

Planning Committee Wednesday 22 June 2022

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Wednesday 22 June 2022, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor A Boad (Chairman)
Councillor T Morris (Vice Chairman)

Councillor R Dickson
Councillor B Gifford
Councillor O Jacques
Councillor J Kennedy
Councillor R Margrave

Councillor N Murphy
Councillor M Noone
Councillor D Norris
Councillor C Quinney
Councillor N Tangri

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

Agenda Part A – General

1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) 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 disclosed 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.

Part B – Planning Applications

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

4. **W/14/0967 – Land North of Gallows Hill, Warwick** (Pages 1 to 2)
****Major Application****
5. **W/17/2371 & W/20/0502 – Land off Rugby Road and Coventry Road, Cubbington** (Pages 1 to 2)
****Major Application****
6. **W/18/0606 – Land at The Triangle, Lower Heathcote Farm, Harbury Lane, Warwick** (Pages 1 to 2)
****Major Application****
7. **W/19/1133 – Land at Ward Hill, Warwick Road, Littleworth, Norton Lindsey** (Pages 1 to 27)
****Major Application****
8. **W/21/0409/LB – The Punch Bowl Hotel, 1 The Butts, Warwick** (Pages 1 to 4)
9. **W/21/0708 – Barn 6 - Stanks Farm, Old Budbrooke Road, Budbrooke** (Pages 1 to 9)
10. **W/21/0709 – Barn 7 - Stanks Farm, Old Budbrooke Road, Budbrooke** (Pages 1 to 9)
11. **W/21/0710 – Barn 1-5, Stanks Farm, Old Budbrooke Road, Budbrooke** (Pages 1 to 10)

Part C – Other matters

12. **Appeals Report** (To follow)

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 the Council's Public Speaking Procedure, members of the public can address the Planning Committee meeting remotely by joining the remote meeting through their personal device on any of the planning applications or Tree Preservation Order reports being put before the Committee. If you wish to do so, please register online at [Speaking at Planning Committee](#) any time after the publication of this agenda, but **before 10.00am** 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 website, and where possible, the applicant and all registered speakers (where applicable) will be notified.

Published Tuesday 14 June 2022

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For enquiries about specific reports, please contact the officers named in the reports. You can e-mail the members of the Committee at planningcommittee@warwickdc.gov.uk

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456114**

Planning Committee: 22 June 2022

Item Number: 4

Application No: [W/14/0967](#)

Town/Parish Council: Warwick

Case Officer: Dan Charles

01926 456527 dan.charles@warwickdc.gov.uk

Land North of Gallows Hill, Warwick, CV34 6SJ

Development of up to 425 residential dwellings (Use Class C3), medical centre, community hall, formal and informal green spaces, sports and recreation provision, structural landscaping, new roads, footpaths and cycle ways, site access and ancillary works (outline application including details of access)

FOR: Vistry Partnerships

Proposed Deed of Variation to the signed Section 106 Agreement

RELEVANT POLICIES

- National Planning Policy Framework
- H2 – Affordable Housing
- DM1 – Infrastructure Contributions

INTRODUCTION

This report relates to outline planning permission W/14/0967 which received a resolution by planning committee to grant planning permission subject to the signing of a Section 106 Agreement on 31.03.2015.

Following the resolution to grant, the Section 106 Agreements was subsequently signed and the decision issued on 03.04.2015.

Following the grant of the outline permission, reserved matters applications were submitted and approved for 375 dwellings and the applicants have actively pursued the permissions and the works are well advanced on the site.

This proposal seeks the inclusion of First Homes within the Legal Agreement.

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes.

Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
- b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,

d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

In this case, the provision of First Homes will be in addition to the existing 40% Affordable Home provision. In total, a potential 26 plots will be provided under the First Homes regulations. This would increase the overall provision of affordable housing on the site to a maximum of 46.9%.

The applicant has noted that this figure may be subject to change but they will be actively seeking to provide as many first homes on the site as possible.

This report seeks the agreement from Committee to enter into and complete a Supplementary Deed/Deed of Variation to incorporate the required definitions into the Section 106 Agreement to satisfactorily secure the requirements for the dwellings to be secured under the First Homes regulations.

ASSESSMENT

The proposal would result in an increase over and above the required standard of 40% Affordable Housing provision and would also allow for an additional route for the residents of the District to acquire an affordable property.

An increase in the provision of affordable housing within the District is to be welcomed and this scheme will secure these units through the appropriate Legal Agreement.

CONCLUSION

The revisions are not affected by the CIL regulations.

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

The associated Legal costs in providing the Deed of Variation would be met by the applicants so there is no cost to the Local Planning Authority.

RECOMMENDATION

That Committee approve the proposal to allow the First Homes to be secured on the development through a Supplemental Deed/Deed of Variation to the Section 106 Agreement.

Planning Committee: 22 June 2022

Item Number: 5

Application No: [W/17/2371](#) & [W/20/0502](#)

Town/Parish Council: Cubbington

Case Officer: Dan Charles

01926 456527 dan.charles@warwickdc.gov.uk

Land off Rugby Road and Coventry Road, Cubbington, CV32 7JN

W/17/2371: Development of 120 dwellings (including 48 affordable units), formation of single access point from Coventry Road and single access point from Rugby Road, highway works, landscaping, public open space and ancillary works.

W/20/0502: Provision of 13 additional dwellings on existing application site (approved for 120 under W/17/2371) through removal of larger units and provision of additional smaller dwellings within the existing site layout.

FOR: Bellway Homes (South Midlands) Ltd

Proposed Deed of Variation to the signed Section 106 Agreement

RELEVANT POLICIES

- National Planning Policy Framework
- H2 – Affordable Housing
- DM1 – Infrastructure Contributions

INTRODUCTION

This report relates to full planning permissions W/17/2371 and W/20/0502 which were given a resolution by planning committee to grant planning permission subject to the signing of a Section 106 Agreement on 11.09.2018 and 23.07.2020 respectively.

Following the resolution to grant, the Section 106 Agreements were both signed and the decisions issued on 29.03.2019 and 07.09.2021 respectively.

The applicants have actively pursued the permissions and the works are well advanced on the site.

This proposal seeks the inclusion of First Homes within the Legal Agreement.

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes.

Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;

b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

In this case, the provision of First Homes will be in addition to the existing 40% Affordable Home provision. In total, 6 plots will be provided under the First Homes regulations. This would increase the overall provision of affordable housing on the site to 44%.

This report seeks the agreement from Committee to enter into and complete a Supplementary Deed/Deed of Variation to incorporate the required definitions into the Section 106 Agreement to satisfactorily secure the requirements for the dwellings to be secured under the First Homes regulations.

ASSESSMENT

The proposal would result in an increase over and above the required standard of 40% Affordable Housing provision and would also allow for an additional route for the residents of the District to acquire an affordable property.

An increase in the provision of affordable housing within the District is to be welcomed and this scheme will secure these units through the appropriate Legal Agreement.

CONCLUSION

The revisions are not affected by the CIL regulations.

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

The associated Legal costs in providing the Deed of Variation would be met by the applicants so there is no cost to the Local Planning Authority.

RECOMMENDATION

That Committee approve the proposal to allow the First Homes to be secured on the development through a Supplemental Deed/Deed of Variation to the Section 106 Agreement.

Planning Committee: 22 June 2022

Item Number: 6

Application No: [W/18/0606](#)

Town/Parish Council: Bishops Tachbrook

Case Officer: Dan Charles

01926 456527 dan.charles@warwickdc.gov.uk

Land at the Triangle, Lower Heathcote Farm, Harbury Lane, Warwick

Outline application for up to 150 dwellings (including 40% affordable), and public open space. Access provided from consented Lower Heathcote Farm development, all other matters are reserved for future determination.

FOR: David Wilson Homes East Midlands

Proposed Deed of Variation to the signed Section 106 Agreement

RELEVANT POLICIES

- National Planning Policy Framework
- H2 – Affordable Housing
- DM1 – Infrastructure Contributions

INTRODUCTION

This report relates to outline planning permission W/18/0606 which received a resolution by planning committee to grant planning permission subject to the signing of a Section 106 Agreement on 06.11.2018.

Following the resolution to grant, the Section 106 Agreement was subsequently signed and the decision issued on 05.02.2019.

Following the grant of the outline permission, reserved matters applications were submitted and approved and the applicants have actively pursued the permissions and the works are well advanced on the site.

This proposal seeks the inclusion of First Homes within the Legal Agreement.

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes.

Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
- b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
- d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

In this case, the provision of First Homes will be in addition to the existing 40% Affordable Home provision. In total, 9 plots will be provided under the First Homes regulations. This would increase the overall provision of affordable housing on the site to a maximum of 46%.

This report seeks the agreement from Committee to enter into and complete a Supplementary Deed/Deed of Variation to incorporate the required definitions into the Section 106 Agreement to satisfactorily secure the requirements for the dwellings to be secured under the First Homes regulations.

ASSESSMENT

The proposal would result in an increase over and above the required standard of 40% Affordable Housing provision and would also allow for an additional route for the residents of the District to acquire an affordable property.

An increase in the provision of affordable housing within the District is to be welcomed and this scheme will secure these units through the appropriate Legal Agreement.

CONCLUSION

The revisions are not affected by the CIL regulations.

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

The associated Legal costs in providing the Deed of Variation would be met by the applicants so there is no cost to the Local Planning Authority.

RECOMMENDATION

That Committee approve the proposal to allow the First Homes to be secured on the development through a Supplemental Deed/Deed of Variation to the Section 106 Agreement.

Application No: [W 19 / 1133](#)

Town/Parish Council: Norton Lindsey
Case Officer: Dan Charles

Registration Date: 20/06/19
Expiry Date: 19/09/19

01926 456527 dan.charles@warwickdc.gov.uk

**Land at Ward Hill, Warwick Road, Littleworth, Norton Lindsey, Warwick,
CV35 8JD**

Hybrid planning application consisting of:
Full planning application for the erection of two replacement poultry houses for
poultry rearing (pullets) and the repositioning of existing access;
Outline planning application for the erection of a farm manager's dwelling. FOR
Mr A Audhali

RECOMMENDATION

It is recommended that planning permission is granted, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks the demolition of the existing poultry houses and the erection of two new poultry houses. In terms of footprint, each poultry house is proposed to be 60m x 12.14m providing a gross floor area of 728.4 sq metres per building giving an overall footprint of 1,456.8 sq metres. In comparison, the existing buildings measured 67.3 metres long x 11.1 metres wide (West building) and 64.2 metres long x 11 metres wide (East building) giving a total footprint of 1453 sq metres for the two buildings.

Each building has an eaves height of 2.5m and a proposed ridge height of 4.7m compared to the overall height of the existing buildings of 3.7 metres ridge height (West building) and 2.5 metres ridge height (East building). Each building has a total of 10 vent towers extending to an overall height of 6.5 metres.

