would make to the provision of housing to meet the needs of the District. The allocation of this site for housing in the Draft Local Plan also carried some weight. It was, therefore, concluded that planning permission should be granted.

The Chairman confirmed that the five residents speaking in opposition to the application would each have three minutes to speak.

The following people addressed the Committee:

Mr Fryer, representing Stoneleigh & Ashow Joint Parish Council, spoke in opposition to the application. Five residents, Mr Smart, Mr Wells, Mr Green, Mr McClean and Mr Warren then each addressed the Committee in opposition. They were followed by Mr May, who represented the applicant.

A motion to refuse permission was defeated.

Members debated whether boxes marked out for cyclists at the traffic lights would be necessary and were informed by the Warwickshire County Council Highways Officer that this would mean the plans would have to be re-drawn. Members agreed conditions in respect of a rainwater scheme and rainwater harvesting and a condition to secure the implementation of the Low Emission Statement that had been submitted.

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

Resolved that W14/1340 be **granted** subject to conditions and subject to the completion of a satisfactory Section 106 agreement. Should a satisfactory Section 106 agreement not be received by 15 December 2014, the Head of Development Services has delegated authority to refuse planning permission on the grounds that the proposals make

PLANNING COMMITTEE MINUTES (Continued)

inadequate provision in respect of the issues that are the subject of that agreement.

Conditions:

- (1) this permission is granted under the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
 - (a) layout
 - (b) scale
 - (c) appearance
 - (d) landscaping

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended;
- (2) application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended);
- (3) the development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later. **Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended);
- (4) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (B.0292_13, B.0292_13-2 461095-003 Rev.H, 461095-014 submitted on 25 September 2014 and 10 November 2014. Tree removal and tree protection plan Figure 2 submitted on 25 September 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;
- (5) prior to the submission of any Reserved Matters applications for any phase of development:

PLANNING COMMITTEE MINUTES (Continued)

- a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work across this site shall be submitted to and approved in writing by the local planning authority.
- the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the local planning authority.
- An Archaeological Mitigation Strategy document shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development. Dependent upon the results of the trial trenching, this may include further archaeological fieldwork and/or the preservation in situ of any archaeological deposits worthy of conservation.

No development shall take place until any fieldwork detailed in the approved Archaeological Mitigation Strategy document has been completed to the satisfaction of the Planning Authority. The post-excavation analysis, publication of results and archive deposition 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 DP4 of the Warwick District Local Plan 1996-2011;

- (6) no development shall take place under any relevant phase of development until a detailed lighting scheme for that phase has been submitted to and agreed in writing by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, where protected species are likely to be found, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

PLANNING COMMITTEE MINUTES (Continued)

- (a) low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
- (b) the brightness of lights should be as low as legally possible;
- (c) lighting should be timed to provide some dark periods; and
- (d) connections to areas important for foraging should contain unlit stretches.

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 and to ensure that appropriate measures are taken in relation to protected species in accordance with Policies DP2, DP3, DP9 and DAP3 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) no development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when the 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance

PLANNING COMMITTEE MINUTES (Continued)

with the approved details and shall be retained at all times thereafter. **Reason:** To ensure Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan;

- (9) no part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the local planning authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2012, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the local planning authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **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;

- (10) the development hereby permitted (including demolition) shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species with subsequent mitigation as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan;

- (11) the development hereby permitted shall not
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commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the local 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 pond, wildflower grasslands, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure a net bio-diversity gain in accordance with the National Planning Policy Framework (NPPF);

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

(1) (a) 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; and
- the development of a method statement detailing the remediation requirements.

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

(c) A method statement detailing the remediation requirements, including measures to minimise the impact on

PLANNING COMMITTEE MINUTES (Continued)

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 and shall be approved in writing by the local planning authority prior to the remediation being carried out on the site.

- (2) All development of the site shall accord with the approved method statement.
- (3) If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.
- (4) Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works 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 DP2, DP3 & DP9 of the Warwick District Local Plan 1996-2011;

- (13) the development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained

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thereafter. **Reason:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;

- (14) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

Reason: In the interests of fire safety;

- (15) the development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; 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 noise, vibration, dust, dirt and light during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **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 with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011;

- (16) no development shall take place unless and until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The Low Emission Strategy shall thereafter be implemented in strict accordance with the approved details.

PLANNING COMMITTEE MINUTES (Continued)

Reason: To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012;

(17) the development hereby permitted shall be carried out in strict accordance with a drainage scheme and details of the following that shall have been submitted to and approved in writing by the local planning authority:

- The applicant is to provide detailed design plans showing the existing and proposed foul & surface water drainage systems for the site, showing the location of yard and road gullies, manhole's, soak ways, septic tanks, cess pits and pipes including size, shape, material, fall and level in relation to ground and building levels. This should include a manhole schedule.
- The applicant is to provide detailed engineering drawings of the proposed attenuation pond and any other SUDS features incorporated into the design of the site. This should include vehicle and pedestrian access to the proposed attenuation pond to allow for maintenance crews to access the area to maintain control structures and the pond.
- Where works are located within 8m of the watercourse the applicant must obtain land drainage consent from the Environment Agency
- The applicant is to obtain discharge consent from the Environment Agency as part of the application.

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;

(18) prior to any development commencing on site, full details of the design and appearance, including materials, of the bridge access into the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the occupation of the development.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DP1 of the Warwick

PLANNING COMMITTEE MINUTES (Continued)

District Local Plan 1996-2011;

- (19) any landscaping (other than the planting of trees and shrubs) approved under condition 1, including boundary treatment, paving and footpaths, shall be completed in all respects for that phase of development, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the dwellings within that phase and the tree(s) and shrub(s) shall be planted within six months of that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;
- (20) the existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **Reason:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the
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PLANNING COMMITTEE MINUTES (Continued)

Warwick District Local Plan 1996-2011;

- (21) the mix of type and size of market dwellings submitted as part of any reserved matters application must accord with the recommendations contained within the most up to date version of the "Development Management Policy Guidance : Achieving Mix of Market Housing on new Development Sites".
Reason: To ensure that the housing meets the needs of the District as required by Local Plan Policy SC1 and the NPPF;
- (22) no construction will be undertaken until a Construction Management Plan, which must contain a Construction Phasing Plan and HGV routing plan has been submitted and approved by the local planning authority. **Reason:** In the interests of highway safety, in accordance with Policy DP6 in the Warwick District Local Plan 1996-2011;
- (23) prior to the commencement of the development (not including alterations to the bridge structure), the access to the site from Common Lane shall be constructed, located and laid out in general accordance with drawing number 461095-003 Rev 1 (*Minor alterations may be required during the detailed design process*). **Reason:** In the interests of highway safety, in accordance with Policy DP6 in the Warwick District Local Plan 1996-2011;
- (24) no infill material system (soil) shall be imported to the site unless and until analytical test results for the material have been submitted to and approved in writing by the District Planning Authority. The analytical results shall demonstrate that the soil is suitable for its final use. Once the material is in place a further report shall be submitted to and approved in writing by the Local Planning Authority to confirm that the soil cover meets or exceeds the agreed capping depth.
Reason: To protect the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011;
- (25) conditions in respect of a rainwater scheme and rainwater harvesting and a condition to secure the implementation of the Low Emission Statement that had been submitted; and
- (26) condition in respect of including cycle boxes at

PLANNING COMMITTEE MINUTES (Continued)

traffic lights.

124. W14/1570 – 28 Clarendon Street, Royal Leamington Spa

The Committee considered an application from Keystone Developments for the erection of a first floor rear extension to the existing HMO.

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

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

DP8 - Parking (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)

DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

HE1 - Protection of Statutory Heritage Assets (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)

Guidance Documents

Residential Design Guide (Supplementary Planning Guidance - April 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

It was the officer's opinion that the proposed extension was acceptable in principle and would provide an appropriate design solution that would not affect neighbouring amenity. The proposal was, therefore, considered to comply with the policies listed.

The following people addressed the Committee:

Councillor Gifford, representing Royal Leamington Spa Town Council, spoke in opposition to the application, followed by a local resident, Mr Wigham, who also spoke in opposition. Mr Matharu addressed the Committee on behalf of the applicant.

PLANNING COMMITTEE MINUTES (Continued)

There was concern that some of the plans were inaccurate and a request was made for better plans to be provided.

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

Resolved that W14/1570 be **deferred** to allow a site visit.

125. W14/1513 – Land at Fieldgate Lane, Whitnash

The Committee considered an application from Bovis Homes Limited on the details of appearance, landscaping and scale of the proposed seven residential dwellings and associated infrastructure.

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

The officer considered the following policies to be relevant:

The Existing Local Plan

DAP3 - Protecting Nature Conservation and Geology (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)

DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)

DP5 - Density (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)

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

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

SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

Warwick District Local Plan 2011-2029 Publication Draft - published April 2014. Relevant 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, HE1, HE6, NE2, NE3, NE4, NE5, W1, DM1.

PLANNING COMMITTEE MINUTES (Continued)

Guidance Documents

Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

Open Space (Supplementary Planning Document - June 2009)

Sustainable Buildings (Supplementary Planning Document - December 2008)

National Planning Policy Framework

Affordable Housing (Supplementary Planning Document - January 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

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

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting advised Members that comments had been received from Contract Services, Warwickshire County Council Ecology, the Tree Officer and a further two letters of objection had been received. There were also some amendments to the Conditions as follows:

- the wording to Condition 5 listed in the report was amended as per the wording in the addendum;
- in view of the late negotiations detailed in the addendum, Conditions 6, 7 and 8 listed in the report were to be omitted; and
- Condition 9 listed in the report was amended as per the wording in the addendum.

The Tree Officer stated that Condition 17 on original Outline Planning Permission W13/0858, which covered the whole development, could be discharged provided the barriers were erected in accordance with the exact Root Protection Area radii defined by the plan – JBA 14/04/7501D submitted on 5 December 2014. It was, therefore, considered that there was no need to attach a condition in this respect to the current application. Accordingly, the relevant conditions of the Outline Planning Permission had now been discharged, and the final outstanding condition (renewables) was subject to a Planning Appeal.

It was the officer's opinion that the resolution of the issues raised by the Golf Club regarding public safety represented a significant change in circumstances from those considered by the Planning Committee when determining the previous reserved matters application for the whole site.

