

Planning Committee

Minutes of the meeting held on Tuesday 14 August 2018 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Cooke (Chairman); Councillors Ashford, Barrott, Mrs Bunker, Edgington, Heath, Mrs Hill, Morris, Mrs Stevens and Weed.

Also Present: Civic & Committee Services Manager – Mrs Barnes; Legal Advisor – Mr Howarth; Head of Development Services – Mr Barber; Manager, Development Services – Mr Fisher; and Senior Planning Officer – Mr Charles.

54. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Boad.
- (b) Councillor Ashford substituted for Councillor Day.

55. **Declarations of Interest**

Minute Number 58 – W/18/0893 – Warwick Castle and Grounds, Castle Hill, Warwick

Councillor Ashford declared an interest because he was on Warwick Town Council's Planning Committee when the application was discussed. He therefore believed he was predetermined and left the room whilst the item was discussed.

Councillor Edgington declared an interest because he was the Chair of the Environment and Tourism Committee, had recently accepted hospitality from Warwick Castle as a member of Warwick Town Council and had been involved in discussions with them. He left the room whilst the item was discussed.

Minute Numbers 59 & 60 – W/18/0724 & W/18/0725 LB – Millright Arms, 69 Coten End, Warwick

Councillor Ashford declared an interest because he was on Warwick Town Council's Planning Committee when the application was discussed. He therefore believed he was predetermined and left the room whilst the item was discussed.

Councillors Edgington and Morris declared an interest because they were the Ward Councillors.

Minute Number 64 – W/18/1086 – 1 Masefield Avenue, Warwick

Councillor Ashford declared an interest because he was on Warwick Town Council's Planning Committee when the application was discussed. He therefore believed he was predetermined and left the room whilst the item was discussed.

PLANNING COMMITTEE MINUTES (Continued)

Minute Number 65 – W/18/1193 – 91 Lakin Road, Warwick

Councillor Ashford declared an interest because he was on Warwick Town Council's Planning Committee when the application was discussed. He therefore believed he was predetermined and left the room whilst the item was discussed.

Councillor Morris declared an interest because he was the Ward Councillor.

56. Site Visits

There were no site visits made.

57. Minutes

The minutes of the meeting held on 17 July 2018 were taken as read and signed by the Chairman as a correct record.

58. W/18/0893 – Warwick Castle and Grounds, Castle Hill, Warwick

The Committee considered a retrospective application from Merlin Attractions Operations Ltd for the development of a maze attraction, including a Viking ship and other themed structures, pathways, landscaping and associated infrastructure.

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

The officer was of the opinion that the development, which included many features which did not require planning permission (the loss of former planting, the replacement of new planting and landscaping, means of enclosure under 2m in height etc), had been considered in the context of the principle policy in the Development Plan which related to Warwick Castle (Policy CT6). The development was considered by officers to be acceptable in principle subject to an assessment being made of the other relevant material considerations.

The application had been given detailed consideration in terms of its impact on heritage assets and their respective settings, and was considered not to result in substantial harm to the setting of the heritage assets, principally, the setting of the Grade I listed Castle and the Registered Parks and Gardens. There was no harm arising from the development to the amenity of residential properties or other nearby land uses. Overall, the development was considered to be acceptable having regard to the relevant provisions of the Development Plan and for these reasons it was recommended that planning permission should be approved.

An addendum circulated at the meeting advised that two additional consultation responses had been received from the Gardens Trust and Warwickshire Garden Trust, maintaining their objections as originally stated. Additional comments had been made regarding the level of detail and information contained within the Heritage Statement and an assessment of significance made by the applicant.

The following people addressed the Committee:

PLANNING COMMITTEE MINUTES (Continued)

- Councillor Murphy, Warwick Town Council, objecting;
- Mr Mackay, Conservation Area Advisory Forum, objecting;
- Mr Busiakiewicz, Warwickshire Gardens Trust, objecting;
- Mr Thompson, supporting.

Mrs Gutteridge, Senior Legal Advisor, explained that the removal of the rose garden or the ironworks was not unlawful, nor was it a criminal offence. In addition, the Planning Authority had no powers to require that the garden be restored

Members were disappointed that Merlin appeared to have given little regard to the Local Plan or the correct planning process. In particular, they felt the application was contrary to policies HE1 and CT6 of the Local Plan and the loss of the memorial garden was disappointing.