The proposed buildings are to be constructed of a low brick riser wall with chevron timber cladding walls under a corrugated metal sheet roof. The buildings each have double doors at each gable end of the building together with two personnel doors on the front (north) elevation.

The proposal also includes the provision of an on-site worker's dwelling. Whilst only in outline form the plans indicate a single storey property with a gross floorspace of 77 sq metres.

The application also includes the creation of a new vehicular access and on-site parking and turning space together with all ancillary works.

THE SITE AND ITS LOCATION

The application site lies to the North East of the village of Norton Lindsey and is situated within the West Midlands Green Belt.

The site currently contains 2 dis-used poultry houses of low-profile timber construction.

The site is flanked on three sides by agricultural fields. To the west the boundary is shared with a single dwelling. The dwellinghouse is set away from the site boundary.

The site is predominantly flat with the land gently rising to the rear in a southerly direction. The site has a variety of trees and hedging to the roadside boundary, but the remaining side and rear boundaries are undefined with features, although there is a marked change in the character of the land at the boundary.

The site has an existing lawful use for agricultural purposes which notwithstanding an extended period of vacancy continues to subsist. Planning permission is not therefore required for the continuing use of the site for agricultural purposes.

PLANNING HISTORY

W/17/2372 - Demolition of 2no. chicken sheds and the proposed residential development of 2no. single storey dwellings with a new footpath link to the village – **Refused 01.03.2018.**

W/16/1970 - Demolition of 2no. chicken sheds and erection of 9no. dwellings – **Refused and appeal dismissed 12.09.2017.**

W/08/0146 - Erection of two replacement poultry sheds and relocation of vehicular access and erection of farm manager's dwelling – **Refused and appeal dismissed 24.05.2010**

W/08/0145 - Erection of farm manager's dwelling - **Refused and appeal dismissed 24.05.2010**

W/07/1931 - Erection of replacement poultry sheds & relocation of vehicular access – **Withdrawn 08.01.2008**

W/07/1930 - Erection of farm manager's dwelling – **Withdrawn 08.01.2008**

W/05/1755 - Erection of dwelling for poultry farm manager and erection of 2 replacement poultry sheds – **Refused and appeal dismissed 04.04.2007**

W/05/1754 - Erection of 2 replacement poultry sheds - **Refused and appeal dismissed 04.04.2007**

W/04/1049 - Erection of a replacement poultry shed – **Refused 20.10.2004**

The history of the site includes 2 earlier applications for the erection of replacement poultry sheds. In 2005, the application reference W/05/1754 was refused and appeal dismissed on the grounds that the proposed sheds would result in material harm to the landscape and further harm to the living conditions of local residents, in particular, the dwelling to the immediate west of the site that, in the Inspectors judgement, would not be outweighed by the benefits of the proposal in promoting agriculture and none of the suggested conditions would overcome the identified harm.

Following this application, application reference W/08/0146 was refused on the grounds of the impact on the rural character and appearance of the area, impact on the amenity of neighbours as a result of odour emissions and the adequacy of surface water drainage proposals. This application was dismissed at appeal with the Inspector upholding the first two reasons for refusal but was satisfied that adequate drainage could be secured by condition.

In both appeals, the Inspectors were clear that the development was for an agricultural use and therefore, the replacement chicken sheds are classified as appropriate development within the Green Belt.

The associated worker's dwelling was dismissed on appeal on the basis that the Inspector dismissed the appeals for the poultry houses and therefore, no dwelling was justified.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DS1 - Supporting Prosperity
- DS5 - Presumption in Favour of Sustainable Development
- DS18 - Green Belt
- PC0 - Prosperous Communities
- H1 - Directing New Housing
- EC1 - Directing New Employment Development
- EC2 - Farm Diversification
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities
- CC1 - Planning for Climate Change Adaptation
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources

Guidance Documents

- Parking Standards (Supplementary Planning Document)
- Air Quality & Planning Supplementary Planning Document (January 2019)

SUMMARY OF REPRESENTATIONS

Norton Lindsey Parish Council: Objection on the following grounds;

- Environmental Impact - odour during day to day operations and cleaning, dust in the atmosphere, increased vermin, noise from ventilation fans etc. Not convinced by the methodology and findings of the odour report that suggests minimal impact on houses.
- Negative effect on highway safety - increased heavy traffic movement and poor visibility on Warwick Road. Not clear in proposal how vehicles will access site.
- No details of feed storage hoppers.
- Inconsistencies on plans regarding closure of existing access.
- Concern about manager's bungalow and how it will operate. Is the manager always expected to be on duty? How will the site operate when the manager is away? Regular visits would surely suffice?
- Openness of the Green Belt will be affected. Not satisfied that the exceptions exist for this development.
- If granted, recommend occupancy condition and removal of permitted development rights.

Additional comments received

- Grave concerns over the environmental impact of the site from odour, dust, increased vermin, noise from ventilation fans and particularly bio-aerosols.
- Lack of adequate water management plans.
- Negative effect on highway safety from increased lorry movements.
- No clear case for on-site worker.
- Do not consider proposal represents sustainable development.
- Any change from pullets (to broilers etc) could result in further issues.
- Application remains unchanged from previous refusals.
- Existing buildings have been redundant for 20 years so application should be viewed as a new and inappropriate new development.

Councillor Jan Matecki: Objects to the scheme;

- Fully agree with the comments made by local residents, the Parish Council and the local MP, Matt Western.
- Application has been heard several times previously under one guise or another, and been rejected on every occasion. I particularly draw your attention to 2 previous applications, W/05/1754 and W/08/0146 which were heard in 2007 and 2010 respectively which were rejected by the WDC and the decisions were upheld by different Inspectors, appointed by the Secretary of State to review the appeals made in both of these applications.
- The fundamental reasons for rejecting the applications, and subsequently verified by the Inspectors after appeal, are still valid, if not more so, today.

- In application W/08/0146 the poultry sheds had a size of 48m long, 12m wide and 4.5m high. The Inspector found that sheds of this size would have an "unacceptable impact on the area's character and appearance". This new application has sheds even longer, wider and taller and so will have an even more drastic effect on the character and appearance of the area.
- In both of the previous applications, the overriding factors were the development criteria in the Green Belt and not due to health reasons. The Inspector's report in the 2007 review also pointed to the fact that there were old disused poultry sheds on the site, but dismissed their relevance due to their state and so reviewed the application as if it were a new application.
- The existing sheds in the reports are now in an even worse state than 13 years ago and so their relevance, if any, is even more diminished today. Moving the buildings around on the plot does not alter the fundamental principles of development on Green Belt land.
- This application, as it has done previously, fails to mitigate any circumstances under NPPF policies which would allow it to succeed. As the Inspectors in their reports said at the time, which still holds true today, there are no exceptional circumstances to this application to justify the approval of this application
- Heavy goods vehicles (HGVs) cannot turn around on site and will require the HGVs to either reverse in or out into the road contrary to Policy TR1
- Policy NE5, which requires any development to "not give rise to soil contamination or air, noise, radiation, light or water pollution where the level of discharge, emissions or contamination could cause harm to sensitive receptors". Air and water pollutants, together with noise pollution can not be eradicated by the current proposals.
- Since the last similar application was heard in 2010, a lot more is now known about the detrimental effect on public health created by bio-aerosols. The moving of the worker's dwelling to the west side of the site still does not satisfy the need, as reported by many authorities around the world, that poultry sheds should be at least 150m away from residential properties. One property lies within 50m of the nearest proposed shed, and numerous more within 150m so the 150m threshold cannot be achieved.
- Reference in the Bio-Aerosol report makes reference to broilers and not pullets, which would have a greater turnover leading to increased potential harm.
- Suspect that the site would very quickly turn from pullet to broiler production in order to recover the investments made. This would greatly affect the air quality on a much more regular basis than minimalistic suggestion of the applicant.

In summary, together with the new found hazards of bio-aerosols which have been identified as a risk to public health, by commentators and confirmed by the WDC Environmental Health team after consultation with Public Health England, this application does not meet any of the Green Belt development requirements of the District's Local Plan or the NPPF to enable it to be approved. It is not sustainable and would create a safety hazard to the many other road users, including car drivers, pedestrians and horse riders.

Further comments received

- As confirmed by two previous Appeal Inspector's reports, due to the abandoned and derelict state of the land, any previous use of the land bears no relevance to this application and should not be used in the forming of any opinion on the suitability of the application.
- Any permitted agricultural use on Green Belt land must be sustainable. Although the applicant has another poultry breeding business, located near Hatton, it is for the rearing and slaughter of broilers. Pullets do not fit in with the current business model of the applicant, and therefore the sustainability of such an enterprise must be judged independently. I suggest that the applicant states that he intends to rear pullets only in order to limit the damaging reports that bio-aerosols will have on the neighbouring properties.
- A report that was conducted by the Ohio Department of Health, USA states that residents located within half a mile of a poultry farm had 83 times the insect infestation compared to properties that were not located near to a poultry farm. A half mile radius from the application site will take in nearly the whole of Norton Lindsey Village which lies within the WDC boundary. With the increased insect infestation come all the other unsavoury inflictions associated with insects such as flies. The health and wellbeing of the residents of the village must be paramount.
- With regards to the agricultural dwelling, no grounds for a workers dwelling on the site and nothing has changed in the last 10 years which would warrant a workers dwelling on site. Applicant has another, and much larger, poultry business only 5 miles away - so the site can be monitored and accessed within a 10 minutes drive of the existing business, further negating the need for a stand alone dwelling on site.
- This application should be refused at the earliest opportunity in order to enable the local residents to get on with their lives, in the peace and clean environment that attracted them to the village in the first place.
- Reports submitted on behalf of applicant are biased towards the applicant.
- Restriction on cleaning of sheds at weekends is not practicable.
- Restriction on cleaning of sheds when winds are easterly or north-easterly is not feasible.
- Sniff Testing as recommended is difficult to control or enforce.
- Cost implications of appropriate mitigation are for the applicant to determine if a venture is worthwhile.
- Ricardo recommendations should be adhered to in full.

Further Comments received

Following receipt of further information relating to vehicle sizes and movements, continue to object on the basis that the information shown is not accurate and would not meet the needs of the business operating from the site. Therefore, the accuracy of the information on which WCC Highways have raised a comment on no objection on is considered to be inaccurate.

WDC Environmental Health: Following discussions with the applicant's consultants and clarification of details, raise no objection, subject to conditions to control use of site. Following receipt of Odour and Bio-Aerosol Assessments,

scheme has been reviewed by an independent specialist who, following clarification on some elements, raises no objection to the proposal. This has been reviewed by the EHO who raises no objection subject to conditions.

WDC Tree Officer: Landscape and Visual Assessment is thorough but application lacks detail on mechanisms to protect roadside hedge. Recommend tree protection plan.

WCC Highways: No objection, subject to conditions and notes regarding construction of the access.

