Planning Committee

Minutes of the meeting held on Tuesday 8 December 2015 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Cooke (Chairman); Councillors Ashford, Boad, Edgington, Miss Grainger, Mrs Hill, Mrs Knight, Morris, Thompson and Weed.

Also Present: Committee Services Officer - Miss Carnall; Democratic Services Assistant - Miss Brownlee; Legal Advisor – Mr Gregory; Head of Development Services – Mrs Darke; Planning Officer - Mr Sahota.

118. **Substitutes**

Councillor Edgington substituted for Councillor Cain, Councillor Thompson substituted for Councillor Mrs Bunker, and Councillor Miss Grainger substituted for Councillor Mrs Falp.

119. **Declarations of Interest**

Minute Number 123 – W/15/1773 – Kentucky Fried Chicken, Leamington Shopping Park, Tachbrook Park Drive, Warwick

Councillor Edgington declared an interest because he was a member of the Royal Leamington Spa Town Council Planning Committee. He left the room for the duration of the item.

Minute Number 124 - W/15/1687 – 3 St Johns Terrace, Tachbrook Street, Royal Leamington Spa

Councillor Mrs Knight declared an interest because her husband was objecting on behalf of Royal Leamington Spa Town Council. During the course of this item, Councillor Mrs Knight also declared a personal interest as she knew the one of the objectors.

Councillor Miss Grainger declared an interest because she was a Member of Royal Leamington Spa Town Council Planning Committee when the item was discussed. She left the room for the duration of the item.

Councillor Thompson declared that he was a Royal Leamington Spa Town Councillor but was not a Member of its Planning Committee.

Minute Number 125 - W/15/1664 – 120 Shrubland Street, Royal Leamington Spa

Councillor Miss Grainger declared an interest because she was a Member of Royal Leamington Spa Town Council Planning Committee when the item was discussed. She left the room for the duration of the item.

Councillor Thompson declared that he was a Royal Leamington Spa Town Councillor but was not a Member of its Planning Committee.

Minute Number 126 – W/15/1697 – 6 Jury Street, Warwick

Councillor Ashford declared a personal interest because the applicant was known to him.

Councillor Morris declared a personal interest because the applicant was known to him.

Councillor Miss Grainger declared an interest because she knew the applicant.

Councillor Edgington declared that the item had been discussed at the Conservation Advisory Forum but he had made no comments.

Minute Number 127 – W/15/1294 – Land at Wasperton Lane, Barford

Councillor Edgington declared that the item had been discussed at the Conservation Advisory Forum but he had made no comments.

Minute number 128 - W/15/1558 – 1 New Street, Royal Leamington Spa

Councillor Mrs Knight declared an interest because her husband was objecting on behalf of Royal Leamington Spa Town Council.

Councillor Miss Grainger declared an interest because she was on Royal Leamington Spa Town Council Planning Committee when the item was discussed. She left the room for the duration of the item.

Councillor Thompson declared that he was a Royal Leamington Spa Town Councillor but was not a Member of its Planning Committee.

Minute Number 129 – W/15/1300 – Albion Tavern, 81 Albion Street, Kenilworth

Councillor Mrs Hill declared an interest because she was the Ward Councillor for the application site.

120. **Site Visits**

To assist with decision making, Councillors Ashford, Boad, Cooke, Edgington, Mrs Hill, Mrs Knight, Morris, Thompson and Weed had visited the following application sites on Saturday 5 December 2015:

W/15/1664 – 120 Shrubland Street, Royal Leamington Spa
W/15/1697 – 6 Jury Street, Warwick
W/15/1300 – Albion Tavern, 81 Albion Street, Kenilworth

121. **Minutes**

The minutes of the meeting held on 10 November 2015 were approved with an amendment to the attendance to include Councillor Edgington.

122. **Public Speaking at Planning Committee**

The Committee received a report from Democratic Services Manager which brought forward proposals to amend the public speaking rights at Warwick District Council Planning Committee.

Following discussions with the Chairman of the Planning Committee it had been considered that there was a need to update the guidance offered to Planning Committee and clarify the public speaking rights.

The Chairman had raised concerns about the clarity of speaking rights and the potential impact this could have on the length of Planning Committee meetings.

The report proposed that speaking times be reduced to three minutes per category with the exception of the Ward Councillor category which would be reduced to five minutes.

Following discussions, it was proposed that the recommendations in the report be agreed subject to an amendment to allow Warwick District Councillors from more than one Ward to speak.

Resolved that

(1) public speaking at Planning Committee be amended to read as follows:

"There is a time limit of three minutes for each category of speaker, excluding District Councillors, on all applications.

If there is more than one speaker in the same category for an item, the three minutes will be shared among them.

This is with the exception of major applications where up to four speakers will be permitted to address the committee in both the Objectors and Applicants/Supporters categories for a maximum of three minutes each.

That the times allocated may be varied at the discretion of the Chairman of the Planning Committee, when they believe there is significant public interest in an application, for example, regional developments such as the former gateway proposal and the passenger terminal at Coventry Airport."; and

(2) Public Speaking be permitted on the determination of Tree Preservation Orders at Planning Committee.

Recommended to Council that:

(1) it amends Council procedure rules so that Warwick District Councillors are not permitted to address the Planning Committee for more than five minutes on any application and that unless they are providing contrary views or from representing views from different District Wards, no more than one Warwick District Councillor will be permitted to address the Committee on any application; and

(2) the public speaking rights as set out above are included in Council procedure rules.