Hence, it was considered that the proposed development had a satisfactory housing mix, level of affordable houses, design, impact on residents, access and parking, ecology and sustainability and, therefore, the application complied with Adopted Local Plan Policies D1, D2, D3, D4, D5, D6, D8, D9, D11, D14, DA3, SC1, the Council's Residential Design Guide and the National Planning Policy Framework.

Following consideration of the report, presentation and addendum, the Committee

PLANNING COMMITTEE MINUTES (Continued)

Resolved that the reserved matters application W14/1513 be **granted** subject to the following conditions:

- (1) The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) WHIT/02/300 Rev E, WHIT/02/500 Rev E, WHIT/02/600 Rev E, LEAM /02/0500 Rev B, LEAM-5-400, HTPD AGS2 01, HTPD AGT2 01, HTPD AGD2 01, WHIT/02/400 Rev A, HTPD P303 SHE 02 RevA, HTPD P303 HT ASC 01 Rev A, HTPD P507 HT ASCOT 01 Rev A, HTPD P507 HT ASCOT 02 Rev B, HTPD P502 HT ARU 01Rev A, HTPD P502 HT ARU 02 Rev B, HTPD S241 HT RAD 01 Rev A, WHIT/02/SL02, WHIT/02/701, WHIT-03-102, HTPD_AGD2 01, HTPD_AGS2-1VT, and specification contained therein, submitted on 14/10/14. **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;
- (2) The existing hedges indicated on the approved plans to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedges fall below 3 metres at any point without the written consent of the local planning authority. Any hedge removed without consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced within the next planting season with hedging, trees and/or shrubs of such size and species details of which must be submitted to and approved by the local planning authority. All hedging, trees and shrubs shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **Reason:** To protect that hedging which is of significant amenity value to the area in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (3) the development shall be constructed in general accordance with drawing no. LEAM/02/500. **Reason:** To safeguard highway

PLANNING COMMITTEE MINUTES (Continued)

interests in accordance with Adopted Local Plan Policy D8;

- (4) measures shall be installed to the reasonable satisfaction of the Local Planning Authority to prevent mud and debris being deposited on the highway as result of construction traffic leaving the site. **Reason:** To safeguard highways interests in accordance with Adopted Local Plan Policy D6; and
- (5) Prior to the commencement of the development hereby permitted plans must be submitted to and approved in writing by the Local Planning Authority showing the existing and proposed drainage systems for the site, the location of yard and road gullies, manholes, soakaways, septic tanks, cess pits and pipes, including the size, shape, material, fall and level in relation to ground and building levels to ordinate survey datum.

Prior to the commencement of the development hereby permitted plans must be submitted to and approved in writing by the Local Planning Authority showing the existing and proposed internal property drainage systems for the site including rain water down pipes, showers, sinks, toilets, WCs, wet rooms, wash basins, wash machines, dish washers and pipes, demonstrating how they link up with the external drainage systems. These plans must also show the finished floor levels of the proposed development.

Prior to the commencement of the development hereby permitted plans must be submitted to and approved in writing by the Local Planning Authority showing the precise location of the existing watercourse culvert in relation to the site. This plan must also show the extent of the proposed property curtilages and indicating which of these properties will become Riparian Owners of the watercourse. The development hereby permitted must only be implemented in strict accordance with these approved plans. **Reason:** To safeguard drainage interests in accordance with Adopted Local Plan Policy DP11.

PLANNING COMMITTEE MINUTES (Continued)

126. W14/1546 – Quarry Cottage, Old Milverton Lane, Old Milverton, Royal Leamington Spa

The Committee considered an application from Mr Hughes for the erection of a single story rear extension.

The application was presented to the Committee because an objection from Old Milverton and Blackdown Joint Parish Council had been 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)

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

RAP2 - Extensions to Dwellings (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)

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

Guidance Documents

Residential Design Guide (Supplementary Planning Guidance - April 2008)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that in view of the particular circumstances of this case, the proposal was considered to be acceptable.

The Committee agreed an additional condition in respect of renewable energy.

Following consideration of the report and presentation, the Committee

Resolved that W14/1546 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

PLANNING COMMITTEE MINUTES (Continued)

details shown on the site location plan and approved drawings 40A submitted on 21st October 2014 and 41B submitted on 24th November 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 be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building(s) and associated structures to be demolished. All roofing material is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works will be implemented within the timescales agreed between the bat worker and the Local Authority Ecologist/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings.

Reason: To ensure that protected species are not harmed by the development;

- (4) 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; and
- (5) a condition is included in respect of renewable energy.

(Meeting ended at 8.30pm)

Application No: [W 14 / 1704](#)

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

01926 456535 rob.young@warwickdc.gov.uk

Registration Date: 25/11/14

Expiry Date: 24/02/15

Newbold Centre, Leicester Street, Leamington Spa, CV32 4TE

Demolition of existing building and erection of 31 dwellings (amended scheme following refusal of application no. W14/1267). FOR Waterloo Housing Group

This application is being presented to Committee due to the number of objections received. The application is a resubmission following the refusal of a previous scheme by Planning Committee on 11 November 2014 (Ref. W12/1267).

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application proposes the demolition of the existing building and the erection of 31 dwellings. The development will use the existing vehicular access from Leicester Street which will be upgraded to adoptable standard. The access road will run along the northern side of the site, behind the existing front boundary wall to Leicester Street.

The proposed development includes 7 houses and 24 flats. The houses are two storey and will be set back from Leicester Street, behind the proposed access road. The access road then continues to the eastern end of the site where it is proposed to erect a 4 storey block of flats.

The application is submitted by Waterloo Housing Group and all of the dwellings are proposed to comprise affordable housing. This would include the following:

- 13 no. 1 bedroom flats for affordable rent;
- 11 no. 2 bedroom flats for affordable rent;
- 4 no. 2 bedroom shared ownership houses; and
- 3 no. 3 bedroom shared ownership houses.

A total of 41 parking spaces are proposed. These are located to the front and side of the proposed houses and in an undercroft area on the ground floor of the flats.

The applicant advises that they have aimed to address the concerns raised by Planning Committee by making the following amendments to the scheme:

- apartment block moved closer to Leicester Street to increase the separation distance from the rear of the houses in Queen Street to 20m, whilst keeping a 26m separation distance from the houses on the opposite side of Leicester Street;
- feature chimneys added to the houses to help break up the roofline;
- roof to apartment block changed to a hipped roof and top floor recessed and clad in a different material (to break up the mass of the building and to make the elevations facing Leicester Street and Queen Street less prominent);
- window proportions to apartments changed to give a more Georgian feel, brick heads and cills added to provide definition;
- larger overhang added to eaves and verge of apartment block to provide further definition and to help reduce the massing of the top floor;
- roof height of apartment block reduced by 500mm (the tallest ridge line) and 250mm (the lower ridge line); and
- confirmation that all of the windows facing the properties in Queen Street will be obscure glazed and are only to be used in the event of a fire.

THE SITE AND ITS LOCATION

The application relates to the site of the Newbold Centre on the southern side of Leicester Street. The premises are currently vacant and were last used as a day centre for people with learning difficulties.

The existing building is located towards the eastern end of the site and is a single and two storey structure. The building incorporates a modern two storey pitched roof element (to the rear), together with a late Victorian / Edwardian flat-roofed element (to the front). The late Victorian / Edwardian element was originally a school.

The existing building is set down below the level of Leicester Street and therefore is not prominent in views from that road. The front boundary to Leicester Street is defined by a brick wall and railings. Vehicular access to the site is located towards the western end of the Leicester Street frontage.

The site is situated within a predominantly residential area and is surrounded by dwellings. The western boundary of the site adjoins the boundary of the Leamington Spa Conservation Area.

There are a number of trees situated towards the Leicester Street frontage of the site. There are also trees within the highway in this part of Leicester Street.

PLANNING HISTORY

In 1978 planning permission was granted for "Demolition of part of school and erection of extensions to form adult training centre" (Ref. W78/1054).

In November 2014 planning permission was refused for "Demolition of existing building and erection of 31 dwellings" (Ref. W14/1267). The reason for refusal was as follows:

The proposed development by reason of the positioning, height and design of the 4 storey residential block would result in the introduction of a feature which is out of character with and detrimental to the visual amenities of the surrounding area contrary to the National Planning Policy Framework and the following Development Plan policies:-

The Warwick District Local Plan 1996 - 2011

Policy DP1: Layout and Design;

The Emerging Warwick District Local Plan 2011 - 2029

Policy BE1: Layout and 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)
- 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)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (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)
- DS3 - Supporting Sustainable Communities (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)
- DS6 - Level of Housing Growth (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)
- DS10 - Broad Location of Allocated Sites for Housing (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)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (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)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS8 - Protecting Community Facilities (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)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW4 - Water Supply (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)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

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

SUMMARY OF REPRESENTATIONS

Town Council: No objection. The Town Council welcomes the improved design, layout and location of properties on this site.

Public response: 9 objections have been received, raising the following concerns:

- the amendments have not addressed the reasons for refusal of the previous scheme;
- poor layout and design;
- detrimental to the character and appearance of the area;
- harm to the setting of the adjacent Conservation Area;
- the proposed block of flats is too tall and out of scale with existing development in Leicester Street;
- overdevelopment;
- the density (70 dwellings per hectare) is far higher than that sought by the Local Plan (50 dwellings per hectare);
- the undercroft parking is a poor quality design feature and would have low levels of natural surveillance;
- the proposed houses should be moved closer to Leicester Street to reflect the established pattern of development in the area;
- some of the existing buildings on the site have architectural merit and should be retained;
- the provision of 100% affordable housing is contrary to Local Plan Policy SC11, which only requires 40%;
- the development would add to the existing over-concentration of affordable housing in this locality;
- the design is clearly that of an affordable housing scheme, whereas the Affordable Housing SPD requires the design to be "tenure blind";
- loss of trees;
- detrimental to highway safety;
- the access is too narrow and visibility is very poor;
- insufficient parking - this is the first area of unrestricted parking on this side of the town centre;
- increased pollution;
- increased noise from construction work and increased traffic;
- loss of privacy;
- loss of light;

- overbearing impact on the outlook from adjacent dwellings;
- harm to bats;
- loss of a community facility; and
- the gate in the boundary wall with the properties in Queen Street should not be retained because this represents a security risk.