WCC Ecology: Recommended Ecological Appraisal has been submitted and satisfied with results. Recommend conditions to protect protected species.

WCC Landscape: May require removal of trees. Tree/hedgerow protection will be required. If new planting is proposed, needs to be maintained.

Natural England: Based on the information provided within the Ammonia report, Natural England considers that the proposed development is unlikely to damage or destroy the interest features for which the Sherbourne Meadows Site of Special Scientific Interest (SSSI), Railway Meadow, Langley SSSI and Snitterfield & Bearley Bushes SSSI have been notified and has no objection.

Public Health England: Would not normally comment on this application as it is below the threshold to be considered an intensive poultry farm. We understand there are nearby residential receptors, with one located within 40metres of the proposed poultry farm application site.

With poultry farming, the main emissions of public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. It should be noted that available health evidence is associated with larger, intensive farming practices, and for poultry this would be for farms with 40,000 poultry rearing places or more.

The applicant has considered potential emissions from the site, including particulate matter, dust and odour. Their modelling assessment of these potential emissions has found that the impact of the proposed site is low and adverse effects are unlikely at residential properties. The methodology used appears appropriate.

We would ask the planning authority to consider applying suitable conditions to ensure mitigation measures are in place to control and minimise particulate matter and dust emissions from the site. It is proposed that monitoring/visual inspections of the site will be undertaken, with action taken should odours, litter, dust be detected above set thresholds. Any dust complaints should be investigated by the site and control measures put in place.

Manure spreading: to avoid the potential for off-site odour impacts, the locations for manure spreading on land should be considered to avoid a potential source of nuisance and annoyance in the community.

Any Odour Management Plan (OMP) should indicate that regular olfactory monitoring locations will be agreed as part of the site's planning application, and be at locations around the site boundary and at the nearest residential properties. PHE supports that any OMP proposes regular meetings in the community to review performance and address any issues raised.

The response outlined in this representation is based on the assumption that the applicant shall take appropriate measures to prevent or control pollution, in accordance with industry guidance and best practice.

Public Response: 106 letters of objection have been received on the following grounds:

- Site is abandoned.
- No benefit to community.
- Have not overcome previous reasons for refusal.
- More akin to an industrial use than agricultural.
- Green Belt means dwelling should not be allowed.
- Can operate without manager on site.
- Unsuitable location for poultry business.
- Lack of animal welfare and cruel to animals.
- Less demand for meat products.
- Modern technology means that dwelling on site is not necessary.
- Not a viable unit at this scale.
- Harm to highway safety from lorries servicing the site.
- New access is in a worse position than the existing.
- Use of site will result in harm to pedestrians, cyclists and horse riders due to increased traffic.
- Adverse impact on the openness of the Green Belt.
- Will detract from the quality of the landscape.
- Harmful to biodiversity.
- Harm to bat species that use the site.
- Will result in light pollution.
- Environmental reports are inadequate.
- Previous operation of site caused odour nuisance.
- Odour report is based on a computer model.
- Odour will be an issue despite reports.
- Increased vermin and flies causing harm to amenity of area.
- Will be a significant noise disturbance.
- Inadequate drainage measures on site.
- Potential contamination of water courses.
- Water treatment details are inadequate.
- Potential for spread of airborne bacteria.
- Will result in dust disturbance.
- Hazardous to health of local residents.
- Will have negative impact on residential properties.
- Harmful impact on residential amenity.
- Contrary to EA Advice on emissions.
- Not satisfied that the submitted Bio-Aerosol Assessment is robust.

- Intensive chicken farming results in increased levels of disease posing a direct threat to the local community.
- The increase in ammonia emissions negatively influences environmental and public health, and is also a major contributor to climate change.
- Applicant has failed to provide robust and objective, independent evidence on the potential for adverse odour impact.
- The data that has been provided to support and substantiate this proposal is flawed: out of date, geographically incorrect and fundamentally ignorant to the largest risk of impact on residents.
- No mention of the inevitable on-site operation of an incinerator.
- The health effects on vulnerable individuals (frail/elderly/sick) should form the sole basis for the exposure risk classification. It is of no relevance whether a "robust individual" might be able to cope with the projected Bioaerosol exposure. The affected residential properties are home to people of all ages and levels of frailty.
- The proposal does not indicate where the spent litter would be taken. "Spent litter would be taken off-site" could also mean the field next door.
- In order for the Planning Committee to make an informed decision on the impact of the proposals, they must visit a similar site to the one proposed, so that they can experience the bio-aerosol health issues (& associated odours) for themselves.
- The hazard of bio-aerosols are a 'risk to health, as confirmed by WDC's Environmental Health Team in consultation with Public Health England.
- Odour and bio-aerosol contaminants will collect in the area and will not be dispersed by wind.
- We will suffer significant, unpleasant odour, vermin and noise from the ventilation fans, particularly at times when the sheds are cleaned.
- There are inadequate plans for the containment and management of foul water on the site.
- Animals and wildlife including deer, will be threatened.
- The dangers of salmonella, clostridium perfringens and other diseases spreading onto our land and infecting our animals is significant.
- The site has not been used for poultry farming for over 20 years. No investment has been made into the facility. Indeed, it meets the criteria for 'abandonment'.
- In the intervening period the nature of the village and surrounding area has changed.
- Not more than a few years ago, the owner applied for permission to build houses on the site.
- There is no clear case for on-site accommodation for a manager:
- The volume of poultry, coupled with modern communications means there is no need for on-site accommodation for a manager.
- The owner previously sold the original Manager's house as a domestic residence as it was not required.

Development should result in a Biodiversity Net Gain.

ASSESSMENT

History/Background

The application site has been the subject of multiple applications for replacement chicken shed buildings. The latest application from 2008 was dismissed at appeal for the following reasons: -

- Impact on the character of the area.
- Issues relating to control of odour.

The associated worker's dwelling was dismissed on appeal on the basis that the Inspector dismissed the appeals for the poultry houses and therefore, no dwelling was justified.

In all appeals, it was clearly acknowledged and agreed by all parties that the development constitutes agriculture.

Since these appeals were determined, the National Planning Policy Framework has been introduced which gives guidance on development within the Green Belt. The introduction of the NPPF set out a framework for new agricultural development together with guidance on the impact on the Green Belt which is discussed in further detail below.

Principle of Development

The Use of Land

The use of the land falls within the definition of agriculture and whilst the existing buildings are not capable of operating for their intended purpose, the subsisting use of the site remains as agricultural. The default position for any land is agriculture and this use of land cannot expire or be abandoned unless an alternative use of the site is in place.

Agricultural Buildings

The proposed buildings would be 60m x 12.14m with a ridge height of 4.79m. Each building has a gross floor space of 728.4 square metres giving a combined overall floorspace of 1456.8 sq metres.

There is no specific policy within the Local Plan that relates to new agricultural development. As the Local Plan is silent, the proposal must be assessed against the guidance contained within the NPPF. Paragraph 83 of the NPPF supports the development and diversification of agricultural and other land-based rural businesses. It is acknowledged that the buildings are considered to fall within the definition of agriculture and these buildings would replace the existing buildings on the site for new buildings within the same use. The buildings represent a minor increase in overall floorspace of less than 5 square metres compared to the previous buildings on site, but the height has increased compared to the existing to meet modern agricultural standards. The height increase equates to an overall ridge height of 1 metre.

Officers are therefore satisfied that the principle of new buildings on this site is acceptable.

Worker's Dwelling

Policy H12 refers to new dwellings for rural workers. This policy sets out a range of criteria that must be met in order for a dwelling to be located in a rural area as an exception to Policy H1 that seeks to ensure that new dwellings are located in sustainable areas.

Paragraph 79 of the NPPF also affords exceptions for rural housing where it is demonstrated that there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

Local Plan Policy H12 sets out 5 tests that must be met in order to be considered acceptable in principle;

- a) there is a clear functional need for the person to be readily available on the site at most times;
- b) the worker is fully or primarily employed on the site to which the proposal relates;
- c) the business is financially sound and has a clear prospect of remaining so;
- d) the dwelling sought is of an appropriate size commensurate with the established functional requirement; and
- e) the need cannot be met by an existing dwelling on the unit, or by other existing accommodation in the area.

In order to carry out the assessment of the submitted business plan, the proposal has been considered by a specialist rural consultant instructed by the Local Planning Authority to carry out an independent assessment of the submitted documentation.

The consultant has assessed the proposal against the policy requirements of H12. In response, it has been concluded that;

In response to criterion a), there would be an essential need for a worker to be readily available at most times as the needs of the business would require close monitoring and a rapid response to ensure that any issues that arise are dealt with swiftly to avoid harm to the birds. The infant birds will arrive as day olds and will need to be kept under heat in broiler rings with heated lamps, for the first week or thereabouts and any faults with these systems needs to be urgently repaired. In addition, where birds are reliant upon mechanical ventilation, any failures need to be addressed rapidly to prevent heat and ammonia build up within the building. Breakdowns in heating systems, feed chain, drinking supplies etc. all require swift action.

Whilst many of these systems will be alarmed, there is still a requirement for swift action should any of the alarmed elements fail. This can only be reasonably dealt with by an on-site presence.

In response to criterion b), the standard man hours for the operation of the site would be equivalent to a full time worker based upon the assessment by the specialist agricultural consultant.

In response to Criterion c), it is acknowledged that this development is to work in conjunction with the applicants existing chicken businesses. These businesses are well established and financially sound and this business would be in addition to the existing sites which have operated on a sound financial basis for many years. The consultant is satisfied that the expansion of the business has been planned on a sound financial basis and as an addition to the existing successful businesses operated by the applicant, has a clear prospect of remaining so.

In response to criterion d), it is noted that the dwelling proposed is sought on an outline basis at this stage. The guidance on rural worker's dwellings requires a dwelling to be commensurate with the needs of the unit for the worker and their family. As a general rule, a dwelling of up to 140 square metres is considered commensurate with the needs of the unit and provides adequate accommodation in a price bracket considered to be generally affordable on a rural worker's wage. The proposed dwelling is identified as a bungalow and is noted as having a floor area of 77 sq. metres which falls well within the accepted threshold as appropriate for a rural worker.

The proposed development is to increase the capacity of the applicants existing business by replacing the existing buildings and reintroducing the poultry use of the site. The proposal for this site is the rearing of pullets for the egg production industry. The site will rear the birds from chicks to close-to-lay birds at which point they will be transferred off-site to a specialist egg-production location. This would be in 18 week cycles with a period of 4 weeks between batches to allow for specialist cleaning to be carried out between batches. The two buildings would have a combined capacity of 20,478 birds per cycle and there would be on average 2.3 batches per year.

In response to criterion e), there are no other dwellings within a functional distance to meet the needs of the business on site that would be financially viable for an on-site worker. It is also noted that the general price of properties within the local area would be significantly in excess of a price that would be affordable for an agricultural worker.