123. **W/15/1773 – Kentucky Fried Chicken, Leamington Shopping Park, Tachbrook Park Drive, Warwick**

Councillor Edgington left the Chamber for this item.

The Committee considered an application from Ignis UK Property Fund for the demolition of the existing KFC restaurant and erection of a Class A1 bulky goods retail unit (Unit P) and staff parking area.

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

The Officer was of the opinion that the proposals met the sequential and impact 'tests' set out in the NPPF and would have acceptable impact on the vitality and viability of Leamington Town Centre. The proposals were also considered to be acceptable in terms of the impact on trees, car parking and highway safety. Therefore, it was recommended that planning permission was granted.

In an addendum circulated before the meeting, a correction was made because there was an error in the "Details of Development" section of the Committee Report. It had stated that the mezzanine floor measured 418 sq m, when in fact it measured 500 sq m. That made the total floor area 1,197 sq m. That only affected the "back of house" areas, and consequently the sales area remained as stated in Condition 9 (i.e. 893 sq m). In addition, the addendum advised that WCC Highways raised no objection to the application subject to a condition to require a travel plan.

The following people addressed the Committee:

- Mr Collins, speaking as an objector to the application; and
- Mr Waldren, speaking as the agent on behalf of applicant.

Following consideration of the report, presentation, information contained in the addendum and representations made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Ashford that the application be granted as per the officer's recommendation.

The Committee therefore,

Resolved that application W/15/1773 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) AAA4815-A-P16-04, AAA4815-A-P16-05, AAA4815-A-P16-06, AAA4815-A-P16-07, AAA4815-A-P16-08, AAA4815-A-P16-09, AAA4815-A-P16-10 & AAA4815-A-P16-14, and specification contained therein, submitted on 27 October 2015, except as required by condition 3 below. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) notwithstanding the details shown on the approved plans, no development shall commence until details of the mezzanine layout have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details. **Reason:** For the avoidance of doubt and to ensure that the development does not harm the vitality and viability of town centres, in accordance with Policy UAP3 of the Warwick District Local Plan 1996-2011;

(4) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off 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 similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;

(5) no construction will be undertaken until a Construction Management Plan (to include a Construction Phasing Plan and HGV Routing Plan) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the Construction Management Plan approved under this condition. **Reason:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan;

(6) the retail unit hereby permitted shall not be occupied unless and until the cycle parking, car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking, cycle parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011;

(7) no HGV movements associated with the construction of the development hereby permitted shall take place on Monday to Friday between 0730 hours and 0900 hours or between 1630 hours and 1800 hours. **Reason:** In the interests of highway safety, in

accordance with Policy DP6 of the Warwick District Local Plan;

(8) prior to occupation of the retail unit hereby permitted, a Travel Plan for that unit shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out detailed targets, measures and incentives to promote and encourage sustainable transport use and reduce the reliance on car based trips by staff to the site. The Travel Plan shall be implemented in strict accordance with the approved details. **Reason:** In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC12 & SC4 of the Warwick District Local Plan 1996-2011;

(9) the total sales area of the retail unit hereby permitted shall not exceed 893 sq m. The retail unit shall be used as a single retail unit and shall not be subdivided into 2 or more separate retail units. **Reason:** To protect the vitality and viability of the town centres, in accordance with Policy UAP3 of the Warwick District Local Plan;

(10) The premises hereby permitted shall not be used for the sale of food or other convenience goods. The sale of clothing, shoes, sports goods, fashion accessories, jewellery and home furnishings (other than beds and furniture) shall be allowed in no more than 15% of the permitted sales area. **Reason:** To protect the vitality and viability of the town centres, in accordance with Policy UAP3 of the Warwick District Local Plan; and

(11) the development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

124. **W/15/1687 – 3 St Johns Terrace, Tachbrook Street, Royal Leamington Spa**

The Committee considered an application from Miss Caunce for the change of use from a dwelling (Use Class C3) to a three bed house in multiple occupation (Use Class C4).

The application was presented to Committee because an objection had been received from Royal Leamington Spa Town Council and because Councillor Naimo had requested that the application be determined by Committee.

The Officer was of the opinion that the proposals would not cause or add to a harmful over-concentration of houses in multiple occupation in this area. Furthermore, the proposals were considered to be acceptable in terms of car parking and highway safety.

The addendum stated that two further objections had been received, raising issues similar to those that had been listed in the "Summary of Representations" section of the Committee Report.

The following people addressed the Committee:

- Ms Curran, a local resident, speaking in objection to the application;
- Councillor Knight, representing Royal Leamington Spa Town Council, speaking in objection to the application; and
- Councillor Naimo, Ward Councillor, speaking in objection to the application.

Following consideration of the report, presentation, information contained in the addendum and representations made at the meeting, it was proposed by Councillor Ashford and seconded by Councillor Boad that the application be granted in accordance with the officer's recommendation.

Resolved that application W/15/1687 be granted subject to the following condition;

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

125. **W/15/1664 - 120 Shrubland Street, Leamington Spa**

The Committee considered an application from Mr Kerr for the proposed conversion of the Bakery into four, two-bedroomed town houses.

The application was presented to Committee due to the number of objections received including one from Royal Leamington Spa Town Council.