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

The Committee therefore

Resolved that W/18/0893 be **refused** contrary to the recommendations in the report because it was contrary to Local Plan Policy HE1 and paragraph (c) of Policy CT6.

(Councillor Edgington re-joined the meeting.)

59. W/18/0724 – Millright Arms, 69 Coten End, Warwick

The Committee considered an application from Punch Taverns of Bluemark Projects Ltd for a change of use of part of the curtilage and the erection of three dwellings, alteration of access and provision of car parking and landscaping.

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

The officer was of the opinion that the current scheme for three dwellings was considered acceptable in principle and was considered to be an appropriate form of development for the site. The proposal would respect the character of the local area and Warwick Conservation Area and would not have a detrimental impact on the setting of the Grade II Listed Public House. Matters of access, car parking, landscaping and the impact on protected species were considered acceptable subject to conditions. For these reasons, Officers recommended that planning permission should be granted.

The following people addressed the Committee:

- Councillor Murphy, Warwick Town Council, objecting;
- Ms Gibson, objecting;
- Mr Beckett, objecting; and

PLANNING COMMITTEE MINUTES (Continued)

- Mr Calow, applicant's representative.

A motion to grant the application as per the officer's recommendation was defeated.

Following consideration of the report, presentation and the representations made at the meeting, it was proposed by Councillor Mrs Bunker and seconded by Councillor Mrs Stevens that the application should be refused.

The Committee therefore

Resolved that W/18/0724 be **refused** contrary to the recommendations in the report because it was contrary to Local Plan policies HE1 and B3.

60. W/18/0725 LB – Millright Arms, 69 Coten End, Warwick

The Committee considered an application from Punch Taverns of Bluemark Projects Ltd.

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

The officer was of the opinion that the current scheme for three dwellings would not have a detrimental impact on the setting of the Grade II Listed Public House. For these reasons, Officers recommended that Listed Building Consent should be granted.

The following people addressed the Committee:

- Councillor Murphy, Warwick Town Council, objecting;
- Ms Gibson, objecting;
- Mr Beckett, objecting; and
- Mr Calow, applicant's representative.

A motion to grant the application as per the officer's recommendation was defeated.

Following consideration of the report, presentation and the representations made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Barrott that the application should be refused.

The Committee therefore

Resolved that W/18/0725 LB be **refused** contrary to the recommendations in the report because it was contrary to Local Plan policy HE1.

(Councillor Ashford re-joined the meeting.)

61. W/18/1041 – Land adjacent Bremridge Close, Barford

The Committee considered an application from Taylor Wimpey West Midlands Limited for the display of two non-illuminated hoarding signs and one non-illuminated freestanding sign.

PLANNING COMMITTEE MINUTES (Continued)

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

The officer was of the opinion that the application could be assessed as two distinct elements; the 3000mm x 1000mm sales sign located on grassland to adjacent to the A429 Bypass and the two directional signs at the entrance to Bremridge Close.

The first proposed sign (Sign A) was to be located on the heavily screened green edge of Barford adjacent to the A429 Bypass. The area proposed for the sign had a rural and open character and it was considered that the display of the proposed sign would result in an intrusive feature at odds with the rural character in this location. It would also appear relatively isolated in terms of its siting relative to the development which served to exacerbate its inappropriateness.

The key test with any advertisement consent proposal was visual amenity and in officers' opinions, the provision of this sign would be visually harmful because it would diminish the rural character of the location and would be an intrusive feature into the green edge of the village. For these reasons, officers recommended that Sign A should be refused.

The two signs to the entrance of Bremridge Close (Signs B and C) served a dual purpose. Firstly, they were for directional purposes to advertise the new Taylor Wimpey development being constructed on land adjacent to Bremridge Close and they also served to reinforce the restriction on vehicle sizes as set out in the Construction Management Plan attached to the planning permission for the new housing.

The two signs allowed for clear identification of access into the development site for construction traffic as well as potential purchasers to locate and visit the site. The use of the two signs of differing sizes allowed for immediate recognition of the access, as well as clearly advertising the limits on large vehicle deliveries to the site.