The proposal has been assessed by an independent agricultural consultant who is satisfied that the development meets all of the criteria as set out in Policy H12 and is therefore acceptable in principle.

Conclusion on Principle of Development

The replacement agricultural buildings are considered to be acceptable having regard to national guidance contained within Paragraph 83 of the NPPF.

The business plan and supporting information has been assessed and the consultant is satisfied that the proposed development is acceptable and has been

planned on a sound financial basis. The enterprise would require the presence of an on-site worker.

Subject to conditions to restrict the occupancy of the dwelling, the proposal is considered acceptable in principle having regard to Policy H12 of the Local Plan and guidance contained within Paragraphs 79 and 83 of the NPPF.

Whether the proposal constitutes appropriate development in the Green Belt

As the site lies within the West Midlands Green Belt, the proposal must be assessed against Policy DS18 of the Local Plan. The policy states development must be in accordance with the National Planning Policy Framework (NPPF) Green Belt provisions. Paragraph 145 states that new buildings for agriculture are appropriate development within the Green Belt. Officers are satisfied that the development has been designed specifically for agricultural purposes and therefore, the buildings are considered appropriate development within the Green Belt.

The provision of a new dwelling within the Green Belt is considered inappropriate development within the Green Belt where located outside of a settlement boundary. As this aspect of the proposal does not fall within any of the categories of appropriate development within the Green Belt, the starting point is that it is considered to be inappropriate development within the Green Belt by definition. In these circumstances, Paragraph 143 of the NPPF states that development should not be approved except in very special circumstances.

In terms of very special circumstances, the proposal is for a rural worker where the need for the dwelling has been satisfactorily justified as being essential. Conditions are proposed which will tie the building to occupation for an on-site worker only to ensure that the dwelling is occupied in a manner which meets the very special circumstances set out.

On the basis of the above, Officers are satisfied that in addition to the 2 proposed poultry houses comprising appropriate development in the Green Belt (by reason of their design and use for agriculture), the proposed agricultural workers dwelling is acceptable in Green Belt terms because its essential nature in connection with the use of the site is considered to represent very special circumstances which are sufficient to outweigh the harm to the Green Belt by reason of inappropriateness.

Design and impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

Officers note the appeal decisions on the earlier applications and also that the latest of these is in excess of 10 years ago. The Policy Framework at both local and national level has evolved since this time and the assessment of this application takes into account the earlier decisions whilst also assessing against the current legislative framework.

At the time of the 2007 appeal decision, the site was designated as falling within a Special Landscape Area. This designation formed part of the Inspectors reasoning when dismissing the appeal in respect of the harm to the area and the Special Landscape Area. It is noted that the Special Landscape Area designation was not included within the new 2011-2029 Local Plan and therefore that the circumstances and weight to be given to such considerations changed at that point.

In the 2008 decision, the Inspector opined that the buildings would have a harmful effect on the area's rural character and appearance and would detract unacceptably from the quality of the landscape and the openness of the countryside.

The proposed agricultural buildings are designed for the specific purpose of poultry rearing and as such, are utilitarian in design. The buildings are low-profile with a modest ridge height of 4.79 metres to the ridge. In terms of scale, the new buildings are similar in proportion to the existing buildings on site that measure 66m x 10m approximately with a similar ridge height. The proposal also includes a bulk feed store to each building that extends to approximately 6 metres in height together with flues on the buildings that extend to an overall height of 6.5 metres.

The existing buildings on site are in a poor state of repair and have predominantly now collapsed. In both appeal cases, it was accepted by all parties that the buildings were not capable of re-use and would not have been economical viable to repair in order to meet the up to date standards for poultry buildings. Since that time, the buildings have degraded further and could not be re-used due to their derelict nature.

The new buildings are proposed to be purpose built poultry houses designed to deliver the appropriate standards of welfare. The external appearance of the buildings will be timber cladding over a brick riser with a corrugated metal sheet roof containing a number of ridge vents.

The appearance of the buildings will be of a modern agricultural structure compared to the existing, somewhat dilapidated structures that current stand on the site.

Planting is proposed to the boundaries to reinforce the current planting to soften the boundaries of the site to reduce the visibility of the site. The southern boundary of the site will be conditioned to provide a significantly improved planting belt to mitigate the increased visual impact of the buildings.

The bulk feed silos will be taller than the main buildings but of significantly smaller massing. The silos are a typical rural feature in an agricultural landscape and would not represent an incongruous feature in this location.

Overall, taking into consideration the history of the site and the considerations put forward by the earlier Inspectors, Officers note that the NPPF puts significantly more weight into the economy and supporting a prosperous rural economy as set out in Paragraph 83 that supports the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Furthermore, Paragraph 84 states that in recognising the use of sites, that the use of previously developed land and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The development will bring a redundant and visually poor site back into the previously established use with new, modern buildings that Officers accept are utilitarian in design by nature of their proposed use. It is therefore proposed to mitigate the visual appearance through appropriate landscaping to offset the appearance of the buildings.

The application was submitted with a Landscape and Visual Impact Assessment that the key areas where visual harm was identified were capable of being mitigated through a robust and appropriate landscaping scheme.

The NPPF has a presumption in favour of sustainable development and Officers consider that taking these factors into consideration and weighed against the earlier, pre-NPPF appeal decisions, on balance, the scheme is considered to be acceptable in visual terms subject to appropriate conditions on landscaping and external materials.

The proposed dwelling, whilst in outline form is identified as being a modest, single storey property of approximately 77 square metres. In addition the land associated with the property is also of limited size and proportionate to the size of the unit.

Officers are satisfied that the proposal complies with Policy BE1 of the current Local Plan.

Impact on adjacent properties

Officers note that the earlier schemes were dismissed at appeal due to the potential for odour impact affecting neighbouring properties, in particular, the property to the immediate west of the site. This application has been submitted with

supporting reports provided by qualified consultants to seek to address these concerns.

During the course of the application, further potential amenity issues were identified such as the potential impact of Bio-Aerosols. The applicants thereafter instructed appropriately qualified consultants to carry out the required assessments.

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The proposal has a number of aspects that must be assessed in terms of the impact on adjacent properties including the impact from the built form of the development and the potential environmental harm arising from:-

- Bio-Aerosol Impact.
- Noise Impact.
- Odour Impact.
- Dust Impact.

In addition to the assessment from the Council Environmental Health Officer, the District Council also commissioned an external specialist to carry out a full review of all submitted information relating to environmental issues associated with the application. All documentation was reviewed by the specialist and a detailed response was provided to the Environmental Health Officer for consideration of the scheme.

Built Form.

The key property affected by this element is the property that lies adjacent to the site on the western side, known as Ashward House.

The replacement buildings propose structures of a similar scale to the existing structure on the site. However, the key difference is during the course of the application, the site layout was amended to "swap over" the proposed workers dwelling and the chicken shed buildings which will result in an increased separation distance between the dwelling and the chicken sheds compared with the existing position on the site.

It is noted that the adjacent dwelling itself is located on its own western boundary and there is an intervening garage to the eastern side of the plot. The site is also separated from the application site by mature hedge and trees boundary.

Taking into consideration the revised proposed site layout, Officers are satisfied that in terms of built form, the development would not result in any demonstrable harm.

Bio-Aerosol Impact

The issue of Bio-Aerosols was raised prior to an earlier committee date and it was not an issue that had been previously considered.

Bioaerosols are a subcategory of particles released from terrestrial and marine ecosystems into the atmosphere. They can consist of both living and non-living components, such as fungi, pollen, bacteria and viruses.

Following discussions with the Environmental Protection Officer (EPO) who had sought advice from Public Health England, it was recommended that a Bio-Aerosol Risk Assessment should be completed. In response to this, the applicants commissioned a Bio-Aerosol Risk Assessment. This was assessed by the EPO together with specialist advice from an Independent Consultant instructed by the EPO. Following the assessment, a number of additional requirements were incorporated to ensure that the Risk Assessment was fully robust.

In assessing the submitted documents, the consultants advised that the risk assessment of bioaerosol emissions from pullet rearing identifies moderate risks at nearby receptors and recommended mitigation measures to be incorporated into a management plan including the submission of monitoring reports. The consultant's report recommended that monitoring of bioaerosol emissions from the vents is carried out within four weeks of the first flock reaching maturity, and annually thereafter.

In addition, it was recommended that the monitoring report should be accompanied by an update to the risk assessment in the light of the measured bioaerosol emissions. The updated risk assessment should include modelling of bioaerosol emissions to evaluate potential risks at nearby properties, and confirmation of additional effective mitigation if the need for such mitigation is identified.

In concluding on the matter of Bio-Aerosols, the Consultant was satisfied that risks to nearby receptor sites have been assessed following robust methods and suitable mitigation actions have been suggested following best practice guidance.

Noise Impact.

The submitted noise assessment report prepared by InAcoustics (Ref. 19-226) which considers various noise scenarios arising from the proposed development and the potential noise impacts on the nearby Ashward House has been assessed by the Environmental Health Officer (EHO).

The noise report has considered the impacts under routine operation, delivery and export activities, as well as mucking out activities. The noise report has concluded that the proposed development would have a low noise impact on nearby residential dwellings.

Overall the EHO is satisfied with the noise assessment report submitted but as above has recommended that noise control measures are included in a wider management plan for the site to ensure that all environmental matters are

considered in a single management document which its implementation can be secured by a planning condition.

Odour Impact.

In the appeal decisions, the proposed use of the chicken sheds for both appeals was for a capacity of 39,000 birds in 2005 and 44,000 birds in 2008. The 2008 figure was subsequently reduced to 39,000 birds.

In terms of odour impact, the Inspectors conclusion summary clearly states that *"in the absence of further information, the possibility of unpleasant odours adds further weight to my concerns."*

The submitted odour assessment is based upon the specific use of the site for pullet rearing. The EHO has considered the document and raised no objection to this subject to a condition restricting the site to this use only to prevent the change to a potentially more odorous form of agricultural at the site which has not been assessed.

The odour assessment and addendum odour assessment were assessed by the specialist and considered to be detailed, following good modelling practices and using conservative odour emission rates and odour concentration benchmarks. Following some minor clarifications, the specialist concluded that there are negligible impacts at the identified sensitive locations.

There was some concern regarding the potential impacts from the short-term activities around the cleaning out of the spent litter from the house at the end of the cycle. However, the specialist was satisfied that this can be managed through suitably worded planning conditions to secure a final Odour Management Plan.

The Odour Management plan submitted with the supporting documentation provides a well detailed qualitative assessment and presents a number of suitable mitigation measures following best practice. The specialist recommended that the presented measures and some additional actions should be secured via suitably worded planning conditions to ensure that odour risk associated with the house clean-out is minimised as far as possible.

As stated in the earlier sections, the proposal is recommended to be included with a management plan that sets out the methodology for operating the site.