The Officer was of the opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely

affect the amenity of nearby residents or highway safety. The proposal was therefore considered to comply with the policies listed and the Committee was recommended to grant planning permission.

Information provided in the addendum advised that the applicant had amended the plans to provide timber windows and more traditionally designed front doors to the principle elevations fronting Grove Place and Shrubland Street. The ground floor window to Shrubland Street had also been reduced in width to better reflect the proportions of adjoining properties. Plan numbers and received dates detailed in Condition 2 had been updated accordingly.

An additional condition was therefore proposed to reflect the amended plans and to require the new windows to be timber and painted not stained.

In addition, two further consultation responses had been received, as well as a note from WCC Highways.

The following people addressed the Committee:

- Ms Farey, a local resident, speaking in objection to the application including objecting over traffic problems;
- Mr Elliott, representing a neighbour, speaking in objection;
- Mr Kerr, the applicant; and
- Councillor Naimo, Ward Councillor, speaking in objection.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, Councillor Boad proposed that the application be granted and this was seconded by Councillor Ashford with the added condition relating to timber windows.

The Committee therefore:

Resolved that application W/15/1664 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 319-06H, 319-07H, 319-11B, 319-12C, 319-13B, 319-14C and specification contained therein, submitted on 09/11/15, except as required by Conditions 3-5 below. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

Reason: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011;

(4) the development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;

(5) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from

renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(6) if an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;

(7) the scheme hereby permitted shall not be occupied until the bin and cycle stores have been constructed in strict accordance with approved plans. These facilities shall be kept available for the use of occupiers at all times thereafter. **Reason:** To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(8) prior to the occupation of the development hereby permitted, all windows and rooflights in the western elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **Reason:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011; and

(9) all new windows are to be timber and painted

not stained.

126. **W/15/1697 – 6 Jury Street, Warwick**

The Committee considered an application from Catalan Restaurant for the installation of extraction equipment.

The application was presented to Committee because of the number of objections received.

The Officer was of the opinion that the main issues relevant to this application were:

- the impact on the character and appearance of the listed building and conservation area; and
- the impact on the living conditions of occupiers of nearby properties and users of the car park.

With regard to the first issue detailed above, the officer advised that the objections in this respect were noted, however, various design solutions had been considered and the proposal submitted was considered to be the most appropriate for this building. The proposed replacement flue was sited so as to minimise the impact on the Listed Building; the flue was located to the rear on a modern addition adjacent to an existing parapet wall and the flue would be powder coated black. The Council's Conservation Officer had raised no objection to the design or siting of the proposed flue.

With regard to the second issue, the report stated that the objections received in this respect were noted. The Council's Environmental Health Officer (EHO) had requested further information in addition to the noise and odour assessments which was submitted as part of the application. This additional information had been submitted and was being considered by the EHO and it was anticipated that this would overcome the concerns raised. The EHO's further comments had been included in the addendum to the report.

The proposal was therefore considered to accord with Policies DAP4 and DAP8 of the Local Plan and officers were recommending to grant planning permission.

The addendum included further consultation responses from Environmental Health and CAF. Environmental Health responded with additional pre-commencement conditions to secure satisfactory details of noise, odour and ventilation.

The addendum also included details of an additional assessment on the impact on the Listed Building and concluded that the public benefits would be sufficient to outweigh the less than substantial harm the proposal would cause to the designated heritage asset.

The following people addressed the Committee:

- Mrs Hodgetts, representing CAF, speaking in objection to the application; and
- Mr Pearson, speaking in objection to the application.

Members noted that the Environmental Health Department had proposed additional pre-commencement conditions to secure satisfactory details of noise, odour and ventilation.

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

The Committee therefore:

Resolved that application W/15/1697 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings and accompanying reports and specification contained therein, submitted on 15 October 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2, DAP4 and DAP8 of the Warwick District Local Plan 1996-2011;

(3) the flue hereby permitted shall be powder coated in black prior to installation and maintained as such thereafter. **Reason:** To ensure a high standard of design and appearance for this Listed Building and Conservation Area, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011; and

(4) pre-commencement conditions are proposed from Environmental Health to secure satisfactory details of noise, odour and ventilation.

127. **W/15/1294 - Land at Wasperton Lane, Barford, Warwick**

The Committee considered an application from Sharba Homes Ltd for the full planning application for the erection of eight dwellings served via Wasperton Lane, with associated landscaping and car parking; and all ancillary and enabling works.

This application was brought back to Committee because officers considered it prudent to do so following the receipt of comments from Historic England.

The Officer was of the opinion that the Council's current position was that a five year supply of deliverable housing sites could not be demonstrated and that Policy RAP1 was therefore to be considered out-of-date. The application site was considered to be within a sustainable location and the scheme would increase the supply of land for housing and contribute towards helping the Council achieve its five year housing requirement, which carried significant weight in this determination.

The development was considered to comply with other current Local Plan policies and with the policies of the NPPF as a whole. The presumption in favour of sustainable development also carried substantial weight.
It was considered that the development successfully addressed its relationship to the heritage assets, principally Barford House and the Barford Conservation Area and that there would be a less than substantial impact on those assets. The most sensitive part of the site, adjacent to Barford House, would be retained as open space with the proposed landscaping reflecting the historic Parkland setting so that any visual harm for the Conservation Area/Barford House was appropriately mitigated.