Whilst the use of two separate signs did introduce an element of visual clutter to the open entrance to Bremridge Close, officers were satisfied that the purpose of the signs in this location did not create any significant harmful visual impact. Officers felt that signs B and C were acceptable in visual amenity and highway safety terms and no objection had been raised to the provision of these signs.

Overall, officers recommended that a split decision should be issued granting advertisement consent for Signs B and C and refusing Sign A.

The following people addressed the Committee:

- Mrs Mayer, objecting; and
- Mr Harris, supporting.

Following consideration of the report, presentation and the representations made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Edgington that the application should be granted subject to a note to the developer regarding the timing of removal of the signs.

PLANNING COMMITTEE MINUTES (Continued)

The Committee therefore

Resolved that W/18/1041 be **approved** in part, in accordance with the recommendations in the report, as follows:

Advertisement Consent for Sign A be refused and Advertisement Consent for Signs B and C be granted in accordance with the recommendation in the report with a note to the applicant to be added regarding the timing of the removal of the signs.

62. W/18/1165 – Agricultural Building, Highlands Farm, Long Itchington Road, Offchurch

The Committee considered an application from RGI Limited for the proposed change of use of a barn to storage of survey equipment (Use Class B8).

The application was presented to Committee because an objection had been received from Offchurch Parish Council.

The officer was of the opinion that the proposed change of use would represent diversification of a land based business within a rural area, and would make use of a redundant rural building. The proposal would not be harmful to the openness of the Green Belt and would not be harmful to highway safety or neighbouring residential amenity and the proposed change of use should therefore be approved.

An addendum circulated at the meeting advised that one further public response had been received objecting to the proposal because the site would become an industrial complex rather than being used for agricultural purposes.

The following people addressed the Committee:

- Councillor Palmer, Offchurch Parish Council, objecting; and
- Mr Robinson, supporting.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Edgington and seconded by Councillor Ashford that the application should be granted.

The Committee therefore

Resolved that W/18/1165 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990
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(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 Rgi sur 001, and specification contained therein, submitted on 14th June 2018. **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) the development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan;
- (4) the development shall not be occupied until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 160 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;
- (5) the site shall only be used for the storage of drilling and surveying equipment / vehicles. **Reason:** For the protection of nearby residential amenity in accordance with Local Plan policy BE3; and
- (6) no equipment of any description shall be kept or stored outside the application site OR building(s) the subject of this permission. **Reason:** To protect the visual amenities of the locality and openness of the Green Belt in

PLANNING COMMITTEE MINUTES (Continued)

accordance with Local Plan policies BE1 and DS18 of the Warwick District Local Plan 2011-2029.

(At 8.04pm pm the Chairman announced a comfort break and the meeting reconvened at 8.18pm.)

63. W/18/0986 – Ivy Cottage, Barracks Lane, Beausale

The Committee considered an application from Mr M Edkins for the erection of a part two storey part single storey side and rear extension after demolition of an existing shed and porch.

The application was presented to Committee because Beausale, Haseley, Honiley & Wroxall Parish Council supported the application and officers were recommending it for refusal.

The officer was of the opinion that the proposed development would represent a disproportionate addition to the application property which therefore meant that the proposal constituted inappropriate development in the Green Belt which was harmful by definition. It would also be harmful by reason of harm to openness.

An addendum circulated at the meeting advised that additional third party representations had been received in support of the proposal. Eight letters were received from members of the public and one letter from a Ward Councillor. In summary, they related to the design of the extension, how it would balance the pair of semi-detached dwellings, how the existing property was not suitable for modern living and the impact on the openness of the Green Belt.

Councillor Slatem, representing Beausale, Haseley, Honiley and Wroxall Parish Council, addressed the Committee in support of the application.

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

The Committee therefore

Resolved that W/18/0986 be **refused** in accordance with the recommendations in the report, for the following reason:

- (1) in the opinion of the Local Planning Authority, the proposed development represents a disproportionate addition to the original building and therefore constitutes inappropriate development in the Green Belt which is harmful by definition and by reason of harm to openness. No very special circumstances are considered to exist which outweigh the harm identified.

PLANNING COMMITTEE MINUTES (Continued)

The proposed development is therefore contrary to the National Policy Framework and to Policy H14 of the Warwick District Local Plan 2011-2029.