Conservation Advisory Forum: Raised concerns about the design of the previous scheme. Comments awaited on the amended scheme.

Severn Trent Water: No objection.

Warwickshire Police: No objection.

South Warwickshire NHS Trust: Request a contribution of £1,678 towards the provision of acute and community healthcare facilities.

WCC Education: Request a contribution of £144,352 towards education facilities.

WCC Ecology: No objection, subject to various conditions and informative notes.

WCC Archaeology: No comment.

WCC Highways: No objection, subject to conditions.

WCC Fire & Rescue: No objection, subject to a condition to require the submission of details of water supplies and fire hydrants.

WDC Housing Strategy: Fully support this proposal for affordable housing.

WDC Waste Management: Comments regarding the size, design and access for the refuse and recycling storage areas.

WDC Tree Officer: The significant trees within the site should be retained, if possible.

ASSESSMENT

The key issue in the consideration of this application is whether the amendments to the scheme have overcome the reasons for refusal of the previous application specifically in relation to the design and positioning of the 4 storey block.

However, for completeness, the report also refers to all of the issues previously considered which continue to be material considerations.

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

- the loss of the community facility and the principle of development;
- the impact on the living conditions of neighbouring dwellings;

- **the design and impact on the character and appearance of the area and the setting of the adjacent Conservation Area;**
- car parking and highway safety;
- affordable housing;
- Section 106 contributions;
- impact on trees;
- ecological impact; and
- health and wellbeing.

Loss of the community facility and the principle of development

The existing premises comprise a community facility to which Local Plan Policy SC8 applies. This states that redevelopment or change of use of community facilities that serve local needs will not be permitted unless:

(a) there are other similar facilities accessible to the local community by means other than the car; and either

(b) the facility is redundant and no other user is willing to acquire and manage it; or

(c) there is an assessment demonstrating a lack of need for the facility within the local community.

The Design and Access Statement submitted with the application includes a section to address the above policy. Looking first at Criterion (a), the applicant has demonstrated that the facility is surplus to the requirements of the County Council due to changes in the way in which they provide learning disability services. The County Council have adopted a revised strategy for these services and this ensures that similar facilities are available in accordance with Criterion (a).

Turning to Criterion (b), the applicant's statement confirms that the County Council decided to dispose of the property because it was surplus to requirements. This demonstrates that the facility is redundant. The applicant advises that the disposal has been undertaken in accordance with the County Council's "Surplus Property Protocol", which requires an assessment to be carried out to determine if there is any other viable alternative use for the property either by the Council or its partners. This involves discussion with the relevant District/Borough Council, the Police, NHS, Government Agencies and the voluntary and community sectors. If no alternative Council or partner use is identified, the Protocol requires consideration to be given to whether or not it would be appropriate to seek interest from a community organisation for a potential asset transfer.

The applicant and the County Council have confirmed that this Protocol was strictly adhered to in the disposal of the application site. This protocol mirrors the requirements of Criterion (b) of Policy SC8 and therefore it is considered that compliance with the Protocol also demonstrates compliance with Criterion (b).

As the proposals meet criteria (a) and (b), the development is in accordance with Policy SC8.

The proposals must be assessed against Local Plan Policy UAP1 to determine whether it is a suitable site for residential development, in principle. The application site comprises previously developed land within the urban area. Therefore the proposals would be in accordance with Local Plan Policy UAP1.

Impact on the living conditions of neighbouring dwellings

The application that was refused by Planning Committee in November was an amended scheme following the withdrawal of an earlier application. A number of the amendments in that previous application improved the relationship with neighbouring dwellings. This included the omission of one unit alongside the boundary with the existing dwelling at No. 48 Leicester Street. It is considered that the nearest dwelling is now far enough away from No. 48 to ensure that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for that dwelling.

Another amendment in the previous scheme involved the repositioning of the proposed houses (plots 1-7) to ensure a minimum 22m separation distance from the existing dwellings in Queen Street. This would be in accordance with the minimum distance required by the Council's Distance Separation Guidelines and therefore this is considered to be sufficient to ensure that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for those dwellings.

Since the previous refusal, there have been further amendments to the design and position of the apartment block to reduce the impact on neighbouring dwellings. The separation distance between the apartment block (plots 8-31) and the existing dwellings in Queen Street has been increased to 20m. The Distance Separation Guidelines do not include a standard that exactly matches the relationship that will be created by this part of the proposed development, i.e. two storey dwellings facing a four storey gable end (containing only obscure glazed windows). The closest match is the standard for two storey dwellings facing a three storey gable end, which specifies a minimum distance of 16m. The proposed development now exceeds this distance by 4m.

This additional distance is considered to provide adequate mitigation for the extra height created by the fourth floor. This additional distance is also considered to provide adequate mitigation for the fact that this elevation would be wider than a conventional gable end, as it comprises two gables with a total width of 17.65m. The previous scheme had also been amended to part-render this gable end, which would provide some relief from the mass of brickwork. The further amendments made since Planning Committee refused the previous scheme have further reduced the impact on the houses in Queen Street, with the massing of the building having been reduced by lowering the overall height and providing a hipped roof and revised design for the top floor. Therefore, considering the separation distance and the design of this elevation, it is

considered that the proposed block of flats would not cause unacceptable loss of light, loss of outlook or loss of privacy for the adjacent dwellings in Queen Street.

Turning to the adjacent dwellings to the east of the site in Aqua House, the separation distance from the windows in the proposed block of flats and the side elevation of Aqua House would be 20.5m. There are only bathroom windows in that elevation of Aqua House and therefore it is considered that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for those properties.

Finally, looking at the impact on the houses on the opposite side of Leicester Street, the separation distances would be 26m from the proposed block of flats and 41.5m from the proposed houses. As a result, there would be no significant impact on those properties in terms of loss of light, loss of outlook or loss of privacy.

For the above reasons it has been concluded that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings.

Design and impact on the character and appearance of the area and the setting of the adjacent Conservation Area

Whilst the site itself is not situated within a Conservation Area, it does adjoin the boundary of the Leamington Spa Conservation Area. Therefore the Council's Conservation Architect has been involved in considering the design of the scheme. Further amendments have been made to the design since the November refusal to address the concerns of Planning Committee. It is considered that the amendments have addressed these concerns. In particular, the reduction in height and changes in design of the top floor have reduced the massing of the apartment block. Furthermore, the changes to the design of the windows and the increased overhang for the roof provide more definition to the elevations and an improved appearance for the apartment block. In addition, the provision of chimneys improves the appearance of the houses.

Therefore, notwithstanding the concerns of the objectors, it is considered that the amended scheme would represent a suitable design for this site outside of the Conservation Area which overcomes the previous reason for refusal. The design and form of the development would be in keeping with surrounding buildings. In terms of height, the four storey block of flats would be set on land that is one storey lower than Leicester Street. Therefore, when viewed from the street, it would be seen as a three storey building. This would be in keeping with the height of Aqua House on the adjoining site to the east.

In terms of layout, it is considered appropriate for the proposed houses to be set back from Leicester Street behind the access road. Moving the houses forward to line through with adjacent buildings would not be practical due to the changes in levels across the site and between the site and Leicester Street. In any case, as a result of the change in levels and the set back from the frontage, the proposed houses would not be prominent in views from Leicester Street. The proposed

block of flats is located closer to the front boundary and provides a more conventional frontage for that part of the site.

For the above reasons, it is considered that the proposals would have an acceptable impact on the character and appearance of the area and would preserve the setting of the adjacent Conservation Area.

Car parking and highway safety

In terms of car parking, the proposed layout shows a total of 41 spaces. The Council's Parking Standards require a total of 41.5 spaces. A shortfall of half a space in the context of a scheme of this size is considered to be immaterial. Therefore it is considered that the parking provision is acceptable and will not create parking problems on Leicester Street.

Objectors have referred to the fact that the site is used as a car park for nearby St. Paul's Church. However, this is not a permanent arrangement. Furthermore it relates to a facility on a different site that is in different ownership. Therefore this cannot have any bearing on the assessment of proposals for the redevelopment of the site.

Turning to highway safety, the design of the access and the road within the site has been amended to address issues raised by the Highway Authority. As a result of these changes, the Highway Authority have raised no objection to the proposals. Therefore the proposals are considered to be acceptable from a highway safety point of view.

Affordable housing

The application has been submitted by a Registered Social Landlord and proposes that all of the dwellings will comprise affordable housing. Objectors have suggested that this is contrary to the Local Plan because Policy SC11 only requires 40% affordable housing. However, this is a minimum requirement. There is no policy imposing a maximum limit on the proportion of affordable housing.

It is true that there are some limited concentrations of affordable housing not too far from the application site, notably around St. Paul's Square and Kennedy Square and the surrounding streets. However, looking at the wider area, there is a reasonable mix of tenures. It is also important to note that the mix proposed for the application site comprises affordable rented units and shared ownership units. This would serve to broaden the mix of affordable housing units in the locality, which currently comprises predominantly social rented units. It is also of note that Leicester Street itself now contains very little affordable housing; most of the local authority housing is now in private ownership.

For the above reasons it has been concluded that the proposals would not create a harmful over-concentration of affordable housing in this locality.

Section 106 contributions

Consultees have requested various contributions towards community facilities, including public open space, hospitals, education facilities and measures to promote sustainable travel. However, the applicant has argued that these contributions would render the scheme unviable because they are reliant on grant funding to finance the development. The applicant has submitted a viability appraisal in support of their case. The Council appointed consultants to review the applicant's appraisal and they have confirmed that the provision of any Section 106 contributions would render the scheme unviable.

Impact on trees

The application proposes the removal of a number of trees within the site. The most significant of these are a Sycamore and a Maple that are situated approximately 11m behind the front boundary with Leicester Street. Of these, the Sycamore is the more visible from the street, because it can be seen through the existing site access. In contrast, when viewed from the street the Maple is partially screened by the front boundary wall and the existing street trees in the pavement.