The benefits of the scheme as set out in the report had been carefully balanced against the less than substantial harm arising to the heritage assets, in respect of which it was considered that those benefits outweighed that harm.

It was therefore concluded that permission should be granted.

An addendum circulated at the meeting recommended revised wording to Condition 16 detailed in the officer's report, and deletion of Condition 25, to be replaced with an informative note. Details of a response from CPRE was also given.

The following people addressed the Committee:

- Mrs Hodgetts, representing CAF and the Warwickshire Gardens Trust, speaking in objection to the application;
- Mr Harrison–Hall, Chairman of Barford Neighbourhood Development Plan Working Party, speaking in objection to the application;
- Mrs Ventham, speaking as the supporter/applicant; and
- Councillor Rhead, Ward Councillor, speaking in objection.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Miss Grainger that the application be granted subject to an additional condition relating to the rebuilding of the wall.

Councillor Boad therefore suggested that a condition be imposed to ensure that the wall was rebuilt using similar materials and to a similar specification and design as existing, to which both Councillors Morris and Miss Grainger agreed. The recommendation in the addendum in respect of

informative note 4 was changed to become a condition. Following a casting vote by the Chairman, after a vote of five votes all, it was:

Resolved that application W/15/1294 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings Proposed Site plan dwg no.3270-05 Rev G; Units 1 & 2 dwg no. 3270-10Rev D; Units 6, 7 & 8 dwg no. 3270-14 Rev E; Street Elevation to Wasperton Lane dwg no. 3270-20 Rev D, and specification contained therein, submitted on 20th October 2015 and approved drawings Landscape Master Plan dwg no. 24934-RG-L01 Rev A, and specification contained therein, submitted on the 26th October 2015 and approved drawings Unit 3 dwg no. 3270-11 Rev E; Unit 4 dwg no. 3270-12 Rev D and Unit 5 dwg no. 3270-13 Rev D, and specification contained therein, submitted on the 27th October 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development shall be carried out only in full accordance with sample details of the facing, roofing, paving and boundary materials which shall have been submitted to and approved in writing by the local planning authority. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;

(4) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

Reason: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011;

(5) the development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control smoke, noise and the emission of dust and dirt during demolition and construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works. **Reason:** In the interests of highway safety, the free flow of traffic and the amenities of the occupiers of nearby properties in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011;

(6) the development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority. **Reason:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance

with Policy DP11 of the Warwick District Local Plan 1996-2011;

(7) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(8) no development shall commence until a Protected Species Contingency Plan has been submitted to and approved in writing by the planning authority. The plan shall include:

a) Further bat survey of the trees as in accordance with BCT Bat Surveys – Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Any approved mitigation plan shall thereafter be implemented in full.

b) A detailed badger survey has been carried out by a suitably qualified badger consultant and has been submitted to and approved in writing by the District Planning Authority. Any approved mitigation plan 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 DAP3 of the Warwick District Local Plan 1996-2011;

(9) the development hereby permitted shall not

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

(10) 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 water bodies, native species planting, wildflower grasslands; woodland creation/enhancement, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure a net biodiversity gain in accordance with NPPF;

(11) no part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees, and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent

in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

(12) the development hereby permitted shall not commence until an Environmental Compensation Scheme has been submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be implemented in full. **Reason:** To ensure satisfactory compensation for any loss of biodiversity, in accordance with the National Planning Policy Framework;

(13) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, estate railings, tree guards and gates to be erected, and the replacement / restored wooden gates and piers to the entrances from Wasperton Lane and Wellesbourne Road, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off 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 dwellings hereby permitted;
the soft landscaping works shall include the following:
- historically appropriate species of coniferous and deciduous trees, with an assessment of how this planting will mitigate views from Barford House.
- details on the stock size of trees to be planted.
- a historically informed restoration of the rockery identified to be retained.

and all planting shall be carried out in

accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2,DP3, DAP3 & DAP4 of the Warwick District Local Plan 1996-2011;

(14) no development shall take place within the application site, unless and 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 work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken. A report detailing the results of this fieldwork shall be submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development 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 were applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011;

(15) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwelling house hereby permitted without the prior written approval of the local planning authority. **Reason:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the setting of the Listed building or character of the Conservation Area. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies DP1, DAP4 & DAP8 of the Warwick District Local Plan 1996-2011;

(16) the development hereby permitted shall not begin until a scheme detailing the affordable housing provisions has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the NPPF or any future guidance that replaces it. The scheme shall include:
(a) the tenure split;
(b) the arrangements for the management of the affordable housing;
(c) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, and
(d) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
Reason: To meet the requirements of Policy SC11 of the Warwick District Local Plan 1996-2011;

(17) 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) the window(s) to be formed in the western facing elevation of the dwelling hereby permitted to Plots 2 & 3 shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011;

(18) none of the dwellings hereby approved shall be occupied unless and until an access for vehicles has been provided to the site not less than 5metres in width for a distance of at least 7.5metres, and the access shall be surfaced with a bound material for a distance of at least 7.5m, as measured from the near edge of the public highway carriageway. **Reason:** In the interests of vehicular and pedestrian safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

(19) before any of the dwellings hereby approved are occupied visibility splays shall have been provided to the access tot he site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4metres and 'y' distance of 43metres 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 0.6metres above the level of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

