

PLANNING COMMITTEE 24 JUNE 2014

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 5: W/14/0407 Land north of Harbury Lane, Heathcote

Amended layout plans have been received addressing the issue of separation distances between proposed dwellings referred to in the report. It is therefore proposed that recommended condition 1 is revised to incorporate the revised plans as follows:

The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (Alston Classic, Colchester Classic, Hexham Classic, Jade Classic- detached, Jade Classic- semi-detached, Madison Classic, Rochester Classic, Type 20 Classic, Type 22 Classic, Type 24 Classic, Type 28 Classic, P341--D5, H316---5, H455---5, H469--X5, H588--5, H597---5, H546---5, H533---5, SH29-Semi detached, SH29-29 Triple Terrace, C135, C136, E51W, G1B, G2AW, G2C, Enclosure Details, Landscape Masterplan GL0217-01, Infrastructure Landscape Proposal GL0217-02 submitted on 18 March 2014. 2010/LIN/C/01 submitted on 13 June 2014. H6735:06 Rev.C, H6735-05 Rev.B, H6735:05-1 Rev.B, H6735:101 Rev.E submitted on 17 June 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.

There is also a correction to the number of bungalows proposed under the **Design** section of the report, as this should read 8 not 2.

WCC Ecology have made the following comments:

I consider that the report letter completed by FPCR and dated 19th June 2014 includes sufficient information regarding the potential of the willow trees (located by pond) to support roosting bats. Although there are several cracks in these trees, these cracks appear to be open to the elements and thus considered unsuitable for bat roosts.

However, if tree removal is proposed within March to October (inclusive), I would recommend that a precautionary approach is taken to protect any opportunistic bat individuals using these cracks temporarily. I would recommend that the sections of these trees containing cavities are carefully lowered to the ground and left with openings exposed for a minimum of 24 hours after felling to allow any bats that could be present to leave of their own accord. These precautionary measures can be part of the CEMP.

In addition, tree removal should be carried out outside the nesting bird season that lasts March to September (inclusive). If this is not possible, then these trees should be checked for nesting birds by a qualified ecologist immediately prior to removal. We recommend that nesting birds are covered in the CEMP.

I have re-looked at the plans submitted for Land North of Harbury Lane / Land off Harbury Lane and note the change in the planting scheme & bulbs. The plant species listed in the updated plan appear to be overall suitable for the specific habitats. However my previous comments and recommendations remain largely the same. There is still a lack of detail to the management and maintenance of the site. I am aware this is covered by a condition on the outline application - if deemed appropriate I recommend this is also covered for this application as it is important these details are provided to secure to proposed landscaping and habitat creation on site.

Item 6: W/14/0775 Fieldgate Lane, Leamington Spa

Reference is made in the report to dwellings in the district being heavily weighted towards smaller accommodation. To clarify, the current mix of house types and sizes shows that we have slightly higher than average proportions of 1 and 2 bed houses but we have a significantly higher proportion of 4+ beds (compared with the Housing Market Area of Coventry & Warwickshire).

Housing Mix – 2011 Census				
% Dwellings	1-bed	2-bed	3-bed	4+bed
Warwick	10.3	27.8	37.1	24.5
Housing Market Area	8.6	26.1	45.7	19.3

3 letters of objection have been received referring to the following points –

- The additional houses proposed compared to the outline application and the high density of houses;
- The visibility of the site from the railway line and the impact on the wider rural landscape;
- The extra traffic generated on Golf Lane;
- The need for bungalows;
- The blocked sewers in the field and flooding of the field;
- The lack of local infrastructure including school places and capacity in GP surgeries;
- The vehicular access from Fieldgate Lane;

- The proposed footpath along the northern boundary which requires the removal of 3 trees;
- The use of two and a half storey houses;
- The preferred use of Renewable Energy instead of energy saving methods; and
- Problems caused by stray golf balls.

The Leamington and County Golf Club has submitted a letter of objection with a risk assessment report which concludes that a 30 metre high net would be required along part of the 18th fairway in order to safeguard future residents from stray golf balls. It is noted that a planning application has been received for this netting.

The Council's Drainage Officer has confirmed that there is no objection to the scheme.

The Highway Officer has made the following comments:

Following the submission of the application, WCC informed WDC and the Applicant that the supporting information for the outline application considered 100 dwellings. Therefore, further analysis was required to demonstrate that the impact of the additional proposed units could be safely accommodated on the local highway network. Whilst the initial layout was not acceptable, alterations have now been made and accepted by WCC.