(Councillor Ashford left the room.)

64. W/18/1086 – 1 Masefield Avenue, Warwick

The Committee considered an application from Mr Richard Barlow for the erection of a two bedroom dwelling house.

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

The officer was of the opinion that Policy H1 sought to direct new housing development in the first instance to the urban areas of Leamington, Kenilworth and Warwick. In that respect the proposal to create a dwelling in this location, which was within the Warwick urban boundary, was acceptable in principle having regard to Policy H1. In addition, subject to a condition requiring the materials to match the existing property, it was considered that the overall design was in keeping with the area and therefore in accordance with Policy BE1 and the Residential Design Guide SPD. The new property was considered to have a reasonable outlook that did not adversely impact the existing property, would not have an adverse impact on highway safety and was therefore recommended for approval.

An addendum circulated at the meeting advised that the 'Impact on Amenity' section of the report referred to a first floor window. It had been confirmed that this window served a landing which was not a habitable room.

Councillor Murphy, representing Warwick Town Council, addressed the Committee in opposition to the proposals.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Mrs Stevens that the application should be granted.

The Committee therefore

Resolved that W/18/1086 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and

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approved drawing(s) 3 C, 4 and 'swept path' plan, and specification contained therein, submitted on 6th June 2018. **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) the development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan;
- (4) prior to the first occupation of the dwelling hereby permitted a pavement and verge crossing shall be constructed to the site in accordance with the standard specification of the Highway Authority. **Reason:** To ensure that a pavement and verge crossing is available for use when the development is completed thereby enabling safe and convenient access to and egress from the site in the interests of the safety of road users and pedestrians in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;
- (5) the dwelling hereby permitted shall not be occupied unless and until the car parking provision shown on the approved plans has been constructed or laid out, and made available for use by the occupants and / or visitors to the dwelling and thereafter those spaces shall be retained for parking purposes at all times. **Reason:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies BE1 and TR4 of the Warwick District Local Plan 2011-2029;
- (6) all external facing materials for the development hereby permitted shall be of the

PLANNING COMMITTEE MINUTES (Continued)

same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029;

- (7) the development shall not be occupied until the existing vehicular access to the site has been widened so as to provide an access of not less than 5 metres, as measured from the near edge of the public highway carriageway.

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

- (8) the access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for its whole length as measured from the near edge of the public highway carriageway.

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

- (9) the access to the site shall not be widened in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029; and

- (10) 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 MINUTES (Continued)

65. W/18/1193 – 91 Lakin Road, Warwick

The Committee considered an application from Mr S Mali for the erection of a part single and a part two storey side extension with a wraparound mono-pitch canopy to the front elevation and provision of an additional parking space.

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

The officer was of the opinion that the proposal was considered to meet the requirements of Local Plan Policies BE1, BE3 and TR3 and was therefore recommended for approval.

Councillor Murphy, representing Warwick Town Council, addressed the Committee in opposition to the proposals.

Following consideration of the report, presentation and the representation made at the meeting, it was proposed by Councillor Mrs Stevens and seconded by Councillor Barrott that the application should be granted.

The Committee therefore

Resolved that W/18/1193 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 784-01 and 784-02B, and specification contained therein, submitted on 14th June and 19th July 2018 respectively. **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) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029; and
- (4) prior to the occupation of the development hereby permitted, the additional parking space

PLANNING COMMITTEE MINUTES (Continued)

shown on the approved drawings shall be laid out and made available for parking in accordance with the approved details. Thereafter, the space shall be kept clear and available for parking in association with the application property. **Reason:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies BE1 and TR4 of the Warwick District Local Plan 2011-2029.

(Councillor Ashford re-joined the meeting.)

66. **W/18/0539 – Land to the North and South of the A45 between Festival and Tollbar Island Junctions of the A45 and A46, to the north of Coventry Airport, Baginton**

The Committee considered an application from Roxhill Developments Limited for the approval of reserved matters (details of access, appearance, landscaping, layout and scale) pursuant to condition 1 of planning permission W/16/0239 for the construction of a primary sub-station at Whitley South, within Development Zone 4 on the parameters plan.

The application was presented to Committee because an objection had been received from Baginton Parish Council.