(20) the dwellings hereby approved shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011;

(21) the dwellings hereby permitted shall not be occupied unless and until the means of access to the site has been provided in full accordance

with details as shown on drawing no. 3270-05 Rev G and thereafter the means of access shall be kept available for use by vehicular traffic at all times unless otherwise agreed in writing by the local planning authority. **Reason:** In the interests of vehicular and pedestrian safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

(22) no development shall take place until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority. In discharging this condition the District Planning Authority expects lighting to be restricted around the boundary edges, along hedgerows, around known bat roosts and badgers setts, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps

b. the brightness of lights should be as low as legally possible

c. lighting should be timed to provide some dark periods

d. connections to areas important for foraging should contain unlit stretches

The agreed scheme shall be fully implemented and maintained in accordance with the approved detail thereafter. **Reason:** To ensure appropriate measures are taken in relation to protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011;

(23) no dwelling shall be occupied unless and until street lighting has been provided on the means of access serving that dwelling or any associated parking areas in accordance with details submitted to and approved in writing by the local planning authority. **Reason:** In the interests of public safety and the amenities of future residents in accordance with Policies DP1 & DP14 of the Warwick District Local Plan 1996-2011;

(24) a landscape management plan, including long

term design objectives, long term management responsibilities and maintenance schedules for the landscape parland and garden areas to Plots 3, 4 & 5 shall be submitted to and approved in writing by the local planning authority before the first occupation of the development hereby permitted. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way without the prior written approval of the local planning authority. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2, DP3, DAP3 & DAP4 of the Warwick District Local Plan 1996-2011;

(25) the areas to the north of the site identified on the Landscape Masterplan dwg no.RG01 Rev A as 'Private Gardens(Amenity)' and 'Parkland Grass Area (seeded) 'be laid out and managed in accordance with details to be submitted to and approved by the Local Planning Authority. These areas shall be used only for the purpose specified for that part of the approved drawing and for no other purpose and the 'Private Garden (amenity)' area shall not be extended from that shown on the approved plans. **Reason:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that the use of the land is not altered in such a manner that it would detract from the appearance of the area and affect the setting of the Listed building or character of the Conservation Area in accordance with Policies DP1, DAP4 & DAP8 of the Warwick District Local Plan 1996-2011;

(26) the boundary treatment to Plots 3, 4 & 5 as shown on approved plan no.RG-01 Rev A shall be installed in full accordance with the details shown prior to the occupation of any of the dwellings hereby approved on Plots 3, 4 & 5. Thereafter the boundary treatment shall not be altered in any manner, including its siting and design. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2,DP3, DAP3 & DAP4 of the Warwick District Local Plan 1996-2011; and

(27) that the wall is rebuilt using similar materials and to a similar specification and design as

existing.

The Chairman adjourned the meeting for fifteen minutes.

128. **W/15/1558 – 1 New Street, Royal Leamington Spa**

Councillor Miss Grainger left the Chamber for this item.

The Committee considered an application from Mr Dhesi for the change of use from offices to a 10 bed HMO and alterations to the rear to provide two off street parking spaces (amendment to planning permission ref: W/11/1536).

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

The Officer was of the opinion that the application was considered to be acceptable in terms of impact on the surrounding area and the visual appearance of the Conservation Area and would not result in material harm to the living conditions of nearby residents. The proposal was therefore considered to comply with the policies detailed in the report.

Councillor Knight, representing Royal Leamington Spa Town Council, addressed the Committee in objection to the application.

A motion proposed by Councillor Thompson and seconded by Councillor Weed to defer the application to allow a traffic survey to be carried out was defeated.

Following consideration of the report, presentation and representation made at the meeting, it was proposed by Councillor Edgington and seconded by Councillor Boad that the application be granted as per the officer's recommendation.

The Committee therefore,

Resolved that application W/15/1558 be **granted** subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing numbers 2072/2, 2073/3 and large scale details shown on 2060/1 and specification contained therein, submitted on 25 September 2015 and 10 November 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in

accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the proposed car parking area for the development hereby permitted shall be constructed, surfaced and laid out together with the bicycle racks and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. The car parking area shall be kept free of obstruction and be kept available for those purposes at all times thereafter unless otherwise agreed in writing by the local planning authority. **Reason:** To ensure that adequate parking facilities are provided and retained for use in connection with the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;

(4) the development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application under W/11/1536 has been wholly implemented in strict accordance with the approved details contained within the Sustainable Buildings Statement and drawing number 7655/2A. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturer's specifications and shall not be removed or altered in any way without the prior written approval of the local planning authority. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011; and

(5) the development hereby permitted shall not be occupied unless and until the external refuse storage areas for the development have been constructed or laid out, and made available for use by the occupants of the development and thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse associated with the development. **Reason:** To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

129. **W/15/1300 – Albion Tavern, 81 Albion Street, Kenilworth**

The Committee considered an application from Marshall Developments (Warwick) Ltd for the erection of six semi-detached houses after demolition of the existing Public House.

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

The Officer was of the opinion that the application proposed the redevelopment of a community facility though it had been demonstrated that the area was served adequately by other accessible facilities and there was no local need to retain the current building. The proposed layout would integrate into the existing pattern of development and reflected the layout, character and quality of the surrounding area. The development would not have a detrimental adverse impact to adjacent dwellings. Furthermore, the development provided for a safe access and internal arrangement and as such was not considered to have a harmful impact on highway safety.