The Council's Tree Officer has advised that these two trees should be retained, if possible. However, the removal of these trees is necessary to enable the access road to be constructed to an adoptable width. Furthermore, it is the street trees in the pavement in front of the application that make the most significant contribution to the character of this part of Leicester Street. The street trees partially screen the trees on the application site and this reduces the amenity importance of the application site trees. There is also scope within the proposed layout for replacement planting which would go some way towards compensating for the loss of these trees. Taking these factors into account, it is considered that the benefits of securing a significant amount of affordable housing outweigh the limited harm that would result from the loss of these trees.

Ecological impact

An Ecological Appraisal was submitted with the application. WCC Ecology have accepted the findings of the appraisal and have advised that the proposals would have an acceptable ecological impact, provided conditions are put in place to impose certain safeguards.

Health and Well-being

The proposals would provide affordable housing for people in housing need. This is a significant benefit that contributes to health and well-being.

Other Matters

Objectors have raised concerns about the demolition of the late Victorian / Edwardian part of the building. However, as this building is not worthy of Listing

and is not situated within a Conservation Area, the Council have no power to insist upon its retention.

Objectors have raised concerns about the density of the development and have suggested that this is contrary to the Local Plan. The density of the proposed development is approximately 70 dwellings per hectare whereas objectors suggest that the Local Plan seeks only 50 dwellings per hectare. However, the relevant Local Plan policy (DP5) specifies 50 dwellings per hectare as a *minimum* density. The Local Plan does not specify any maximum limit for densities. This is generally governed by matters such as the ability to provide adequate car parking or a suitable design that is in keeping with the character and appearance of the area. The proposed development has been assessed as being acceptable in these respects. Consequently the density of the development is considered to be acceptable.

Objectors have raised concerns about the lack of natural surveillance of the undercroft parking area. However, there has been no objection from Warwickshire Police. They have advised that an application has been made for "Secured by Design" and that they can see no reason by this should not be achieved. Therefore the proposals are considered to be acceptable in terms of designing out crime.

Objectors have raised security concerns about the retention of the existing gate in the southern boundary with the properties in Queen Street. However, these concerns relate to a private right of way and therefore cannot be considered in the assessment of this planning application.

The other issues raised by objectors have also been carefully considered, including the concerns about increased pollution, noise from construction work, increased traffic and concerns about the development not being "tenure blind". However, none of these other issues would justify a refusal of planning permission.

SUMMARY/CONCLUSION

The amendments to the design have satisfactorily addressed the reason for refusal of the previous scheme. In particular, the reduction in height and changes in design of the top floor of the apartment block have reduced the massing of this structure. Furthermore, these changes, together with the resiting of the apartment block, have reduced the impact on the adjacent houses in Queen Street. It is considered that the amended scheme remains acceptable in all other respects and therefore it is recommended that planning permission is granted.

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) D05J, D10, D12C, D11, D12D, D13E, D14C, D15B, D16E, D17D, D18B, D20, D21A, D22B, 13364-D1B & 13364-D2C, and specification contained therein, submitted on 24 November 2014, 25 November 2014, 26 November 2014 and 12 December 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 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 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 : To meet the requirements of Policy SC11 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 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.
- 5 No development shall commence until details of measures to ensure that construction traffic will not deposit mud and debris within the public highway have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented at all times that construction work is taking place on site. **REASON** : In the interests of highway safety, in accordance with the requirements of

Policy DP6 of the Warwick District Local Plan 1996-2011.

- 6 No development shall commence until space has been provided within the site for the parking and loading / unloading of construction vehicles. This area shall be kept clear at all times for this purposes throughout the construction period. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 7 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.
- 8 No part of the development hereby permitted shall be commenced until a scheme for the provision of suitable bird nesting boxes has been submitted to and approved in writing by the local planning authority. The scheme shall include details of box type, location and timing of works. The bird boxes shall be installed in strict accordance with the approved details and shall be retained at all times thereafter. **REASON:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 9 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced unless and 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 retained tree(s) on the site, or those tree(s) whose root structure may extend within the site. 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 retained tree(s); no equipment, machinery or structure shall be attached to or supported by any retained 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 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.

- 10 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **REASON:** In the interests of fire safety.
- 11 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **REASON:** To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 12 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall 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. 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 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-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.

- 13 The development shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding of bats within the site as set out in the document 'Biodiversity Report for Site at Newbold Centre, Leamington Spa, Warwickshire - Ecological Appraisal including Protected Species Survey' prepared by Curious Ecologists, dated 3 December 2013. **REASON:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 14 None of the dwellings on Plots 8-31 shall be occupied until the bin store has been constructed in strict accordance with the approved plans. The bin store shall be retained and kept available for the storage of refuse and recycling for Plots 8-31 at all times thereafter. **REASON :** To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 15 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 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.
- 16 The cycle parking provision shown on the approved plans shall be completed before any part of the development hereby permitted is first occupied and thereafter shall be kept free of obstruction and be available at all times for the parking of cycles associated with the development. **REASON :** To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
- 17 The access to the site for vehicles shall not be used in connection with the development hereby permitted 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, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 18 The hard surfaces forming the car parking spaces hereby permitted shall be constructed of porous materials. **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
- 19 Prior to the occupation of the development hereby permitted, the

windows in the south-facing elevation of the block of flats (plots 8-31) 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 windows 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.





REET SCENE
15

PART 01

PART 02



REET SCENE
URT 01



RENDERING BY ARCHITECTURE

LEICESTER STREET
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PLANNING

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REET SCENE
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PART 01

PART 02



REET SCENE
URT 01



02

Planning Committee: 06 January 2015

Item Number: 6

Application No: W 14 / 1435

Town/Parish Council: Warwick

Case Officer: Robert Mason

01926 456521 robert.mason@warwickdc.gov.uk

Registration Date: 06/10/14

Expiry Date: 01/12/14

33 Vicarage Fields, Warwick, CV34 5NJ

Erection of two storey side extension FOR Mr Chowdry

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

RECOMMENDATION

GRANT, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

Erection of two storey side extension.

THE SITE AND ITS LOCATION

The application site relates to a two storey end of terrace property situated on the south side of Vicarage Fields, within a predominantly residential area. The application property is situated within a row of terraced houses which can only be accessed on foot via a pedestrian path from the main highway of Vicarage Fields which services 12 properties to the North and South of the path. The path is set at a higher level than the main highway and private garages are allocated to the properties, which are located further up Vicarage Fields.

The property is situated at the end of the cul-de-sac and benefits from a larger than average plot size. The site shares a boundary with 15 and 19 All Saints Road to the East, All Saints Church and Scallywags Kids Club to the South East, 44 Vicarage Field to the South and 34 Vicarage Road to the West.

There a Horse Chestnut tree to the south which is subject to a Tree Preservation Order.

PLANNING HISTORY

W/10/1470 - Erection of single storey front extension - Granted

W/10/1471 - Erection of new dwelling - Refused

W/14/0477 - Erection of two storey side extension - Withdrawn

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)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- Guidance Documents
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- 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)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection

WCC Ecology: No objection. Recommends bat and bird notes.

Public Response - 9 objections have been received on the following grounds: Set down and set back of extension not enough; noise; parking; impact on TPO tree in grounds of All Saints Church; overlooking of children's playground used by kids club; scale of extension; loss of light and privacy.

Inland Waterways - No objection.

ASSESSMENT

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

- Design and impact on streetscene
- Impact on living conditions of neighbouring properties
- Renewables
- Parking
- Impact on protected tree
- Health and Wellbeing

Design

The objections raised in respect of the design are noted. However, the proposed extension is set down and set back from the main dwellinghouse in accordance with the advice set out in the Residential Design Guide SPD. The proposal also replicates fenestration details. Whilst the proposed extension is approximately the same width as the house, due to its siting at the end of the pedestrianised cul-de-sac, it will not be a prominent feature in the streetscene. I am therefore of the view that the proposal is acceptable in design terms, will not have a detrimental impact on the streetscene and accords with Policy DP1.

Living Conditions

The proposal would not breach the 45 degree line taken from the neighbouring property and in terms of distance from the properties to the north and south, it will be the same as the established pattern of development. It is therefore considered that the proposal would not result in material harm to the living conditions of occupiers of neighbouring properties and the proposal accords with Policy DP2.

Renewables

The proposal includes the provision of solar panels on the front roof slope of the existing house to satisfy the requirements of Policy DP13 and the associated SPD. No calculations have been provided, however, this can be secured by condition.

Parking

The objections raised in respect of parking are noted. The Vehicle Parking Standards SPD requires sets out that dwellings with three bedrooms or more require 2 off street parking spaces. While the existing house has three bedrooms and the proposal results in the creation of a five bed roomed dwelling, in policy terms, the addition of a further two bedrooms does not trigger a requirement for the provision of additional spaces. It is therefore considered that the proposal accords with Policy DP6 and the associated SPD.

Protected Tree

The concerns in respect of the TPO tree are noted. An Arboricultural Report was submitted with the application which demonstrates that the protected tree would not be impacted upon by the proposed development and the Council's Tree Officer has accepted these findings.

Health & Wellbeing

Not applicable

SUMMARY/CONCLUSION

The objections raised by the occupiers of neighbouring properties are noted. However, for the reasons set out above, the proposal is considered to accord

with the relevant policies listed and it is concluded that planning permission should be granted, subject to conditions.

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 (drawing number 1819-01), and specification contained therein, submitted on 6 October 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 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.
 - 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.
-

Application No: [W 14 / 1570](#)

Town/Parish Council: Leamington Spa
Case Officer: Sally Panayi

Registration Date: 27/10/14

Expiry Date: 22/12/14

01926 456541 Sally.Panayi@warwickdc.gov.uk

28 Clarendon Street, Leamington Spa, CV32 4PG

Erection of first floor rear extension to existing HMO For Keystone Developments

This item was deferred from the last meeting of the Planning Committee in order to enable Members to visit the site.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of a first floor rear extension, 4.525 metres in depth and 2.6 metres in width above the existing single storey flat roofed rear extension.

THE SITE AND ITS LOCATION

The application property is a two storey mid-terraced period dwelling with accommodation in the roof space, located on the western side of Clarendon Street, within the Royal Leamington Spa Conservation Area. The application property is in use as a house in multiple occupation. The attached neighbour to the south, number 30, is a two storey dwelling, also in use as a house in multiple occupation. The single storey front extension to number 30 extends forward to the pavement and is in use as a hairdresser's salon. The attached neighbour to the north is a three storey bay fronted rendered house occupied as a single family dwelling.