Dust Impact.

In response to a query from the Environmental Health Officer, a dust assessment report was prepared. The report submitted assesses both the air quality and nuisance impacts of the proposed poultry shed units. Following the clarification of some details, the Environmental Health Officer is satisfied that the proposal is acceptable subject to a detailed management plan to cover the control of dust is submitted to the Local Planning Authority for assessment and agreement and thereafter the development shall be carried out in accordance with the approved details.

The second part of the dust assessment report considers the potential for dust nuisance to occur at nearby sensitive residential dwellings. The report concludes that there is a negligible risk to sensitive receptors based on good management practices being employed. As set out above, the Environmental Health Officer has suggested that the odour management can be secured and implemented through an appropriately worded Management Plan planning condition.

The EHO has advised that any management plan submitted shall be submitted in accordance with the requirements of the Environment Agency Sector Guidance Note EPR 6.09 Version 1 (March 2011) that contains recommended best practice for dust management at poultry installations.

Management Plan

In order to secure the required measures as set out within the sections above, it is recommended that an operational management plan be secured by condition to demonstrate that all measures will be satisfactorily managed during the operation of the site.

Thereafter, the operation of the site shall be required to be strictly in accordance with the Management Plan and correctly implemented in the operation of the poultry houses, the risks to human receptors in relation to health, nuisance and residential amenity are considered likely to be negligible.

Other Matters

Within the received objection letters, a query relating to how the scheme has been assessed against ensuring those with mental or physical disabilities have not been placed at a 'significant disadvantage' by public organisations - in provision of services or decision making.

Having discussed this with the EPO and the Council Solicitor, additional information was requested from the correspondent as to which reports and guidance are being referred to in their submitted comments. To date, no additional information has been forthcoming on this subject despite two requests for information.

Having assessed the scheme in consultation with both the Councils Environmental Protection Officer together with input from specialist external consultants, Officers are satisfied that the scheme has been robustly assessed and are satisfied that the scheme is acceptable.

Conclusion on neighbour impact

The proposal has been assessed regarding the potential impact on the amenity of neighbouring and nearby residents and has been considered acceptable subject to conditions securing the operation of the site in strict accordance with the details of the management plan being implemented in full.

Thereafter, the development must be operated strictly in accordance with the approved plan to ensure that the proposal does not result in harm to the amenity of nearby properties and this will be secured by condition.

Following an independent assessment of the potential impacts by a specialist company who is satisfied with the methodology used and that the assessments are robust, conditions are proposed to secure the final details of the operation of the development to ensure that the identified standards are achieved.

It must also be noted that the grant of planning permission does not preclude the use of powers under the Environmental Protection regulations should other issues arise.

Subject to the submission of an appropriate management plan, the proposal is considered acceptable having regard to Policy BE3 and NE5 of the Local Plan.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The site is served by an existing vehicular access. As part of the application, a new access point is proposed to increase the available visibility from the access point. The revised access point has improved visibility compared to the existing access point and the County Highways Officer has raised no objection to the scheme as a result. A range of conditions are proposed to ensure that the new access point is built to the appropriate standards.

The Local Ward Member has raised concern regarding the proposed tracking drawings and size of vehicles indicated to service the site. In response, the applicants have provided a summary of vehicles anticipated to service the site that detail the largest vehicle proposed to access the development. The swept path of the largest vehicle has been provided within the application documents to demonstrate that it can enter and exit the site in a satisfactory manner. The County Highways Officer is satisfied with the tracking provided.

In order to prevent harm to highway safety a condition is proposed to restrict the size of vehicles servicing the site to those specified within the supporting statement.

A condition is proposed to close the existing access point upon completion of the new access point to avoid a proliferation of access points that would be considered detrimental to highway safety.

Subject to the proposed conditions, the proposal is considered acceptable having regard to Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The original assessment of the proposal was considered by the County Ecologist who raised objection to the loss of the hedgerow together with the requirement to submit an Ecological Assessment. This was duly carried out by the applicants and assessed by the County Ecologist. The issues relating to protected species were considered to be satisfactorily addressed subject to conditions and notes whereas additional information was requested regarding Tree Protection details, and a Biodiversity Assessment.

Tree protection details have been submitted and the Ecologist is satisfied that the development would not have a significant impact on the hedgerow which can be satisfactorily mitigated with replacement planting to the existing access point. Additionally, a Biodiversity Assessment has been submitted that demonstrates that overall, there will be a net gain in Biodiversity.

During the consideration of the environmental impacts of the scheme, an assessment of the potential impact of ammonia emissions on ecological receptors was recommended by the Environmental Consultant. The applicants have provided an assessment of the potential impacts and this has been considered by Natural England who are satisfied with the results of the survey and have raised no objection to the scheme.

On the basis of the above, the Ecologist has removed their objection subject to conditions and notes. Officers therefore consider that the proposal is acceptable having regard to Policy NE3.

Trees/Hedgerows

A small section of hedgerow is to be removed to facilitate the new access. This is mitigated for by the closure of the existing access and the reinstatement of a native hedgerow and trees to fill in the area. In addition, planting is proposed to the boundaries to provide additions tree and hedgerow which would result in an overall net gain.

Conclusion

The proposed development is considered to be acceptable in principle insofar as the poultry buildings are acceptable in overall terms and the provision of a new workers dwelling has been justified under Policy H12 of the Local Plan.

The provision of agricultural buildings is appropriate development within the Green Belt. Whilst a new dwelling in this location is considered inappropriate development within the Green Belt, very special circumstances are considered to

have been demonstrated in that there is a functional need for a workers dwelling to be provided on the site.

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

Subject to the required conditions, the development is considered to be acceptable. The proposal is therefore recommended for approval.

CONDITIONS

- 1 The agricultural building element of 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 Details of the means of access to the dwelling and site, appearance of the building(s), landscaping of the site, layout of the site and its relationship with adjoining development, and the scale of building (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved.

REASON: To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

- 3 Application for approval of the reserved matters relating to the dwelling 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).

- 4 The dwelling 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).

- 5 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 9411-301-Rev A, and specification contained therein,

submitted on 15 June 2021 and approved drawing(s) 9411-201-Rev A, and specification contained therein, submitted on 30 November 2020.

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

- 6 The development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

REASON: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

- 7 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, hedgerow enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes). Such approved measures shall thereafter be implemented in full.

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

- 8 The development hereby permitted shall not commence until a protected species method statement for nesting birds, badgers, amphibians and reptiles (to include timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

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

- 9 The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted at the north, west and east parts of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Lighting should be directed away from vegetated areas;
- Lighting should be shielded to avoid spillage onto vegetated areas;
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

REASON: To provide an acceptable form of development and to safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.

- 10 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless and until details of tree protection measures in accordance with BS5837:2012, to include details of off-sets from fixed points for the alignment of the barrier fence, or ground protection measures. and a scheme for the recording and reporting of site monitoring visits by a competent arboriculturist should provide evidence that the control measures as recommended have been implemented and are being maintained and thereafter, the approved details shall be installed and retained for the full duration of any such construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root

protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).

REASON: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

- 11 The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working on the site in pursuance on-site agricultural business together with any resident dependants. any dependants who reside with such a person.

REASON: Permission is granted, in accordance with Policies H1, H12 and DS18 of the Warwick District Local Plan 2011-2029, because the residential accommodation is needed for occupation by an on-site worker for the purposes of a functional need on the application site and in order to protect the Green Belt, occupation is restricted.

- 12 The agricultural workers dwelling hereby permitted shall not be occupied unless and until the new poultry houses have been brought into use.

REASON: The dwelling is only justified on the basis of the essential need having regard to Policy H12 of the Warwick District Local Plan 2011-2029.

- 13 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

REASON: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

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

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

- 15 The new access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound macadam material for a distance of **7.5** metres as measured from the near edge of

the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

- 16 The development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access have been closed and the verge has been reinstated in accordance with the standard specification of the Highway Authority.

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

- 17 The proposed site shall only be serviced by vehicles as specified within the schedule of vehicle movements contained within the agents letter dated 9 May 2022 and no vehicle servicing the site shall exceed a maximum length of 11.73 metres.

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

- 18 There shall be no more than 20,480 pullets in total at the site at any one time and these shall be limited to breeder pullets only and for no other use whatsoever. The site operator shall keep records of numbers of birds at the site and these records shall be made available for inspection by the Local Planning Authority upon request.

REASON: To prevent a more intensive use of the site which could result in adverse odour impacts that would impact on residential amenity having regard to Policies BE3 and NE5 of the Local Plan.

- 19 The use of the site permitted by this permission shall not commence until an Operational Management Plan relating to the activities to be carried out pursuant to this planning permission has been submitted to and approved in writing by the local planning authority. Upon receipt of the written approval, the agreed Operational Management Plan shall be implemented and thereafter all activities taking place pursuant to this planning permission shall be carried out in accordance with its provisions. The management plan shall include a provision for regular review by the operator in agreement with the local planning authority and shall include, but shall not be limited to, arrangements for the management of pests, noise, dust, and odour emissions from the site.

REASON: To ensure that the site is operated in an acceptable manner to minimise the potential for harmful impact on residential amenity having regard to Policies BE3 and NE5 of the Local Plan.

- 20 The development hereby permitted shall be operated at all times strictly in accordance with the details and methodology contained within the Bioaerosol Management Plan Reference 443828-05 (01) dated March 2022 produced by ADAS and received by the Local Planning Authority on 5 May 2022.

REASON: To ensure that the site is operated in an acceptable manner to minimise the potential for harmful impact on residential amenity having regard to Policies BE3 and NE5 of the Local Plan.

- 21 Noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

REASON: To ensure that the site is operated in an acceptable manner to minimise the potential for harmful impact on residential amenity having regard to Policies BE3 and NE5 of the Local Plan.

- 22 No deliveries, waste collections or other noisy external activities likely to cause nuisance to nearby residents shall take place before 0730 hours or after 1800 hours on Monday to Saturday or before 0900 hours or after 1300 hours on Sundays.

REASON: To ensure that the site is operated in an acceptable manner to minimise the potential for harmful impact on residential amenity having regard to Policies BE3 and NE5 of the Local Plan.

Planning Committee: 22 June 2022

Item Number: 8

Application No: [W 21 / 0409 LB](#)

Town/Parish Council: Warwick
Case Officer: Emma Booker

Registration Date: 05/03/21
Expiry Date: 30/04/21

01926 456521 Emma.Booker@warwickdc.gov.uk

The Punch Bowl Hotel, 1 The Butts, Warwick, CV34 4SS

Partial demolition of existing building and internal and external alterations to facilitate a conversion from Public House to a single dwellinghouse FOR SECRET PROPERTIES LIMITED

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

RECOMMENDATION

It is recommended that Planning Committee grant listed building consent, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

Listed building consent is sought for internal and external works to facilitate the conversion of the Public House to a single residential dwelling. The works involve partial demolition of the listed building alongside internal alterations and elements such as the front door and windows.