The impact of the additional dwellings has been demonstrated to be acceptable. Any additional queuing that could occur is considered to be minimal and not detrimental to highway safety or capacity.

Therefore, having considered the proposed development, the response of WCC as Local Highway Authority to the above application is one of NO OBJECTION, subject to the following conditions:

1. The development shall be laid out in general accordance with drawing LEAM/-2/200RevA.
2. The development shall not be commenced until space has been provided within the site for the parking, loading and unloading of construction traffic. This space shall then be kept clear at all times for this purpose.
3. The Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Prior to the commencement of the development, the details of these measures (including type, method of operation and control of use) shall be submitted in writing to the Local Planning Authority for their approval in consultation with the Highway Authority.

Notes for inclusion:

- a. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness

WDC Contract Services have made detailed comments regarding waste collection requirements and confirmed that they have no objection to the scheme.

The Agent has confirmed that a sub-station will no longer be required on site and therefore that the proposed condition 2 can now be omitted.

There is also a correction that the difference between the number of proposed 2 bed market houses and those required under the Council SDP should read -16% not -19%.

Item 11: W/14/0572 1 Tulip Tree Avenue, Kenilworth

A letter from the applicant in response to the objections has been received. It states that removing the flat roof above the garage is an improvement and as such will harmonise and enhance the appearance of the property. There is no right to light under planning law and there would be no noticeable reduction in daylight to the upstairs window. The dormers are situated appropriately and sensitively within the roof slope, away from the ridge level. Several of the letters are not from immediate neighbours as they live across Kenilworth. The BRE guidelines are not a rigid set of rules and the guidelines state that the degree of light should be taken from a main room window and the side facing windows are not main windows. The civil right to light is a separate claim and does not form part of the application.

Item 13: W/14/0589 – 75 Radford Road, Leamington Spa

Two further letters have been received objecting on grounds that it is contrary to Council policy; property is already overcrowded, concentration of HMO's, disruption of works and added traffic and parking to the area.

Item 14: W14/0648 – 36 Warwick Street, Leamington Spa

WCC Highways: No objection, subject to a restriction on eligibility for parking permits.

Item 9: W/14/0371 – 9 Dugard Place

“**Barford, Sherbourne & Wasperton Joint PC** are once again disappointed to see WDC Planning Officers giving little weight to recommendations in the Barford Village Design Statement when compiling committee reports and recommending GRANT of permission”.

The case officer has considered the guidance set out in the BVDS but based on the specific on site circumstances has reached the conclusion that the gap maintained as part of the development would generally accord with the gaps between the properties in the streetscene and that due to the property being positioned on a bend in the road the relationship between this and the adjacent property means that a terracing effect will not occur.

Public objection received objecting on the basis that proposed the extension will reduce the gap between properties which will create a terracing effect which is against the Barford Village Design Statement (BVDS). The objector states that other examples of properties which have been extended do not reduce gap between properties to the extent of this proposal and also objects on the basis that the proposed extension will damage the street scene, again contrary to the BVDS.

Item 15: W/14/0695 – Units SU9 and SU10, Livery Street, Regents Court, Royal Leamington Spa

A letter of support has been received from a local resident on the basis that all of the recommended conditions are imposed.

Item 7: W/14/0473 – 78 Montague Road, Warwick

A letter has been received from the applicant as follows:-

I am not able to make the meeting tomorrow evening (Tuesday 24th June 14) and would like to email my support in writing for application no: W/14/0473.

The extension does not impact on adjoining properties as it is on the area where there are no adjoining properties. The majority of the extension utilizes redundant Land to the south-east of the property.

The extension size meets the growing needs expected for a family of five.

The proposal will result in a better proportioned balance of accommodation throughout the property. The extension when viewed from the main street

elevation will be subservient to the original building form and will not undermine the overall street scene. Due to the separation distances (including the current lawned land on the side of the property, owned by the property) there will be no impact or privacy concerns on any facing properties.

An application has been submitted to meet 10% of the energy by renewable technology.

The planning application will not interfere with off-street parking as the lawned front garden and the current side lawned garden will become hard standing vehicle areas. The front of the property is accessed from the private drop down kerb, and the side of the property is accessed from the side rear drop down kerb (opposite the rear garage). This will provide sufficient, safe, secure and ample off-street car parking for all family and visitors in the future.

Overall, I am in agreement with the planners that the scheme meets all the relevant policy guidelines and should be granted planning approval and as the planners have already stated, there are many similar size extensions in the area.