The officer was of the opinion that the development formed a detailed part of the wider site development approved under an earlier outline permission. The principle was therefore acceptable, subject to an assessment being made of the other relevant planning considerations. There were no environmental health concerns about the proposal in terms of noise and general disturbance and therefore together with the distance to the nearest neighbouring properties officers were satisfied that the substation would not result in material harm to residential amenity. The development was also considered acceptable in terms of its visual impact and the landscaping proposed was acceptable, although a condition was recommended that required details of additional tree planting along the west facing boundary.

There were no issues arising from the development in terms of ecology and flooding/drainage and overall the recommendation was to approve planning permission.

An addendum circulated at the meeting advised that a consultation response of 'No objection' had been received from Warwickshire County Council Highways and no conditions or notes were recommended.

Following consideration of the report, presentation and the information contained in the addendum, it was proposed by Councillor Mrs Bunker and seconded by Councillor Barrott that the application should be granted.

The Committee therefore

PLANNING COMMITTEE MINUTES (Continued)

Resolved that W/18/0539 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

- (1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the following approved drawings, except as required by condition 2:-

3924-1 001 Rev.P10, 1654/15 100 Rev.B, 3924-2 007 Rev.P3, 15-0752 hDA-DR-SK81 Rev.A and MN209809-JB-010 Rev.P04 and specification contained therein, submitted on 19 March 2018.

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;

- (2) notwithstanding the details shown on approved drg. no. 1654/15 100 Rev.B, no part of the development hereby permitted shall commence until a further landscaping plan has been submitted to and approved in writing by the Local Planning Authority detailing the provision of additional tree planting along the western boundary of the site. 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;
- (3) pursuant to Condition 1 of outline planning permission W/16/0239, a schedule of materials to be used on the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried

PLANNING COMMITTEE MINUTES (Continued)

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;

- (4) the development shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding habitats and of protected and notable species within the site as set out in the document 'Construction Management Plan at Whitley South ' prepared by Buckingham Group Contracting Limited, received by the District Planning Authority on 14th June 2018.

Reason: To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029;

- (5) no occupation and subsequent use of the development shall take place until a maintenance plan is implemented and provided to the Local Planning Authority giving details on how surface water systems shall be maintained and managed for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the LPA within the maintenance plan, if the system is part of a wider maintenance agreement written confirmation must be provided. **Reason:** To ensure the future maintenance of the drainage system having regard to Policy FW2 of the Warwick District Local Plan 2011-2029; and

- (6) noise arising from any plant or equipment at the primary substation, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

Reason: To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

PLANNING COMMITTEE MINUTES (Continued)

67. **W/18/1042 – Honeysuckle Cottage, Woodcote Lane, Leek Wootton**

This item was on the agenda due to an objection having been received from Leek Wootton Parish Council. This objection was withdrawn prior to the meeting and the application would be dealt with under delegated powers.

68. **W/18/1161 – 32 Riversleigh Road, Milverton, Royal Leamington Spa**

The Committee considered an application from Mr K Key for the demolition of an existing garage and erection of a single storey side extension and mono-pitch canopy on the rear elevation.

The application was presented to Committee because the applicant was married to an elected District Councillor, Councillor H Grainger.

The officer was of the opinion that the proposal was considered to meet the requirements of Local Plan Policies BE1, BE3 and TR3 and was therefore recommended for approval.

Following consideration of the report and presentation it was proposed by Councillor Barrott and seconded by Councillor Ashford that the application should be granted.

The Committee therefore

Resolved that W/18/1161 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 1187/1, 1187/2, 1187/3, 1187/4, 1187/5, 1187/6 and Block Plan 1:500, and specification contained therein, submitted on 11th June 2018 and 27th July 2018 respectively. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the

PLANNING COMMITTEE MINUTES (Continued)

visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

69. W/18/1372 – Corner of Princes Drive, Coventry Road, Kenilworth

This item had been included on the agenda in anticipation of an objection being received from Kenilworth Town Council. This objection did not materialise. The application was removed from the agenda, however, additional letters of objection had since been received and it was agreed that the item would be heard at the September 2018 meeting.

70. Planning Appeals Report

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

Resolved that the report be noted.

(The meeting ended at 9:05 pm)

CHAIR
11 September 2018