THE SITE AND ITS LOCATION

The Punch Bowl Public House and Hotel is a Grade II listed building dating from the 18th century. The listing description notes the whitewash brickwork, old tiled roof and its corbelled brick cornice. The building is in part 3 storey and there are modern flat roof ground floor extensions which are proposed to be demolished as part of the proposal. The Heritage Statement explains that the ground floor has been altered to accommodate the Public House use, however the first and second floors have been undergone little alteration.

The application site is located in the Warwick Conservation Area which in the locality is characterised by historic properties dating from various periods. There are both commercial and residential properties in close proximity. The Butts comprises both red brick-faced and stone-faced buildings. There are a significant number of listed buildings surrounding the site.

RELEVANT PLANNING HISTORY

W/21/0409/LB - This application is paired with the current planning application and comprises partial demolition of the existing building and various internal external alterations to facilitate a conversion from a public house to a single dwelling. The recommendation is that the application be approved

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas

SUMMARY OF REPRESENTATIONS

WDC Conservation Officer: No objection.

Historic England: "On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisor".

Public Response:

1 support comment has been received for the change of use and that there are ample alternative Public Houses on offer.

12 objections have been received on grounds of the loss of the existing use and the impact it would have on Warwick and the history and character of the listed building itself.

ASSESSMENT

Design and Impact on the Listed Building and Conservation Area

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the

significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Warwick District Local Plan states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or if criteria listed within the policy have been satisfied. Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use. The adopted Residential Design Guide SPD also sets out design principles to which development proposals of this type within Conservation Areas will be expected to comply.

The conversion of the building into a dwelling involves the demolition of a substantial part of the ground floor plan. As the building is Grade II Listed, the Conservation Officer raised concerns with this element of the scheme initially. Following interrogation of historic plans, however, it has been demonstrated that the elements of the building to be demolished are not original features. The Conservation Officer is therefore satisfied that the removal of these elements of the building will not result in harm to the character and significance of the listed building.

No concern has been raised in relation to any of the other aspects of the development such as the internal alterations. However, the Conservation Officer is of the view that large scale details of the proposed new timber doors and windows should be secured by condition. Officers agree with this approach.

Members of the public have objected to the scheme on grounds that the conversion would have adverse impacts on the character of the building and Warwick as a whole (due to the loss of the Public House use and the partial demolition proposed). Officers consider that the elements of the building to be removed are relatively unattractive and inappropriate modern extensions to the listed building. Their removal would simplify the plan form and appearance of the building so that it is more sympathetic to its original character and that of the Conservation Area. Following discussion with the Case Officer over the original form of the building, the Conservation Officer is satisfied that no harm would result.

Removing inappropriate and unsightly extensions is also considered to be of benefit to the setting of the nearby listed buildings due to the enhancement of the conservation area that would result.

Whilst it is acknowledged that the original use of the building is a Public House, it is considered that its former use will remain legible following the conversion to a dwelling.

The proposal is therefore considered to comply with the aforementioned planning policies and legislation.

Summary/Conclusion

It is recommended that Members grant Listed Building Consent, subject to the conditions listed on the basis that the proposal would enhance the character and significances of the heritage assets and would not result in harm to the setting of any of the nearby listed buildings.

CONDITIONS

- 1 The works hereby permitted shall begin not later than three years from the date of this consent. **Reason:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) AD01 and AD02, and specification contained therein, submitted on 31st March 2021. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029.
 - 3 No development shall be carried out in relation to any new windows and doors unless and until large scale details of the proposed new/replacement doors and windows (including a section showing the window reveal, heads and cill details) 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 strict accordance with such approved details. **Reason:** To ensure a high standard of design and appearance for this Listed Building and the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.
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Planning Committee: 22 June 2022

Item Number: 9

Application No: [W 21 / 0708](#)

Town/Parish Council: Budbrooke

Registration Date: 13/04/21

Case Officer: Rebecca Compton

Expiry Date: 08/06/21

01926 456544 rebecca.compton@warwickdc.gov.uk

**Barn 6 -Stanks Farm, Old Budbrooke Road, Budbrooke, Warwick, CV35
8RH**

Conversion of Barn 6 to a dwelling FOR Mr & Mrs Glover

This application is being presented to Planning Committee due to an objection from the Parish Council having been received and the recommendation is one of approval.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks to extend the curtilage area granted under Class Q for the application barn which is identified as Barn 6 on the proposed plans.

THE SITE AND ITS LOCATION

The application site is accessed off the Old Budbrooke Road, via a private lane. It is in close proximity to Warwick Parkway station and the A46. There is a substantial farmhouse on the site and several barn and outbuildings.

PLANNING HISTORY

W/20/1853 – Barn 6 – Prior Approval application for the change of use of an agricultural building (Barn 6) into a larger residential dwelling (C3) and associated operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO) 2015 (as amended) – Prior Approval Granted

W/20/0497 – Barn 6 - Full application for the conversion of a rural building into a residential dwelling – Refused

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- DS18 - Green Belt
- H1 - Directing New Housing
- BE1 - Layout and Design
- BE3 - Amenity

- TR1 - Access and Choice
- TR3 - Parking
- BE4 - Converting Rural Buildings
- NE5 - Protection of Natural Resources
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)
- Budbrooke Neighbourhood Plan (2018-2029)

SUMMARY OF REPRESENTATIONS

Budbrooke Parish Council: Objection due to concerns over need for housing in this location, refuse arrangements, access and traffic concerns and the housing being situated in an unsustainable location.

WCC Landscape: Requested details of hard and soft landscaping and recommended size of new trees and trees to be located within garden areas.

WCC Archaeology: No objection, subject to condition requiring a programme of archaeological work.

WDC Waste Management: No objection, subject to sufficient turning space within the site for refuse vehicles.

ASSESSMENT

Principle of residential development

Paragraph 79 of the NPPF seeks to avoid the development of isolated homes in the countryside unless certain circumstances apply. This includes development that would re-use redundant or disused buildings and enhance its immediate setting. This is echoed in Local Plan Policy H1 of the Warwick District Local Plan (2011-2029) which permits new dwellings in the open countryside where the development would involve the re use of redundant or disused buildings in accordance with Policy BE4 which leads to an enhancement to the immediate setting.

Policy H1 of the Local Plan states that for a residential use of a rural building to be acceptable, the building would have to be redundant or disused and the proposal would need to demonstrate an enhancement to the immediate setting. The supporting information states that the building is disused which has been confirmed through the officer's site visit.

The agricultural barn has been granted a prior approval under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 to convert into a total of 1 larger dwelling. This permission remains extant. The principle of residential development has therefore already been established on the

site through the Class Q permission. The proposed development would not increase the number of residential units compared to the Class Q permission.

Policy BE4 of the Warwick District Local Plan allows for the conversion of rural buildings providing that they satisfy the following criteria:

- a) The building is of a permanent and substantial construction
- b) The condition of the building, its nature and location makes it suitable for re use or adaptation
- c) The proposed use or adaptation can be accommodated without extensive rebuilding or alteration to the external appearance of the building
- d) The proposal retains and respects the special qualities and features of listed and other traditional rural buildings and
- e) The appearance and siting of the building following conversion protects and where possible enhances the character and appearance of the countryside.

The supporting text of Policy BE4 clearly sets out that the purpose of the policy is to ensure that conversions take place in a manner that respects the local character of the rural areas and the original qualities and features of the existing building without extensive rebuilding and alteration.

The proposed alterations to the barn have been previously approved under the Class Q prior approval application ref: W/20/1853. The current proposal seeks to include obscure glazing to approved barn doors on the north elevation. The proposed alterations along with the previously approved alterations are considered in keeping with the character of the barn and therefore complies with Local Plan Policy BE4.

The proposal would comply with Policies H1 and BE4 of the Warwick District Local Plan (2011-2029) and the NPPF and is therefore acceptable in principle.

Design and impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

Policy BE4 of the Warwick District Local Plan (2011-2029) seeks to ensure that the conversion of rural buildings respects the character and features of traditional buildings, enhances the area and does not create significant alterations.

The proposed dwelling will retain the same footprint as the original barn and the floor area will not be extended in anyway and so would encroach no further on the open countryside. The proposed obscure glazing is considered acceptable, and the majority of the new fenestration has already been approved under the Class Q prior approval application.

The proposal seeks to extend the curtilage area approved as part of the Class Q application which was limited to a small area surrounding the building. Class Q permits the change of use of a building and any land within its curtilage to a use that falls within Use Class C3 (dwelling). Part 3, Paragraph W defines the meaning of 'curtilage' for Class Q applications to include an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building. As originally submitted the area of proposed curtilage would far exceed the footprint of the barn and this has therefore been amended to be no greater than the footprint of the building, i.e. the maximum that would be permitted under Class Q. Officers are satisfied that should the application for the Class Q have been submitted with the area of curtilage now shown on the proposed plans, officers would have granted the Class Q. Given that the fall-back position for a residential conversion for this barn is the Class Q application, officers are satisfied that a larger area of curtilage can be granted given that it would be the absolute maximum permitted by the fall-back position.

Permitted development rights should also be removed to reflect the fall-back position

Overall, I am satisfied that the development will have a positive impact on the character and amenity of the local area and open countryside. The scheme is therefore considered acceptable having regard to Policy BE1 of the Local Plan.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The principle of residential use has already been established through the Class Q application; the proposed curtilage area would not impact on the amenity of any neighbouring residential units.

It is therefore considered that the proposal is acceptable having regard to Policy BE3.

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that does not provide acceptable standards of amenity for future occupiers of a development.

The principle of residential use has already been established through the Class Q application, this proposal does not seek to alter the approved floor plan or fenestration.

It is therefore considered that the proposal is acceptable having regard to Policy BE3.

Parking & Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposal benefits from a driveway and parking for 2 cars proposed in the same location as the approved Class Q application. The access will not be altered as part of this development.

It is therefore considered that the proposal is acceptable having regard to Policies TR1 and TR3.

Landscape

WCC Landscape have been consulted and did raise concerns over the proposed tree planting, however, the scheme has subsequently been amended to reduce the level of curtilage for barn 7 which is limited to existing areas of hardstanding. The areas of concern raised by WCC Landscape no longer form part of the curtilage areas.

Air quality and Water Conservation

Conditions will be attached to ensure compliance with the Air Quality SPD and Local Plan Policy FW3.