The application was therefore considered to accord with the NPPF and the aforementioned policies.

The addendum advised that the "Other Matters" section of the report contained an error, however, this had been corrected by the insertion of the word "not".

Councillor Illingworth, representing Kenilworth Town Council, addressed the Committee in objection to the application.

Following consideration of the report, presentation, information contained in the addendum and representation made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Edgington that the application be granted as per the officer's recommendation.

The Committee therefore

Resolved that application W/15/1300 be **granted** subject to the following conditions:

(1) the development hereby permitted shall begin no 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 5132/02; 5132/05; 5132/01; 5132/06, and specification contained therein, submitted on 5th August 2015 and approved drawings 5132/11; 5132/10; 5132/03; 5132/04; 5132/07; 5132/08 &

5132/09, and specification contained therein, submitted on 28th August 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development hereby permitted (including demolition) shall not commence until further bat surveys of the site, in accordance with BCT Bat Surveys – Good Practice Guidelines (Hundt 2012), have been carried out and a detailed mitigation plan including specifications of roost provision and a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan 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 DAP3 of the Warwick District Local Plan 1996-2011;

(4) the development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011;

(5) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off 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 dwellings hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and

seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;

(6) the development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority. **Reason:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011;

(7) the development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction

works, unless otherwise agreed in writing by the local planning authority. **Reason:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011;

(8) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(9) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

Reason: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick

District Plan 1996 – 2011;

(10) the development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011; and

(11) 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) the window(s) to be formed in the side facing elevation of the dwellings hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

130. **W/15/1628 – Ribbons, Rowington Green, Rowington**

The Committee considered an application from Mr Taylor for the erection of a two storey side extension (resubmission of application ref: W/15/0135 to allow for retention of single storey link to outbuilding).

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

The Officer was of the opinion that the revised proposal represented appropriate development in the Green Belt and was of satisfactory design, causing no amenity issues for neighbouring properties and as such complied with the Development Plan and the Council's Residential Design Guidelines.

The following people addressed the Committee:

- Councillor Gaffey, representing Rowington Parish Council, was speaking in objection to the application; and
- Mr Nash, the applicant.

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

The Committee therefore

Resolved that application W/15/1628 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 2805-01 and 2805-02l, and specification contained therein, submitted on 5.10.15. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(4) the development hereby permitted shall not commence until a detailed schedule of bat mitigation measures (to include timing of works, supervision or works, additional pre-cautionary measures, monitoring, reporting and further survey if deemed necessary) has been submitted to and approved in writing by the District Planning Authority. Such approved

mitigation measures shall thereafter be implemented in full.
Reason: To ensure that protected species are not harmed by the development; and

(5) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

131. **W/15/1352 – 3 Church Lane, Lillington, Royal Leamington Spa**

The Committee considered an application from Mr Putt for a two storey and single storey extension to the front of the existing dwelling.

This application was presented to Committee because of the number of objections received.

It was the officer's opinion that the proposed two storey and the single storey front extension were acceptable in principle and would not affect neighbouring amenity to a degree that would warrant a recommendation of refusal. The proposal was therefore considered to comply with the policies listed and be recommended for approval.

Mr Clink, a local resident, addressed the Committee in objection to the application.

Following consideration of the report, presentation and representation made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Miss Grainger that the application be granted.

The Committee therefore

Resolved that application W/15/1352 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 15007-003 and 15007-004, and specification contained therein, submitted on 24th August 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District

Local Plan 1996-2011;

(3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

(4) prior to the occupation of the development hereby permitted, the bedroom window and the bathroom window in the west elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **Reason:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011; and

(5) the development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

132. **W/15/1575 – 16 Whitnash Road, Whitnash**

The Committee considered an application from Mr Williams to build a new dwelling on land adjacent 16 Whitnash Road, Royal Leamington Spa.

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

The Officer was of the opinion that the application was considered to adhere to Local Plan Policies, would not result in unacceptable harm to the visual character of the street scene and would not result in a development

which would cause such significant adverse harm to nearby residents such that a refusal of permission could be sustained.

The addendum advised that a further condition relating to open space contributions was to be added to any approval.

It was proposed by Councillor Morris and seconded by Councillor Edgington that the application be granted in line with the Officer's recommendations and the additional condition detailed in the addendum.

Following consideration of the report and presentation, and the information contained in the addendum the Committee

Resolved that application W/15/1575 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing number 01, and specification contained therein, submitted on 28 September 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) samples of the external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in strict accordance with the approved details. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

(4) no development shall take place until:
a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work shall be submitted to and approved in writing by the LPA.

b) the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition

detailed within the approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the planning authority.