PLANNING HISTORY

There is no planning history relating to this property.

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)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (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)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (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)

Guidance Documents

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

SUMMARY OF REPRESENTATIONS

Leamington Town Council: Resolved that an objection is raised for the following reasons: 1. The proposed extension is of a poor design and quality. 2. The proposal is overbearing in relation to neighbouring properties and an over-development of the site. 3. The development creates unacceptable loss of light and privacy to the neighbours. 4. Concern was expressed over the concreting of the back garden. 5. The drawings were inadequate and there were a number of inaccuracies on the plans. 6. The Town Council wishes to receive the comments of the Conservation Officer.

Warwickshire Police: No objection

Highway Authority: No objection

Private Sector Housing: This is an existing licensed HMO. The proposals are acceptable from a housing standards perspective. The room arrangements will be improved and the property will retain a second bathroom. A new licence will be required from the new owner, prior to occupation.

Public Response: The neighbour at 26 Clarendon Street has objected on the grounds of design, loss of privacy and loss of light.

ASSESSMENT

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

- Principle of the Development
- The impact on the character and appearance of the area
- The impact on the living conditions of nearby dwellings
- Car parking and highway safety
- Renewable energy
- Health and Wellbeing

The Principle of the Development

The principle of a first floor rear extension is acceptable within the residential area. The proposal will add an additional bedroom to an established HMO. However, as the use is already established the principle of use is not an issue for this application.

The impact on the character and appearance of the area

The proposed first floor extension is designed to extend the form of the existing rear wing at first floor with a mono pitch roof sloping to the south towards the neighbouring property at 30 Clarendon Street. The existing rear extension is a flat roofed structure. The rear of this property is not seen from the street and as a result the proposal has no impact on the street scene. The Council's Conservation Officer is happy with the proposal, subject to the use of traditional materials and a timber window, which can be secured by condition.

The impact on the living conditions of nearby dwellings

The neighbour at 30 Clarendon Street has a two storey rear extension to the original rear wing of the property. The relationship between this neighbour and the application site is such that there is no material impact by the addition of a first floor above the existing single storey structure.

The neighbour at 26 Clarendon Street has a two storey rear extension beyond the original depth of the rear wing. The building has a mono pitch roof form with the slope towards the application site. The flank wall of this neighbouring extension appears to have been built as a party wall. The proposed extension which projects 1.6 metres beyond the rear wall of the neighbouring extension, complies with the 45 degree line taken from the quarter point of the ground floor kitchen window on the rear elevation of number 26. The proposed first floor extension is therefore considered to have an acceptable impact on the light and outlook to this kitchen window.

Car parking and highway safety

The addition of one bedroom to the dwelling is considered unlikely to create a significant increase in vehicular movements. The application site is located in a highly accessible and sustainable location, close to bus stops and within walking

distance of the town centre. The Highway Authority acknowledges that parking is available and raised no objection to the proposed extension.

Renewable energy

Given the limited scale of the development proposed there is no requirement to provide renewables in this case.

Health and Wellbeing

N/A

Other Matters

Environmental Health commented that the proposal is acceptable from a housing standards perspective. The room arrangements will be improved and the property will retain a second bathroom.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the 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 4425-01, and specification contained therein, submitted on 27th October 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 building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies DP1 and DAP8 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.

H. M. LAND REGISTRY

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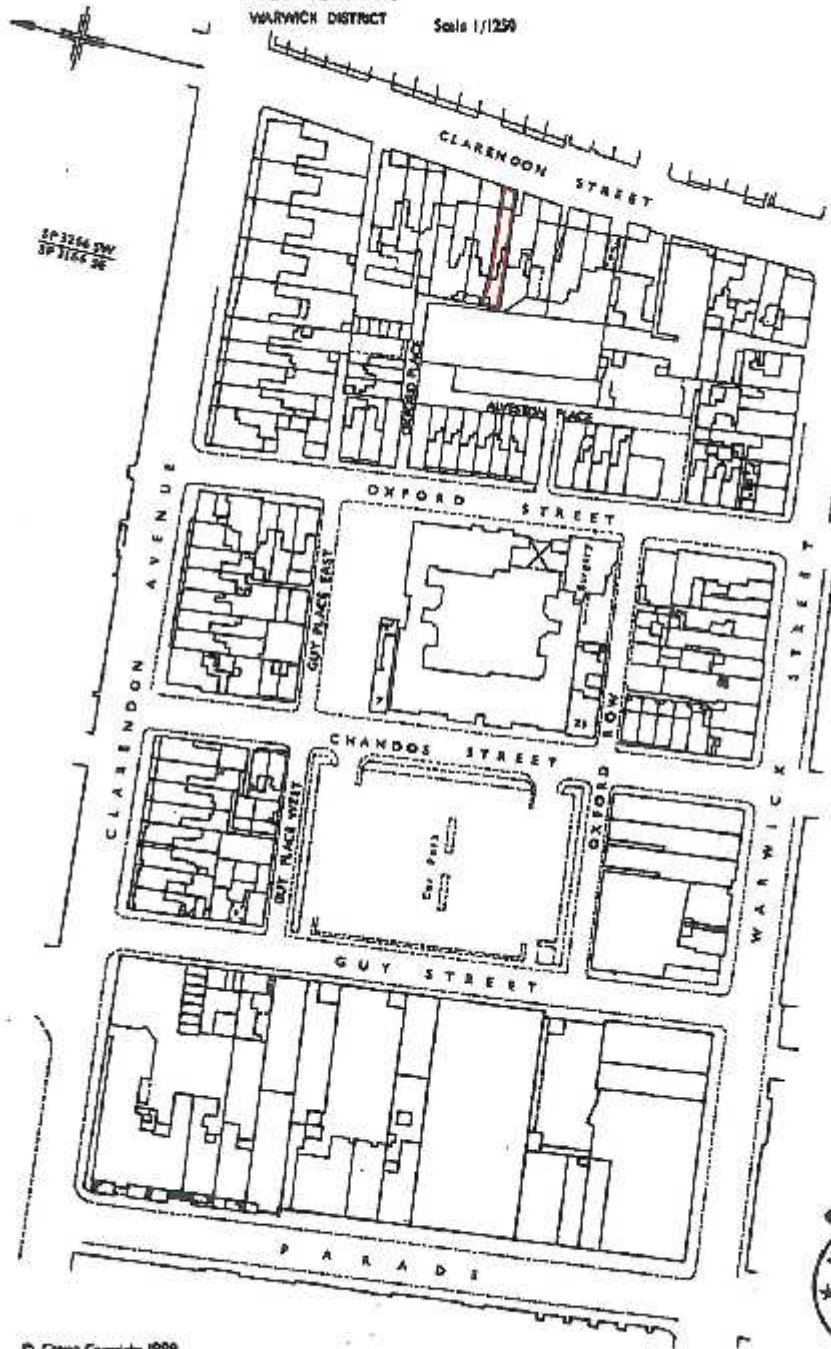
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SECTION G

WARWICKSHIRE

WARWICK DISTRICT

Scale 1/1250

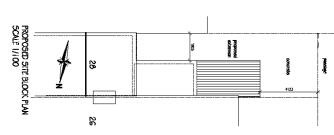
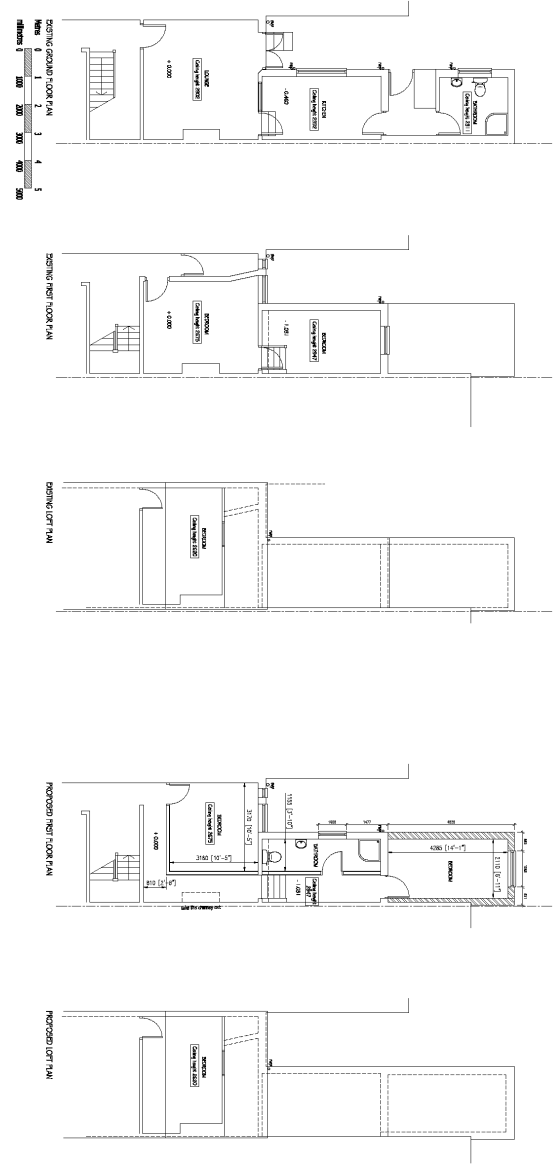
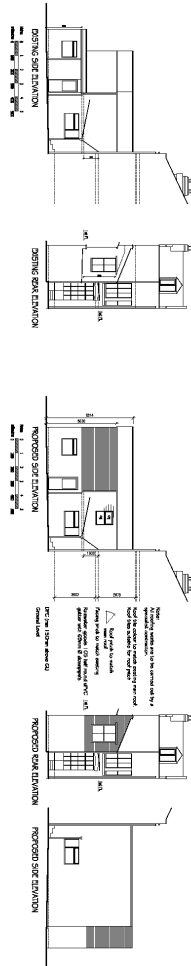


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NO.	DATE	DESCRIPTION	BY	CHKD
1	10/10/2023	PRELIMINARY DESIGN	ARCHITECT	ARCHITECT
2	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
3	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
4	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
5	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
6	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
7	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
8	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
9	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT
10	10/10/2023	REVISIONS	ARCHITECT	ARCHITECT

Application No: [W 14 / 0915](#)

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

Registration Date: 17/06/14

Expiry Date: 12/08/14

01926 456533 emma.spandley@warwickdc.gov.uk

Hybrid Arts Riverside Adelaide Road, Leamington Spa, CV32 5AH

Change of use to Sui Generis (Arts Education & Community use). Delivery of formal alternative education to disadvantaged youths through school contracts during weekday term times, between 9.00 am and 4.00 pm, and some additional funded arts education project work that may take place at weekends or early weekday evenings, until 9.00 pm. Hire of sound-proofed rehearsal room to musicians until 9.00 pm. Hire of main hall to community user groups such as theatre groups, yoga classes etc. until 9.00 pm. Use of darkroom to community user groups (supervised). Use of screen printing facilities to community user groups (supervised). FOR Hybrid Arts

This application is being reported back to Planning Committee as the application was deferred from the 19th August 2014 Planning Committee meeting due to Members requesting the Chair of Planning Committee and officers to meet with the Residents of Portland Place and the applicant to negotiate suitably worded conditions that could be imposed on a grant of planning permission if Committee were minded to do so. However, as a result of these discussions the contentious element of the proposal which centred around the music venue has been removed from the application. The application now proposes the change of use of the building to an Education, Arts & Community Centre. All of the parties who commented on the previous application has been notified of this change.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission.