Conclusion

Officers are mindful of two separate planning applications of a similar nature that have been submitted for this site in relation to barns 1 - 5 (W/21/0710) and barn 7 (W/21/0709). The applicant has put forward a fall-back position in terms of the approved Class Q applications, therefore officers need to be satisfied that granting planning permission for the current application and the two other applications would not exceed the fall-back position. Class Q places limitations on the cumulative number of dwellings that can be created for a particular site, this includes the cumulative number of larger dwellings not exceeding 3 and the cumulative number of separate dwellings not exceeding 5. Having reviewed the current scheme and the two other applications at this site, officers are satisfied that the cumulative number of larger dwellings would not exceed 3 and the cumulative number of separate dwellings would not exceed 5. The curtilage will be no greater than permissible under Class Q and permitted development rights will be removed by condition. Therefore, the grant of planning permission would not exceed the limitations of Class Q and would lead to no greater harm than the fall-back position.

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 21-17-16A, 21-17-110, 21-17-112, and specification contained therein, submitted on 28th July 2021, 13th May 2022 and 20th May 2022. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 No development shall take place until:

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

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

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

- 4 1. No development shall take place until

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

information obtained from the desktop study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:

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

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

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

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

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

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

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

- 5 The development hereby permitted shall not commence until:
- a) a noise assessment has been undertaken to assess the impact of noise arising from road and rail transport on the proposed development with

reference to the guidance contained in BS8233:2014 and the World Health Organization's Guidelines for Community Noise (1999)

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

Any necessary mitigation measures shall be implemented in full accordance with the approved details and retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority. **Reason:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 6 The approved curtilage shall be restricted to the areas identified on the Curtilage Plan 21-17-112 received by the Local Planning Authority on 13th May 2022. **REASON:** To comply with the requirements set out in Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 7 All rooflights shall be conservation style and maintained as such. **Reason:** To ensure an appropriate standard of design and appearance, and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.
- 8 The development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development. **Reason:** To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 9 The development hereby permitted shall not be occupied unless and until the car parking areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwellinghouse hereby permitted. **REASON:** To ensure that the rural character and appearance of the barn is protected, in accordance with Policy BE4 of the Warwick District Local Plan 2011-2029.

11 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded). **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.

12 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029.

Planning Committee: 22 June 2022

Item Number: 10

Application No: [W 21 / 0709](#)

Town/Parish Council: Budbrooke

Case Officer: Rebecca Compton

01926 456544 rebecca.compton@warwickdc.gov.uk

Registration Date: 13/04/21

Expiry Date: 08/06/21

**Barn 7 -Stanks Farm, Old Budbrooke Road, Budbrooke, Warwick, CV35
8RH**

Conversion of Barn 7 to a dwelling FOR Mr & Mrs Glover

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The proposal seeks to extend the curtilage area granted under Class Q for the application barn which is identified as Barn 7 on the proposed plans.

THE SITE AND ITS LOCATION

The site is accessed off the Old Budbrooke Road, via a private lane. It is in close proximity to Warwick Parkway station and the A46. There is a substantial farmhouse on the site and several barn and outbuildings.

PLANNING HISTORY

W/20/1854 – Barn 7 – Prior Approval application for the change of use of an agricultural building (Barn 7) into a larger residential dwelling (C3) and associated operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO) 2015 (as amended) – Prior Approval Granted

W/20/0498 – Barn 7 - Full application for the conversion of a rural building into a residential dwelling – Refused

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- DS18 - Green Belt
- H1 - Directing New Housing
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR3 - Parking

- BE4 - Converting Rural Buildings
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)
- Budbrooke Neighbourhood Plan (2018-2029)

SUMMARY OF REPRESENTATIONS

Budbrooke Parish Council: Objection due to concerns over need for housing in this location, refuse arrangements, access and traffic concerns and the housing being situated in an unsustainable location.

WCC Landscape: Requested details of hard and soft landscaping and recommended size of new trees and trees to be located within garden areas.

WCC Archaeology: No objection, subject to condition requiring a programme of archaeological work.

WDC Waste Management: No objection, subject to sufficient turning space within the site for refuse vehicles.

ASSESSMENT

Principle of residential development

Paragraph 79 of the NPPF seeks to avoid the development of isolated homes in the countryside unless certain circumstances apply. This includes development that would re-use redundant or disused buildings and enhance its immediate setting. This is echoed in Local Plan Policy H1 of the Warwick District Local Plan (2011-2029) which permits new dwellings in the open countryside where the development would involve the re use of redundant or disused buildings in accordance with Policy BE4 which leads to an enhancement to the immediate setting.

Policy H1 of the Local Plan states that for a residential use of a rural building to be acceptable, the building would have to be redundant or disused and the proposal would need to demonstrate an enhancement to the immediate setting. The supporting information states that the building is disused which has been confirmed through the officer's site visit.

The agricultural barn was granted a prior approval under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 to convert into a total of 1 larger dwelling. This permission remains extant. The principle of residential development has already been established on the site through the Class Q conversion, the development would not increase the number of residential units compared to the Class Q application.

Policy BE4 of the Warwick District Local Plan allows for the conversion of rural buildings providing that they satisfy the following criteria:

- a) The building is of a permanent and substantial construction
- b) The condition of the building, its nature and location make it suitable for re use or adaptation
- c) The proposed use or adaptation can be accommodated without extensive rebuilding or alteration to the external appearance of the building
- d) The proposal retains and respects the special qualities and features of listed and other traditional rural buildings and
- e) The appearance and siting of the building following conversion protects and where possible enhances the character and appearance of the countryside.

The supporting text of Policy BE4 clearly sets out that the purpose of the policy is to ensure that conversions take place in a manner that respects the local character of the rural areas and the original qualities and features of the existing building without extensive rebuilding and alteration.

The proposed alterations to the barn have been previously approved under the Class Q prior approval application W/20/1853, this proposal seeks to include obscure glazing to approved barn doors on the north elevation. The proposed alterations along with the previously approved alterations are considered in keeping with the character of the barn and therefore complies with Local Plan policy BE4.

The proposal would comply with Policies H1 and BE4 of the Warwick District Local Plan (2011-2029) and the NPPF and is therefore acceptable in principle.

Design and impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

Policy BE4 of the Warwick District Local Plan (2011-2029) seeks to ensure that the conversion of rural buildings respects the character and features of traditional buildings, enhances the area and does not create significant alterations.

The proposed dwelling will retain the same footprint as the original barn and the floor area will not be extended in anyway and so would encroach no further on the open countryside. The proposed obscure glazing is considered acceptable and the

new fenestration has already been approved under the Class Q prior approval application.

The proposal seeks to extend the curtilage area approved as part of the Class Q application, the approved curtilage under that application was limited to a small area surrounding the building. Class Q permits the change of use of a building and any land within its curtilage to a use that falls within Use Class C3 (dwelling). Part 3, Paragraph W defines the meaning of 'curtilage' for Class Q applications to include an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building. As originally submitted the area of proposed curtilage would far exceed the footprint of the barn and has therefore been amended to be no greater than the footprint of the building, i.e. the maximum that would be permitted under Class Q. Officers are satisfied that should the application for the Class Q have been submitted with the area of curtilage now shown on the proposed plans, officers would have granted the Class Q. Given that the fall-back position for a residential conversion for this barn is the Class Q application, officers are satisfied that a larger area of curtilage can be granted given that it would be the absolute maximum permitted by the fall-back position.

Permitted development rights should also be removed to reflect the fall-back position

Overall, I am satisfied that the development will have a positive impact on the character and amenity of the local area and open countryside. The scheme is therefore considered acceptable having regard to Policy BE1 of the Local Plan.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The principle of residential use has already been established through the Class Q application; the proposed curtilage area would not impact on the amenity of any neighbouring residential units.

I therefore consider that the proposal is acceptable having regard to Policy BE3.

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that does not provide acceptable standards of amenity for future occupiers of a development.

The principle of residential use has already been established through the Class Q application, this proposal does not seek to alter the approved floor plan or fenestration.

I therefore consider that the proposal is acceptable having regard to Policy BE3.

Parking & Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposal benefits from a driveway and parking for 2 cars proposed in the same location as the approved Class Q application. The access will not be altered as part of this development.

I therefore consider that the proposal is acceptable having regard to Policies TR1 and TR3.

Landscape

WCC Landscape have been consulted and did raise concerns over the proposed tree planting, however, the scheme has subsequently been amended to reduce the level of curtilage for barn 7 which is limited to existing areas of hardstanding. The areas of concern raised by WCC Landscape no longer form part of the curtilage areas.

Air quality and Water Conservation

Conditions will be attached to ensure compliance with the Air Quality SPD and Local Plan Policy FW3.

Conclusion

Officers are mindful of two separate planning applications of a similar nature that have been submitted for this site in relation to barns 1 - 5 (W/21/0710) and barn 6 (W/21/0708). The applicant has put forward a fall-back position in terms of the approved Class Q applications, therefore officers need to be satisfied that granting planning permission for the current application and the two other applications would not exceed the fall-back position. Class Q places limitations on the cumulative number of dwellings that can be created for a particular site, this includes the cumulative number of larger dwellings not exceeding 3 and the cumulative number of separate dwellings not exceeding 5. Having reviewed the current scheme and the two other applications at this site, officers are satisfied that the cumulative number of larger dwellings would not exceed 3 and the cumulative number of separate dwellings would not exceed 5. The curtilage will be no greater than permissible under Class Q and permitted development rights will be removed by condition. Therefore, the grant of planning permission would not exceed the limitations of Class Q and would lead to no greater harm than the fall-back position.

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 21-17-17, 21-17-110, 21-17-112, and specification contained therein, submitted on 13th April 2021, 13th May 2022 and 20th May 2022. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 No development shall take place until:

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

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

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

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

4 1. No development shall take place until

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

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

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

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

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

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

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

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

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

- 5 The development hereby permitted shall not commence until:
- a) a noise assessment has been undertaken to assess the impact of noise arising from road and rail transport on the proposed development with reference to the guidance contained in BS8233:2014 and the World Health Organization's Guidelines for Community Noise (1999)
 - b) the results of the noise assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures to protect

residents of the development from noise, have been submitted to and approved in writing by the local planning authority; and

Any necessary mitigation measures shall be implemented in full accordance with the approved details and retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority. **Reason:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 6 The approved curtilage shall be restricted to the areas identified on the Curtilage Plan 21-17-112 received by the Local Planning Authority on 13th May 2022. **REASON:** To comply with the requirements set out in Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 7 All rooflights shall be conservation style and maintained as such. **Reason:** To ensure an appropriate standard of design and appearance, and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.
- 8 The development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development. **Reason:** To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 9 The development hereby permitted shall not be occupied unless and until the car parking areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwellinghouse hereby permitted. **REASON:** To ensure that the rural character and appearance of the barn is protected, in accordance with Policy BE4 of the Warwick District Local Plan 2011-2029.
- 11 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle

recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded). **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.