Prior to any development works (with the exception of any groundworks associated with the archaeological evaluation detailed above) taking place a Written Scheme of Investigation for a programme of archaeological fieldwork shall be submitted to and approved in writing by the Local Planning Authority. **Reason:** To ensure that no archaeological features are destroyed and to enable a record of findings to be made, in accordance with Policy DP4 in the Warwick District Local Plan 1996-2011;

(5) the development hereby permitted shall either:
a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.
b.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by ecologist. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. **Reason:** To ensure that protected species are not harmed by the development in accordance with the requirements of Policy DAP3 in the Warwick District Local Plan 1996-2011;

(6) the driveway and parking spaces shall be laid out and made available prior to the first occupation of the development hereby permitted and shall be kept for such purposes at all times thereafter. **Reason:** To ensure that there are adequate off street parking provision is made for the development hereby permitted, in accordance with Policy DP8 in the Local Plan and the Council's adopted Supplementary Planning Document on Vehicle Parking Standards;

(7) the development hereby permitted shall not be first occupied unless and until the renewable

energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(8) the existing hedge(s) indicated on the approved plans to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped without the written consent of the local planning authority. Any hedge(s) removed without consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced within the next planting season with hedging, tree(s) and/or shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. 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 (excluding hard surfaces). **Reason:** To protect that hedging which is of significant amenity value to the area in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

(9) the treatment of the driveway hereby permitted shall be constructed of porous materials, or where a non-porous surface treatment is proposed, the provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. **Reason:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan;

(10) the access to the site shall not be constructed 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 and to satisfy Policy DP6 in the Warwick District Local Plan 1996-2011;

(11) the access to the site for vehicles shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **Reason:** In the interests of highway safety and to satisfy Policy DP6 in the Warwick District Local Plan 1996-2011;

(12) prior to the occupation of the development hereby permitted, the two first floor windows in the rear elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **Reason:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011; and

(13) a further condition relating to open space contributions is to be added.

133. **W/15/1842 – The Pound House, Lapworth Street, Lapworth**

The Committee considered an application from Mr and Mrs Hogarth for the erection of a single storey front/ side extension after demolition of the existing pool house (resubmission of W/14/0590 & W/15/0051).

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

The Officer was of the opinion that whilst the proposals exceeded the 30% guideline for extensions to dwellings within the Green Belt, it was considered on balance, that due to the size of the property, the size and location of the extensions and the removal of the outbuilding, they did not result in a disproportionate addition to the original building or harm to the openness of the Green Belt. As a result, the proposals were not considered to be inappropriate development within the Green Belt and the application was recommended for approval.

Following consideration of the report and presentation, it was proposed by Councillor Edgington and seconded by Councillor Ashford that the application be granted as per the officer's recommendation.

The Committee therefore:

Resolved that application W/15/1842 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 1202 - SK01 - REV E; 1520 - G02 & 1520 G04, and specification contained therein, submitted on 6th November 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development hereby permitted shall not commence unless and until two weeks' notice in writing of the start of works has been given to a suitably qualified bat worker appointed by the applicant to supervise all destructive works to the roof. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England are consulted for advice and no further works shall be undertaken at the site unless and until full details of measures for bat migration and conservation have been submitted to and approved in writing by the local planning authority. The development shall then proceed in full accordance with the approved details and any required mitigation works shall be complete in full accordance with the approved details and shall not be removed or altered in any way without the prior written approval of the local planning authority. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings. **Reason:** To safeguard the presence

and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011; and

(4) the development hereby permitted shall not be first occupied unless and until the renewable energy/fabric first scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

134. **W/15/1726 – 14 Ashford Gardens, Whitnash**

The Committee considered an application from Mrs McDade for the erection of a two storey side extension.

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

The Officer was of the opinion that the proposed development maintained the visual break between the properties in this run, did not harm the street scene, did not result in material harm to the living conditions of the occupiers of neighbouring properties and therefore was considered to comply with Policies DP1, DP2 and the Residential Design Guide SPG.

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

The Committee therefore:

Resolved that application W/15/1726 be granted subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) existing ground floor and

first floor plans existing front, rear and side elevations, proposed ground and first floor plans and proposed ground, first and side elevations, and specification contained therein, submitted on 16.10.15. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; 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 visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

135. **W/15/1702 – 14 Mullard Drive, Whitnash**

This application was withdrawn from the agenda prior to the meeting. Whitnash Town Council had withdrawn its objection and the application was dealt with under delegated powers.

136. **W/15/1473 – Lower Heathcote Farm, Harbury Lane, Warwick**

The Committee considered an application from Mr Rainbow for the demolition of an existing garage building, erection of eight residential flats and associated car parking / 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 proposed development was considered to provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing. The scheme provided acceptable dwelling house and site layout design solutions, including public open space, relevant to this particular phase of the development. The Committee was therefore recommended to approve the Reserved Matters application subject to the conditions.

The addendum detailed further consultation responses from WWC Highways and WCC Landscape Team and included the applicant's and officers' responses to concerns raised by Stagecoach.

WWC Highways had listed outstanding issues including forward visibility, width of private drives, length of driveways, and alignment of parking bays to highway. WCC Landscape Team had no objections.

The addendum also advised that Condition 7 on the outline approval had been discharged, in consultation with Stagecoach, however, this only related to bus stops located along Harbury Lane and not those within the development itself. These would be subject to future agreement with the

Highways Authority during the determination of the Main Spine Road application (See minute number 137).

The addendum also detailed the applicant's and officer response to the housing mix which differed from that set out in current guidance.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Ashford and seconded by Councillor Boad that the reserved matters be approved.