DETAILS OF THE DEVELOPMENT

The application proposes to change the use of the former sea cadets building to a mixed use comprising of education, arts and community uses. A list of activities has been included with the amended application.

Hybrid two was established in 2013 due to the expansion of Hybrid Arts music and film making departments. They deliver high quality learning opportunities for young people mainly centred around disadvantage young people.

The main education is in the form of alternative education through the use of Music and the Arts to disadvantaged youths through school contracts during weekday term times, between 9.00 am and 4.00 pm. The applicant also teaches

arts projects including Film Making and imagery, these projects take place at weekends or early weekday evenings, until 9.00 pm.

The building benefits from a sound proofed booth which will be hired out as a rehearsal room to musicians until 9.00 pm. The main hall will also be hired out to community groups such as theatre groups, yoga classes etc. until 9.00 pm. There will be no amplified music until adequate sound proofing measures have been put in place and tested. There is also a darkroom and printing facilities which will be hired out to community groups.

Since the Planning Committee decision to defer the application officers have met with the residents of Portland Place together with the applicant, Cllr Gifford and the Chair of Planning Committee on several occasions following the concerns expressed. The wording of the potential conditions to help mitigate the harm arising from noise and disturbance in relation to the music element were considered to be too difficult to enforce against. This has now resulted in an amendment to the application which concentrates on the educational function.

THE SITE AND ITS LOCATION

The application site is the former Sea Cadets Club House and Boat House located adjacent to the River Leam opposite the St Patrick's Club. To the north of the site is a gym, to the east are a number of other clubs including the Naval Club, to the north west is the Adelaide Road public car park and beyond the car park are the properties located in Portland Place West. The site is situated within Flood Zone 3 and within the Royal Leamington Spa Conservation Area.

PLANNING HISTORY

The relevant planning history has been explained above, with regards to the current application.

RELEVANT POLICIES

National Planning Policy Framework

The Current Local Plan

- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE3 - Amenity (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)
- HS8 - Protecting Community Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Objection. The change of use is not considered appropriate due to the building being unfit for purpose. The building requires substantive noise insulation and air conditioning works to counter the need to open windows and doors. The Council supports the work of Hybrid Arts but consider that the location of this venue is inappropriate. However, Royal Leamington Spa Town Council have provided a further response to the amended application which raises an objection for the following reasons: 1. The Council supports the aims of Hybrid Arts in developing a variety of activities for both educational purposes and community use but considers the location only appropriate for educational activities (Class D1) and not for a variety of mixed activities (Sui Generis) of a general nature. 2. All activities should cease at 9pm to reduce the impact of noise and disturbance to local residents. 3. No amplified music to be allowed until appropriate soundproofing is installed and is proven to be effective. 4. Noise levels should be regularly monitored to ensure that they meet an agreed level acceptable to local residents.

Environmental Health: No objection, subject to conditions relating to an acoustic scheme and noise levels.

Environment Agency: Initially submitted a holding objection, the objection has subsequently been lifted. Therefore the Environment Agency has no objections.

Warwickshire Police: No objections.

Public Response: 33 Objections & 98 letters of support were received on the previous application which sought to change the use to education and a music venue. All persons who had commented on the previous application were re notified of the change to the application. The change was to the nature of the use which removed the music venue element and concentrated on Education, Arts and Community uses.

On the basis of the revised application no formal objections have been received to date, however, a meeting has taken place with the local residents to discuss their concerns. The residents main concern is regarding noise and disturbance from the proposed activities. An activity sheet has been submitted in support of the application.

ASSESSMENT

Principle of change of use

Policy SC8 of the Warwick District Local Plan 1996 - 2011 and Policy HS8 of the Draft Local Plan 2011 - 2029 seeks to retain existing community uses. The previous use of the building was for the Sea Cadets. The use as an education, arts & community centre is considered to be a Community Facility and therefore the change of use is considered to accord with Policy SC8 of the Warwick District Local Plan 1996-2011 as the community use of the building is retained.

Impact on neighbouring properties:

a) Noise

Policy DP9 of the Warwick District Local Plan 1996 - 2011 states that development will only be permitted which does not give rise to noise pollution where the levels could cause harm to sensitive receptors. A large number of objections were received relating to the noise impacts of the previous use which involved live music performances. Since May 2013, Environmental Health have regularly monitored the Leamington Live Art and Music Project (LAMP) and have worked with the venue to minimise disturbance to local residents

As part of the previous planning application, the applicant provided a noise survey and Environmental Health have confirmed that they are satisfied with the efficacy of the report and recommended that a condition requiring the submission of an acoustic scheme be imposed on any planning permission granted.

In light of further evidence and representations from the Environmental Health Team and the residents of Portland Place it was considered that the noise arising from inside the building, even with the acoustic treatment would still lead to noise and disturbance to the surrounding residents if the music venue element of the previous application was granted. Similarly, conditions were explored to restrict the operating hours of the venue and the type of events on certain days, however, as explained above, the wording of the conditions were unenforceable and complicated.

In light of the above, the application was amended, the applicant voluntarily surrender their drinks and music licence and seek to concentrate on the education side. A list of activities has been submitted with the amended application along with an amended finish time for the activities being 9pm.

However, it is considered reasonable to have the opening time of the building half hour before the activities can start and half hour after the activity has finished to allow the rooms to be set up / cleared away. Therefore the hours the building can be opened and have members of the public inside will be between the hours of 0830 and 2130; the activities will not be able to commence until 9am and will be required to be finished by 2100.

There are a list of activities which are not considered to generate a noise nuisance, however, at the bottom of the list there are several activities which could generate a noise nuisance. These activities will not commence until an acoustic scheme has been submitted and approved by the Environmental Health Team and thereafter installed.

b) Anti-Social Behaviour

Policy DP2 of the Warwick District Local Plan 1996 - 2011 and Policy BE3 of the Draft Local Plan 2011-2029 state that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. 'Amenity' is defined as the extent to which people are able to enjoy public places and their own dwellings without undue disturbance or intrusion from nearby uses. A number of the objections received on previous details raised concerns about noise related anti-social behaviour which have taken place around the application site and Councillor Bill Gifford has objected to the planning application on these grounds. These objections centred again around the music venue element of the application.

As the applicants have surrendered voluntarily their music and alcohol licence it is considered that the amended application, which concentrates on education, arts, and community will not generate anti social behaviour which will adversely affect the living conditions of the neighbouring properties to warrant refusal of the application. Furthermore, the police have raised no objections to the current application.

Flooding

The applicant has correctly identified the level of risk and the Environment Agency raise no objections.

External Alterations

The additional external doors are considered to be acceptable.

Other matters

As a result of the meetings with the residents, a list of conditions was put forward by the residents. The conditions are to restrict LAMP / Hybrid Arts from obtaining a Alcohol license with no alcohol being sold, supplied or distributed on the premises. Unfortunately, we cannot attach a condition banning the premises from obtaining an alcohol license under planning legislation as it is unreasonable. This element however, can be controlled under the landlord function and be a restriction under their tenancy at will and / or lease.