- 12 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029.
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Planning Committee: 22 June 2022

Item Number: 11

Application No: [W 21 / 0710](#)

Town/Parish Council: Budbrooke

Registration Date: 25/06/21

Case Officer: Rebecca Compton

Expiry Date: 20/08/21

01926 456544 rebecca.compton@warwickdc.gov.uk

Barn 1-5, Stanks Farm, Old Budbrooke Road, Budbrooke, Warwick, CV35 8RH

Conversion of rural buildings (Barns 1-5) into three residential dwellings FOR Mr & Mrs Glover

This application is being presented to Planning Committee due to an objection from the Parish Council having been received and the application being recommended for approval.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks to extend the curtilage area granted under Class Q for the application barns which are identified as Barns 1, 3 & 5 on the proposed plans. The proposal also seeks permission for the conversion of Barn 2 to ancillary residential accommodation to Barn 1.

THE SITE AND ITS LOCATION

The application site is accessed off the Old Budbrooke Road, via a private lane. It is in close proximity to Warwick Parkway station and the A46. There is a substantial farmhouse on the site and several barn and outbuildings.

PLANNING HISTORY

W/20/1850 – Barn 1 – Prior Approval application for the change of use of an agricultural building (Barn 1) into a smaller residential dwelling (C3) and associated operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO) 2015 (as amended) - Granted

W/20/1851 – Barn 3 – Prior Approval application for the change of use of an agricultural building (Barn 3) into a smaller residential dwelling (C3) and associated operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO) 2015 (as amended) - Granted

W/20/1852 – Barn 5 – Prior Approval application for the change of use of an agricultural building (Barn 5) into a larger residential dwelling (C3) and associated

operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO) 2015 (as amended) - Granted

W/20/0496 – Barns 1 – 5 - Full application for the conversion of five rural buildings into five residential dwellings – Refused

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- DS18 - Green Belt
- H1 - Directing New Housing
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR3 - Parking
- BE4 - Converting Rural Buildings
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document- June 2018)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)
- Budbrooke Neighbourhood Plan (2018-2029)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- FW3 - Water Conservation

SUMMARY OF REPRESENTATIONS

Budbrooke Parish Council: Objection due to concerns over need for housing in this location, refuse arrangements, access and traffic concerns and the housing being situated in an unsustainable location.

WCC Landscape: Requested details of hard and soft landscaping and recommended size of new trees and trees to be located within garden areas.

WCC Archaeology: No objection, subject to condition requiring a programme of archaeological work.

WDC Waste Management: No objection, subject to sufficient turning space within the site for refuse vehicles.

ASSESSMENT

Principle of residential development

Paragraph 79 of the NPPF seeks to avoid the development of isolated homes in the countryside unless certain circumstances apply. This includes development that would re-use redundant or disused buildings and enhance its immediate setting. This is echoed in Local Plan Policy H1 of the Warwick District Local Plan (2011-2029) which permits new dwellings in the open countryside where the development would involve the re use of redundant or disused buildings in

accordance with Policy BE4 which leads to an enhancement to the immediate setting.

Policy H1 of the Local Plan states that for a residential use of a rural building to be acceptable, the building would have to be redundant or disused and the proposal would need to demonstrate an enhancement to the immediate setting. The supporting information states that the buildings are disused which has been confirmed through the officer's site visit.

The agricultural barns were granted a prior approval under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 to convert into a total of 3 smaller dwellings. These permissions remain extant. The principle of residential development has already been established on the site through the Class Q conversion, the development would not increase the number of residential units compared to the Class Q application.

Policy BE4 of the Warwick District Local Plan allows for the conversion of rural buildings providing that they satisfy the following criteria:

- a) The building is of a permanent and substantial construction
- b) The condition of the building, its nature and location make it suitable for re use or adaptation
- c) The proposed use or adaptation can be accommodated without extensive rebuilding or alteration to the external appearance of the building
- d) The proposal retains and respects the special qualities and features of listed and other traditional rural buildings and
- e) The appearance and siting of the building following conversion protects and where possible enhances the character and appearance of the countryside.

The supporting text of Policy BE4 clearly sets out that the purpose of the policy is to ensure that conversions take place in a manner that respects the local character of the rural areas and the original qualities and features of the existing building without extensive rebuilding and alteration.

The proposed alterations to barns 1, 3 & 5 have been previously approved under the Class Q prior approval applications W/20/1850, W/20/1851 and W/20/1852. The proposed alterations to these barns have been previously approved under the extant Class Q applications.

This current proposal seeks also to convert Barn 2 to ancillary residential accommodation for Barn 1 to be used as a home office and storage. This building is a redundant barn and due to its small size would lend itself to ancillary accommodation rather than as a separate dwelling. The proposed alterations largely seek to retain the existing openings with 2no. windows on the side elevation and 1no. window on the rear elevation. The new fenestration has been kept to a minimum and has been designed to be in keeping with the character of the barn in terms of their scale and design. Officers are satisfied that the conversion of this barn would not be detrimental to the character of the barn and the barns in the wider complex.

The proposal would comply with Policies H1 and BE4 of the Warwick District Local Plan (2011-2029) and the NPPF and is therefore acceptable in principle.

Design and impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

Policy BE4 of the Warwick District Local Plan (2011-2029) seeks to ensure that the conversion of rural buildings respects the character and features of traditional buildings, enhances the area and does not create significant alterations.

The proposed dwellings and ancillary accommodation will retain the same footprint as the original barns and the floor area will not be extended in anyway and so would encroach no further on the open countryside. The proposed conversion of Barn 2 is considered acceptable, and the proposed design retains the character and appearance of the barn and the wider area.

The proposal seeks to extend the approved curtilage area for Barns 1, 3 and 5 as part of the Class Q application, the approved curtilages under those applications was minimal. Class Q permits the change of use of a building and any land within its curtilage to a use that falls within Use Class C3 (dwelling). Part 3, Paragraph W defines the meaning of 'curtilage' for Class Q applications to include an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building. As originally submitted the proposed curtilage areas would far exceed the footprint of the barns and has therefore been amended to be no greater than the footprint of the buildings, i.e. the maximum that would be permitted under Class Q. In the case of Barn 1, the curtilage area has been limited to the footprint of Barn 1 and does not include Barn 2 given that the fall-back position is for Barn 1 only. Officers are satisfied that should the applications for the Class Q have been submitted with the areas of curtilage now shown on the proposed plans, officers would have granted the Class Q. Given that the fall-back position for a residential conversion for these barns is the Class Q applications, officers are satisfied that a larger area of curtilage can be granted given that it would be the absolute maximum permitted by the fall-back position.

Permitted development rights should also be removed to reflect the fall-back position

Overall, I am satisfied that the development will have a positive impact on the character and amenity of the local area and open countryside. The scheme is therefore considered acceptable having regard to Policy BE1 of the Local Plan.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The principle of residential use has already been established through the Class Q applications; the proposed curtilage areas would not impact on the amenity of any neighbouring residential units.

I therefore consider that the proposal is acceptable having regard to Policy BE3.

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that does not provide acceptable standards of amenity for future occupiers of a development.

The principle of residential use has already been established through the Class Q applications, this proposal does not seek to alter the approved floor plans or fenestration. Barn 2 would benefit from sufficient levels of light and outlook to the proposed habitable rooms.

I therefore consider that the proposal is acceptable having regard to Policy BE3.

Parking & Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposal benefits from a driveway parking for 2 cars per barn proposed in the same location as the approved Class Q application. The access will not be altered as part of this development.

I therefore consider that the proposal is acceptable having regard to Policies TR1 and TR3.

Landscape

WCC Landscape have been consulted and did raise concerns over the proposed tree planting, however, the scheme has subsequently been amended to reduce the level of curtilage for barn 7 which is limited to existing areas of hardstanding. The areas of concern raised by WCC Landscape no longer form part of the curtilage areas.

Air quality and Water Conservation

Conditions will be attached to ensure compliance with the Air Quality SPD and Local Plan Policy FW3.

Conclusion

Officers are mindful of two separate planning applications of a similar nature that have been submitted for this site in relation to barn 6 (W/21/0708) and barn 7 (W/21/0709). The applicant has put forward a fall-back position in terms of the approved Class Q applications, therefore officers need to be satisfied that granting planning permission for the current application and the two other applications would not exceed the fall-back position. Class Q places limitations on the cumulative number of dwellings that can be created for a particular site, this includes the cumulative number of larger dwellings not exceeding 3 and the cumulative number of separate dwellings not exceeding 5. Having reviewed the current scheme and the two other applications at this site, officers are satisfied that the cumulative number of larger dwellings would not exceed 3 and the cumulative number of separate dwellings would not exceed 5. The proposal to convert Barn 2 would not create an additional dwelling but would rather provide additional accommodation for Barn 1 which benefits from permission for a residential conversion. It is considered necessary to condition Barn 2 to only be used as ancillary accommodation for Barn 1 to avoid this building being used as a separate dwelling in the future which would exceed the Class Q fall-back. The curtilage will be no greater than permissible under Class Q and permitted development rights will be removed by condition. Therefore, subject to condition, the grant of planning permission would not exceed the limitations of Class Q and would lead to no greater harm than the fall-back position.

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 21-17-12, 21-17-13A, 21-17-14, 21-17-15, 21-17-110, 21-17-112, and specification contained therein, submitted on 13th April 2021, 09th September 2021, 13th May 2022 and 20th May 2022. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 No development shall take place until:
 - a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.
 - b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.
 - c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has

been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

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

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

- 4
1. No development shall take place until
 - a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
 - A risk assessment to be undertaken relating to human health
 - A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
 - An appropriate gas risk assessment to be undertaken
 - Refinement of the conceptual model
 - The development of a method statement detailing the remediation requirements
 - c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
 - d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.

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

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

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

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

5 The development hereby permitted shall not commence until:
a) a noise assessment has been undertaken to assess the impact of noise arising from road and rail transport on the proposed development with reference to the guidance contained in BS8233:2014 and the World Health Organization's Guidelines for Community Noise (1999)

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

Any necessary mitigation measures shall be implemented in full accordance with the approved details and retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority. **Reason:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

6 The approved curtilage shall be restricted to the areas identified on the Curtilage Plan 21-17-112 received by the Local Planning Authority on 13th May 2022. **REASON:** To comply with the requirements set out in Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

7 All rooflights shall be conservation style and maintained as such. **Reason:** To ensure an appropriate standard of design and appearance, and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.

- 8 The development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development. **Reason:** To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 9 The development hereby permitted shall not be occupied unless and until the car parking areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwellinghouse hereby permitted. **REASON:** To ensure that the rural character and appearance of the barn is protected, in accordance with Policy BE4 of the Warwick District Local Plan 2011-2029.
- 11 The conversion of Barn 2 hereby permitted shall only be occupied for purposes ancillary to the residential use of the dwelling known as Barn 1 and shall only be occupied by members of the family occupying Barn 1 and shall not at any time be used as a separate dwelling **Reason:** To avoid the creation of isolated dwellings in the open countryside in accordance with policies H1 and BE4 of the Warwick District Local Plan 2011-2029.
- 12 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded). **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.

- 13 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029.
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