The Committee therefore:

Resolved that application W/15/1473 is approved subject to the following conditions:

(1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings, Layout plan ref:H7036/101 Rev E; Planning Layout Sheet 1 of 2 ref:H7036/03 Rev E; Planning Layout Sheet 2 of 2 ref:H7036/04 Rev E; Adoption plan Sheet 1 of 2 ref:H7036/12 Rev D; Adoption plan sheet 2 of 2 ref:H7036/13 Rev D; Affordable Housing Plan Sheet 1 of 2 ref:H7036/10 Rev D; Affordable Housing Plan Sheet 2 of 2 ref:H7036/11 Rev D; Refuse Strategy plan sheet 1 of 2 ref:H7036/14 Rev D; Refuse Strategy plan sheet 2 of 2 ref:H7036/15 Rev D; Bin store detail plots 182-189 ref:H7036/BSD/01; Materials and Enclosures H7036/B06/01 Rev A; Materials and Enclosures H7036/B06/02 Rev A; Streetscenes - Spine road house type Designs; Dwarf wall with railings ref:H7036; Housetypes dwg refs: The Woodbridge; The Brentwood; The Brentwood/Faversham; The Harwick; The Harwick/finchley(Semi); The Harwick (Regency); The Ludlow; The Rochester; The Acomb; The Colchester; The Faringdon 2; The Finchley (detached); The Finchley (semi); The Harwick (Det); The Hazel (Bungalow); The Kendal(semi); The Ludlow(classic); The Maple(Classic); The Morpeth (Det); The Rochdale (Classic); The Rochester (Classic); The Stroud/Banbury; Type 38/39PHR/R3; H304-PR5; H418-5; H421-5; H455-5; H469-X5; H485-5; H485-06-D(AS); H485-06-D(OPP); H533-5; H536-Y5; H546-5; H575-5; H597-5; P206-E-5; P206-I-5; P341-WDS; P341-DS; P382-EB5; P382-IB5; R469-X5; R533-5; R536-Y5; SF11-E-5(AS); SG29 NME5/NM15; SH29BI-4; SH29BE-4 and specification contained therein, submitted on 20th November 2015 and approved drawings

Soft Landscaping Proposals dwg nos: GL0514/01'GL0514/02; GL0514/03; GL0514/04; GL0514/05; GL0514/06; GL0514/07; GL0514/08; and specification contained therein, submitted on 26th November 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(2) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected, constructed or improved or altered such as to place the structure in front of the forewardmost part of any dwellinghouse(s) fronting a highway or footpath without the prior written approval of the local planning authority. **Reason:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011; and

(3) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development to form hard surfaces within the application site in front of the forewardmost part of any dwellinghouse(s) fronting a highway or footpath shall be carried out without prior written approval of the local planning authority. **Reason:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies DP1 & DP2 of the

Warwick District Local Plan 1996-2011.

137. **W/15/1740 – Lower Heathcote Farm, Harbury Lane, Warwick**

The Committee considered an application from Gallagher Estates for the submission of reserved matters (layout, scale and appearance) as required by Condition 1 (in part, insofar as they related to infrastructure works- Main Spine roads, Attenuation ponds, drainage and services); imposed on planning permission reference W/14/0661, granted on the 19 September 2014, for residential development up to a maximum of 785 dwellings.

This application was presented to Committee because of the scale of the proposal and was requested by Members at the time that the outline permission was approved.

This application had only recently been submitted and at the time of writing the public consultation period was yet to expire and key consultation responses had not been received. The item was being reported to Members at this early stage because it was intrinsically linked to the application referred to above (see Minute Number 136).

The primary matters raised to-date related to the provision of a viable bus route through the site and the detail in relation to proposed landscaping management. With regard to the landscape management, whilst this information had been requested at this stage it was also addressed by a condition on the outline approval.

Officers were seeking agreement from Members that this application be dealt with under delegated authority subject to full consideration of the above and all other relevant issues.

The addendum outlined a further consultation response from Bishop's Tachbrook Parish Council which had no objection and the response to the Stagecoach concerns as detailed in minute number 136.

It was proposed by Councillor Ashford and seconded by Councillor Boad that the reserved matters submission be noted and Officers be delegated to consider the application.

The Committee therefore:

Resolved that application W/15/1740 is noted and Officers are delegated to consider the application in accordance with standard procedures and subject to full consideration of the report and all other relevant issues.

138. **W/14/0661 - S106 Report – Land at Lower Heathcote Farm, Harbury Lane, Warwick**

The Committee considered a report for the variation of a Section 106 agreement relating to the timing of payments in respect of a country park contribution for Bovis Homes LTD / BDW Trading LTD. This existing legal agreement related to application W/14/0661 which was a residential development up to a maximum of 785 dwellings at Lower Heathcote Farm, Harbury Lane, Warwick.

The application was reported to Planning Committee because it was recommended that an existing legal agreement relating to the approved application be varied.

The Officer was of the opinion that the proposed change to the S106 Agreement was appropriate and that this approach would comply with the requirements of the NPPF paragraph 205 which set out that:

'Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.'

The Committee were therefore requested to agree to this revision.

Following consideration of the report and presentation, it was proposed by Councillor Edgington and seconded by Councillor Ashford that the revision be agreed.

The Committee therefore

Resolved that the Section 106 agreement attached to permission W/14/0661 relating to the timing of payments relating to the country park, is varied to allow design and feasibility work to commence sooner than originally anticipated.

139. **Planning Appeals report**

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

Resolved that the report be noted.

(The meeting ended at 9:34pm)