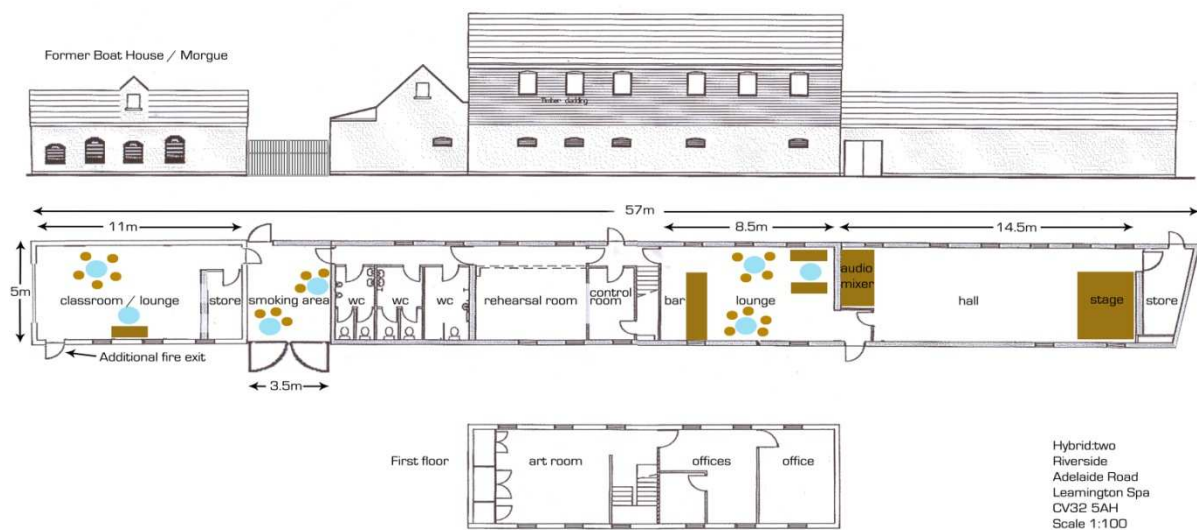
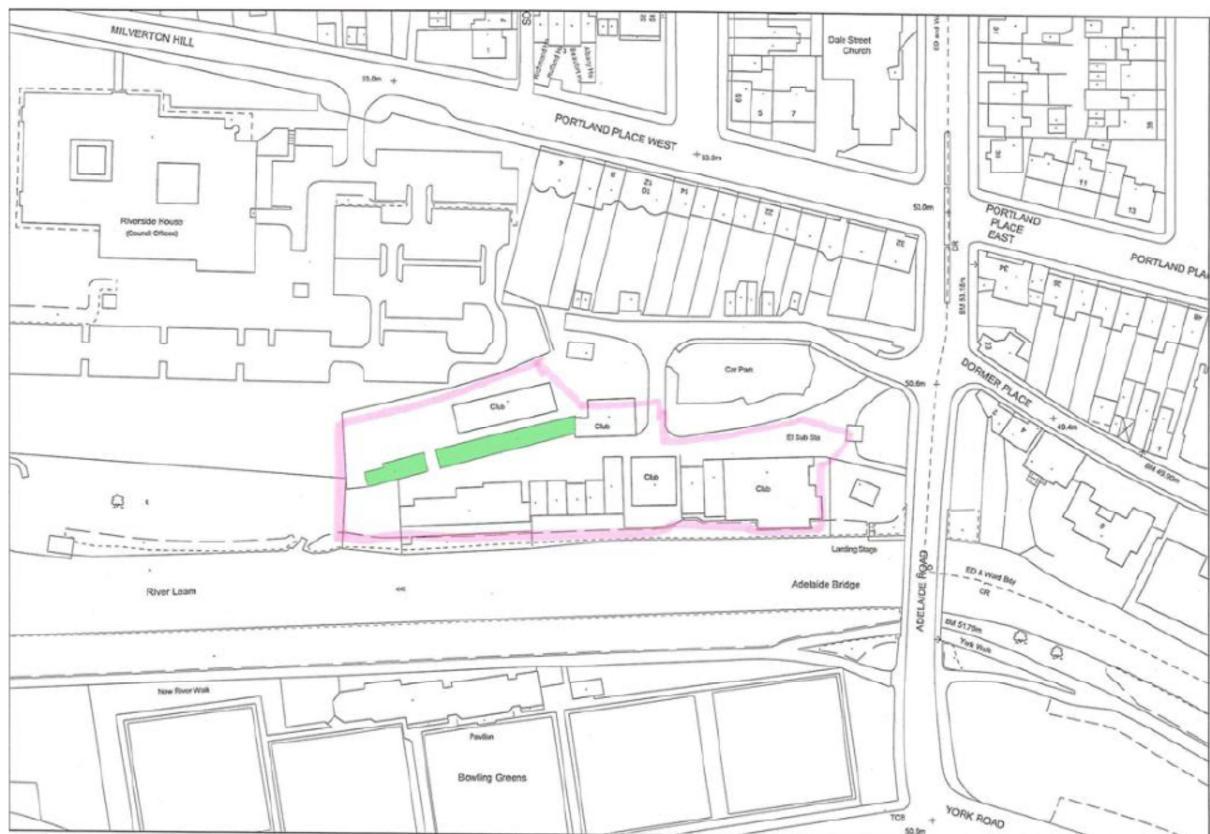
Another condition was suggested requiring no discernible noise from the premises and any noisy activity to not last more than 3 hours, however, this to is too contrived, however, a noise condition can be added to control noise levels.

SUMMARY/CONCLUSION

The scheme which now only focus on alternative educational practices to disadvantage young people is considered acceptable by officers, and officers understand that this is the element that Committee and residents generally support. Therefore, subject to the suitably worded conditions listed, the application is considered acceptable.

CONDITIONS

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing showing the proposed floor plans titled H2 plan; titled new fire door & new fire door detail submitted on 17th July 2014 and the activity list document submitted on 16th December 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.
- 2 Notwithstanding condition No.1 above, before the activities highlighted brown in the schedule of activities submitted on 16th December 2014 commence, 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 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 Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 3 Noise arising from activities at the premises, when measured one metre from the facade 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.
- 4 No members of the public shall be permitted to be on the premises other than between the hours of 0830 and 2130 and no activities shall take place on the premises other than between the hours of 0900 and 2100 on any weekday, Sunday or Bank / Public Holiday..
REASON: The premises are closely adjoined by residential properties and the local planning authority considers it necessary to strictly control the nature and intensity of use of the premises in the interests of the amenities of the area in accordance with Policies DP2 & DP9 of the



Application No: [W 14 / 1493](#)

Town/Parish Council: Warwick
Case Officer: Emma Spandley
01926 456533 emma.spandley@warwickdc.gov.uk

Registration Date: 07/10/14

Expiry Date: 06/01/15

6 Jury Street, Warwick, CV34 4EW

Installation of flue extraction equipment FOR Catalan

This application is being presented to Committee as Warwick District Council is the owner of the property.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application proposes to erect a new flue for an existing extraction unit.

THE SITE AND ITS LOCATION

The application property is an attractive Grade II Listed Building within the Conservation Area of Warwick; located to the South-West of Jury Street. It is currently being used as a Spanish restaurant.

PLANNING HISTORY

W77/0049 - Granted consent for the use of vacant offices as tea rooms

W77/0419 - Granted consent for the display of fascia sign (0.53m x 1.5m) and projecting sign (0.46m x 0.84m)

W89/1400LB - Granted consent for the demolition of kitchen and erection of extension to tearooms and new kitchen

W90/1071LB - Granted consent for the erection of rear kitchen extension

W04/2203 - Granted for internal alterations including revised floor and new stud partition wall

W06/0615LB - Granted for the display of a hanging sign on front of property (Retrospective application)

W07/1482LB - Refused for the retention of retractable awnings to cover patio dining area at rear (Retrospective application)

W09/0399 - Granted the retention and alterations to structure over rear patio (Retrospective application)

W/14/0507/LB - Installation of flue extraction equipment, granted 26th May 2014.

RELEVANT POLICIES

National Planning Policy Framework

The Current Local Plan

- DP9 - Pollution Control (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)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (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)

SUMMARY OF REPRESENTATIONS

Warwick Town Council : No objection.

Environmental Health: No objection.

Public Response: A number of letters and emails have been received from the neighbour concerning potential noise and odour nuisance. The neighbour has also raised concerns that the application has been submitted in the tenants name rather than Warwick District Council, who are the owners of the building.

ASSESSMENT

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

- The impact on the Listed Building and Conservation Area, and
- The impact on the amenity of the neighbouring property through odour and noise pollution.

The impact on the Listed Building and Conservation Area

Policy DAP4 of the Local Plan states consent will not be granted to alter or extend Listed Buildings where those works will adversely affect its special architectural or historic interest, integrity or setting.

The proposed replacement flue has been sited so as to minimise the impact on the Listed Building. It is located to the rear in a modern addition adjacent to an existing parapet wall. The flue will be powder coated black. The installation of the new roof light, will be read located on the modern part of the building.

Conservation officers have raised no objections to the design or siting of the proposed flue.

The impact on the amenity of the neighbouring property through odour and noise pollution

The main objections received centres around the adequacy of the proposed flue and whether it will lead to noise or odour nuisance to the occupiers of No.8 Jury Street.

No.6 Jury Street is an existing restaurant called Catalan, which serves tapas and grilles. The lease holder of No.6 Jury Street has recently been granted planning permission to change the use of No.4 Jury Street and to extend into those premises. There has been some confusion with the objector surrounding the expansion of the restaurant into No.4 Jury Street, with regards to increasing the capacity of the restaurant and covers, which would lead to, in the objectors opinion, an increase in noise and odour from the extraction unit.

For clarification, while the restaurant is expanding into No.4 Jury Street, this is facilitating a larger bar area; better toilet facilities and a more convenient access to the upper floors of No.6 for the existing tenant. The existing kitchen is not being extended. The area where the bar currently is in No.6, will hold an additional 10 covers which is marginal and will not increase the capacity of the existing kitchen.

Therefore, the planning application is based solely on the use of the kitchen as it is today and only the re-routing of the flue from the rear wall where it currently resides to the proposed position, from the roof. The applicant has indicated that the menu will stay the same and the existing cooking equipment will remain the same. There have been no complaints lodged with Environmental Health regarding noise or odour nuisance in relation to the existing system in the past, therefore, the application is solely about the repositioning of an existing flue.

The objector refers to DEFRA guidance regarding extraction and flue equipment for proposed restaurants, and gives a matrix of a likely scenario. However, as stated above, the existing filtration system will remain which has not caused any noise or odour concerns in the past. The new position of the flue is being treated

from factual data and an existing scenario, rather than a hypothetical scenario contained within guidance, not a statutory document.

A noise assessment report has been submitted and Environmental Health are satisfied with the contents of the noise report. Taking into account all of the above, the Environmental Health Officer does not object to the reposition of the flue, subject to noise conditions which are based on British Standard 4142 "Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

The objector would like the application to be for a new extraction unit and flue which would take into account a worse case scenario. However, it is unreasonable to require the applicant to remodel the existing kitchen and existing filtration equipment "just in case", in the future, the menus change and / or there is an increase in capacity which potentially could mean that the existing system is not up to the required standard.

Other Considerations

The neighbours concerns regarding the applicants name has no bearing on the planning considerations of this proposal. The application has been reported to planning committee for this reason.

SUMMARY/CONCLUSION

Environmental Health are satisfied that the existing extraction equipment has not given rise to any noise or odour complaints. The repositioning of the flue will not give harm to the occupiers of No.8 through increased noise or odour issues to warrant refusal of the application. The application is 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 site location plan and approved drawing Q3618-14 submitted 7th October 2014 and the noise assessment report dated November 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 Noise arising from ventilation plant at these premises, when measured one metre from the facade 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.

- 4 The kitchen mechanical ventilation system shall not be operated between 11pm and 7am. **REASON:** The premises are closely adjoined by residential properties and the local planning authority considers it necessary to strictly control the nature and intensity of use of the premises in the interests of the amenities of the area in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
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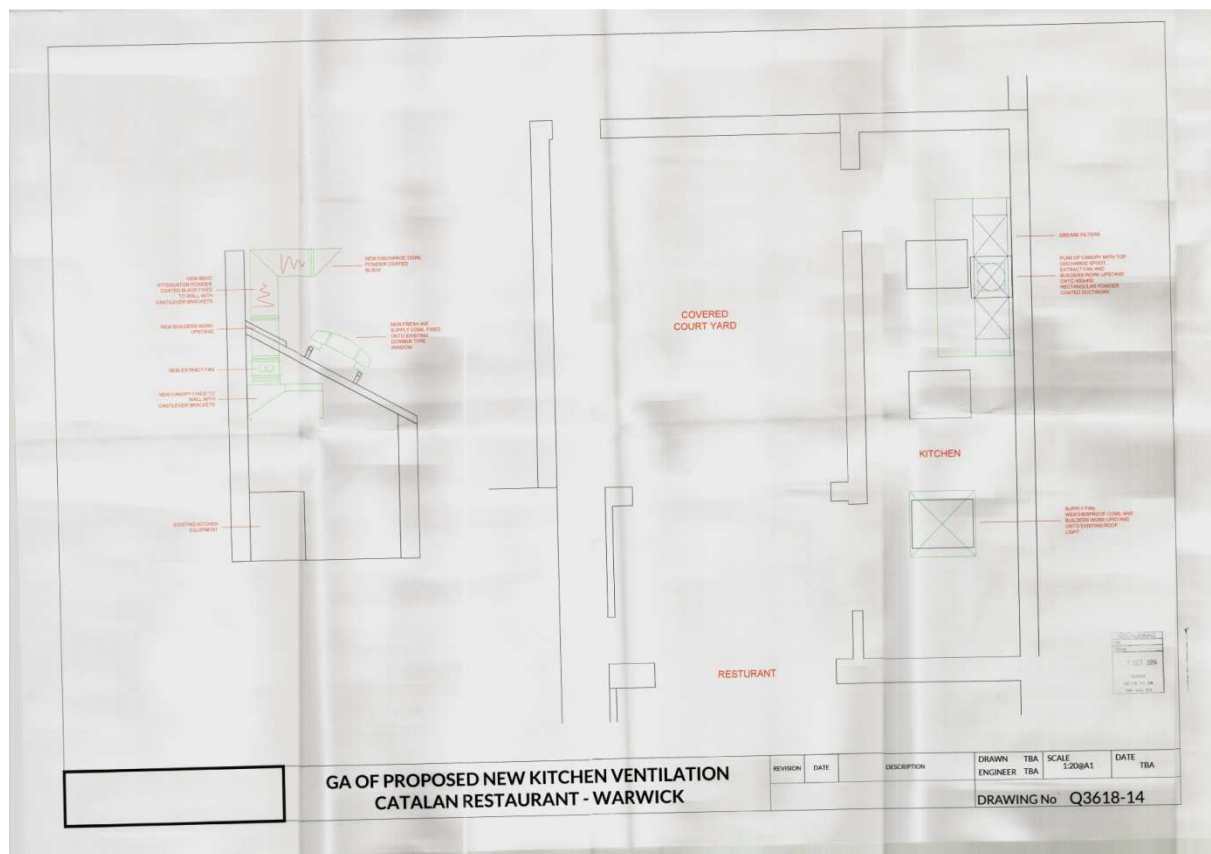
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Date: 21 December 2014



Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire. CV32 5HZ

Tel: 01926 410410



Application No: [W 14 / 1625](#)

Town/Parish Council: Warwick
Case Officer: Jo Hogarth

Registration Date: 11/11/14

Expiry Date: 06/01/15

01926 456534 jo.hogarth@warwickdc.gov.uk

36 Paradise Street, Warwick, CV34 5BT

Construction of 2 no. 2 bedroom houses following the demolition of a 4 bedroom house FOR Mr A G Cummins

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received. Furthermore, this application has been requested to be presented to Committee by Councillor Elizabeth Higgins.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of two semi detached two bedroom dwellings on the site following the demolition of the existing four bedroom dwelling. The proposal makes provision for the storage of bins and recycling boxes in the rear gardens and maintains pedestrian access via an alley to allow them to be presented on collection days. There is no off street parking for the current dwelling and no off street parking is proposed for the two new dwellings.

THE SITE AND ITS LOCATION

The application site relates to a two storey four bed dwelling located outside of the designated Conservation Area within a predominantly residential area. Historically, the dwelling was formerly two dwellings and formed a terrace of three houses. In the rear garden are two lock-up garages, the site of which has recently been granted planning permission under W/14/0887 for the erection of two semi-detached dwellings fronting onto Vine Lane.

PLANNING HISTORY

There have been no previous planning applications submitted for this site.

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)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (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)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object: The house has considerable historic significance, the development by reason of design and mass is over development, contrary to Policy. It will exacerbate parking problems and fail to comply with the 45 degree line. The District Council should seek guidance on possible listing of the property. Suggest a site visit.

Cllr Elizabeth Higgins: This is a concrete house of unique construction in 1873. Request that this application is called into committee. Considers that it should be locally listed and put on the national register.

WCC Ecology: No further bat survey work is considered necessary and recommend notes on bats to be attached.

WCC Highways: No objection as it is recognised that the number of bedrooms will remain unchanged and therefore the level of parking required is unchanged.

WCC Archaeology: No objection.

WDC Contract services: No objection.

Public response(s): 8 letters of objection on grounds of overlooking due to the large rear facing windows; restricted on street parking exacerbated following the approval of W/14/0887 for 2 dwellings in Vine Lane; failure to meet distance separations and the 45 degree guideline; and the recent deterioration of the property following its sale.

ASSESSMENT

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

- Principle of development
- Design
- Impact on neighbours
- Parking and highways
- Renewables
- Public open space
- Health and Wellbeing

The Principle of the Development

In terms of principle, the application to construct two dwellings would be in accordance with Local Plan Policy UAP1 in that it is previously developed land within the confines of the urban area, subject to accordance to other relevant policies within the Local Plan.

Design

Policy DP1 only permits development which positively contributes to the character and quality of its environment through good layout and design. It requires proposals to reinforce or enhance the established urban character of streets, reflect, respect and reinforce local architecture and historical distinctiveness and respect surrounding buildings in terms of scale, height, form and massing. The Residential Design Guide also provides a design framework for maintaining and enhancing the distinctive qualities of the District's towns.

The height of the proposed dwellings would be the same as the existing dwelling and the end terrace to which it would be attached. The external appearance would also be white render which would match the adjoining house. The footprint of the development is on that of the original and is hard up against the back of the footpath. The design incorporates a feature brick course under the eaves which relates back to the original dwelling and that on the adjoining property, number 38 Paradise Street. This would be on both front and rear elevations.

It is considered that the design and the materials are acceptable and would meet the objectives of Policy DP1 in the Local Plan and those of the NPPF which places a strong emphasis on good design.

Impact on neighbours

Policy DP2 requires development to not lead to an unacceptable adverse impact on the amenity or nearby users or resident, and to provide acceptable standards of amenity for future users/occupiers of the development. The Residential Design Guide also requires development to take into account of the impact on neighbouring properties, and in particular sets out the 45 degree guideline for assessing over-development, loss of privacy and dominance over adjoining dwellings, and to secure reasonable standards of outlook and amenity. Furthermore the Distance Separations Standards for limiting the potential for over-development, loss of privacy and dominance over adjoining dwellings and to secure amenity and outlook for local residents.

The application has been amended so that there is no breach of the 45 degree line. The first floor has been set back to ensure that the Council's distance separation of 22 metres is met in relation to the backs of the recently approved dwellings in Vine Lane. Although these dwellings have not been constructed to date, their approval is a material consideration.

On the rear elevation it is proposed to have doors at first floor; however these would have a Juliette guard so it would not enable occupiers to walk or sit out at first floor. As such it is not considered unreasonable to incorporate these features.

As amended it is considered that the development would not result in unacceptable harm to neighbours such that would justify refusal on grounds of loss of amenity, outlook or adverse harm to living conditions and for these reason the proposal is considered to comply with Policy DP2 and the Residential Design Guide.

Parking and Highways

No off street parking is proposed for the replacement dwellings and there is no objection raised from the County Council Highways in this respect. It was apparent during the assessment of the application to build in Vine Lane under W/14/0887 that the garages which did belong to number 36 Paradise Street were not in use. It was on this basis that it was considered reasonable to consider that parking for 36 Paradise Street would not be lost as part of that proposal. As such it is considered that due to there being no increase in the number of bedrooms, the proposal would not generate an increase in parking requirements under the Council's published and adopted Supplementary Planning Document on Vehicle Parking Standards. It is considered that the application accords with Policy DP8 in the Local Plan.

Renewables

The development proposes to use solar panels in order to achieve the required 10% predicted energy requirement as set out in Policy DP13 in the Local Plan and the Council's adopted Supplementary Planning Document on Sustainable

Buildings. As such it is considered that a condition requiring the renewables scheme to be carried out is appropriate in this instance.

Public Open Space

A contribution towards the improvement and enhancement of public open space in the vicinity, as no provision is made on site, is justified and will be required by condition.

Health and Wellbeing

N/A

Other matters

A bat survey has been carried out to the satisfaction of the County Ecologist and it is considered that a note relating to bats is sufficient.

SUMMARY/CONCLUSION

The proposed development is of an acceptable standard of design which would harmonise with the design and appearance of its surroundings and does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. 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 numbers 410-03 Rev A; 410-04 Rev A; 410-05 Rev A and 410-06 Rev A and specification contained therein, submitted on 19 December 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 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.

- 4 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter 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.
 - 5 The passageway shown on the submitted drawing shall be kept free from obstruction and retained as such at all times. **REASON:** To ensure adequate means of access to the rear of the properties to enable bins and recycling boxes to be presented on collection days, in accordance with Policy DP1 in the Warwick District Local Plan 1996-2011.
 - 6 The external finish of the development hereby permitted shall be white render in accordance with the details shown on drawing number 410-06 Rev A submitted on 19 December 2014. **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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