Planning Committee

Tuesday 14 August 2018

A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Tuesday 14 August 2018 at 6.00pm.

Councillor Cooke (Chairman)
Councillor Day (Vice Chairman)

Councillor Barrott	Councillor Mrs Hill
Councillor Boad	Councillor Morris
Councillor Mrs Bunker	Councillor Mrs Stevens
Councillor Edgington	Councillor Weed
Councillor Heath	

Emergency Procedure

At the commencement of the meeting the emergency procedure for the Town Hall will be displayed on screen for information.

Agenda
Part A – General

1. **Apologies and Substitutes**

(a) to receive apologies for absence from any Councillor who is unable to attend; and
(b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

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3. **Site Visits**

The Chairman to report the location of the planning application sites visited and the names of the Committee Members who attended.

4. **Minutes**

To confirm the minutes of the Planning Committee of 17 July 2018

(Pages 1 to 9)

Part B – Planning Applications

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

5.	**W/18/0539 – Land to the North and South of the A45 between Festival and Tollbar Island Junctions, Baginton**	**(Pages 1 to 8)**
6.	**W/18/0724 – Millright Arms, 69 Coten End, Warwick**	**(Pages 1 to 11)**
7.	**W/18/0725 LB – Millright Arms, 69 Coten End, Warwick**	**(Pages 1 to 4)**
8.	**W/18/0893 – Warwick Castle and Grounds, Castle Hill, Warwick**	**(Pages 1 to 7)**
9.	**W/18/0986 – Ivy Cottage, Barracks Lane, Beausale**	**(Pages 1 to 3)**
10.	**W/18/1041 – Land adjacent, Bremridge Close, Barford**	**(Pages 1 to 4)**
11.	**W/18/1042 – Honeysuckle Cottage, Woodcote Lane, Leek Wootton**	**(Pages 1 to 4)**
12.	**W/18/1086 – 1 Masefield Avenue, Warwick**	**(Pages 1 to 5)**
13.	**W/18/1161 – 32 Riversleigh Road, Milverton, Royal Leamington Spa**	**(Pages 1 to 4)**
14.	**W/18/1165 - Agricultural Building, Highlands Farm, Long Itchington Road, Offchurch**	**(Pages 1 to 8)**
15.	**W/18/1193 – 91 Lakin Road, Warwick**	**(Pages 1 to 5)**
16.	**W/18/1372 – Corner of Princes Drive, Coventry Road, Kenilworth**	**(Pages 1 to 6)**

Part C – Other matters

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

Please note:

(a) the background papers relating to reports on planning applications are open to public inspection under Section 100D of the Local Government Act 1972 and consist of all written responses to consultations made by the Local Planning Authority in connection with the planning applications referred to in the reports, the County Structure Plan Local Plans and Warwick District Council approved policy documents.

(b) all items have a designated Case Officer and any queries concerning those items should be directed to that Officer.

(c) in accordance with Council's Public Speaking Procedure, members of the public can address the Planning Committee on any of the planning applications or Tree

Preservation Order reports being put before the Committee. If you wish to do so, please call 01926 456114 (Monday to Thursday 8:45am to 5:15pm and Friday 8:45am to 4.45pm) or email committee@warwickdc.gov.uk, anytime after the publication of this agenda, but before 12 noon on the working day before the day of the meeting and you will be advised of the procedure.

(d) please note, that the running order for the meeting may be different to that published above, in order to accommodate items where members of the public - Have registered to address the Committee.

(e) occasionally items are withdrawn from the agenda after it has been published. In this instance, it is not always possible to notify all parties interested in the application. However, if this does occur, a note will be placed on the agenda via the Council's web site, and where possible, the applicant and all registered speakers (where applicable) will be notified.

Published Monday 6 August 2018

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.
Telephone: 01926 456114
E-Mail: committee@warwickdc.gov.uk

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

Details of all the Council's committees, councillors and agenda papers are available via our website www.warwickdc.gov.uk/committees

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The agenda is available in large print on request, prior to the meeting, by telephoning (01926) 456114

Planning Committee

Minutes of the meeting held on Tuesday 17 July 2018 in the Town Hall, Royal Leamington Spa at 6.00 pm.

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

Also Present: Principal Committee Services Officer – Mrs Dury; Legal Advisor – Mr Howarth; Manager, Development Services – Mr Fisher; Business Manager, Development Management – Mr Sahota; and Mr Young – Business Manager, Development Management.

41. **Apologies and Substitutes**

(a) There were no apologies made.

(b) Councillor Ashford substituted for Councillor Morris.

42. **Declarations of Interest**

Minute Number 45 – W/18/0902 – 24 Courthouse Croft, Kenilworth

Councillor Mrs Bunker declared an interest because a member of the public had approached her for advice on procedure, but she had not discussed the application.

Minute Number 47 – W/18/0400 – 85 Rugby Road, Cubbington

Councillor Mrs Stevens declared an interest because she had been present at Cubbington Parish Council's meeting when the application was discussed; but she did not participate in the debate.

43. **Site Visits**

There were no site visits made.

44. **Minutes**

The minutes of the meeting held on 19 June 2018 were taken as read and signed by the Chairman as a correct record.

45. **W/18/0902 – 24 Courthouse Croft, Kenilworth**

The Committee considered an application from Mr Rae for the erection of a single storey side extension.

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

The officer was of the opinion that the proposed side extension was considered of an acceptable design for the area and did not create a negative impact upon the amenity of neighbouring properties in terms of loss of light, outlook and privacy. In addition the proposal retained

sufficient parking for two cars in accordance with the adopted guidance. The application was therefore recommended for approval.

An addendum circulated at the meeting advised that New Parking Standards had been adopted since the initial assessment of this application, the previous parking standards required two parking spaces for a four bed house and the recently adopted parking standards now required three spaces for a four bed house. Therefore an amended plan had been received showing that the property could accommodate three off road parking spaces in accordance with the adopted Parking Standards SPD.

The following people addressed the Committee:

- Councillor Illingworth, representing Kenilworth Town Council which had objected to the application;
- Ms Mushing, who spoke on behalf of a neighbour who objected to the application; and
- Mr Rae, the applicant.

The Chairman reminder Members that they should deal with the application as presented to them, not what the applicant had indicated might be changed in the proposals.

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

Members felt that a condition should be added to planning consent for obscure glazing to be used on window on the side elevation at ground floor level. Councillors Mrs Stevens and Day agreed that they were happy for this to become the substantive motion.

The Committee therefore

Resolved that W/18/0902 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 002, and specification contained therein, submitted on 14th May 2018. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

(3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029; and

(4) obscure glazing to be installed on the ground floor side extension window.

46. **W/18/0842 - 2 Oaks Precinct, Caesar Road, Kenilworth**

The Committee considered an application from Mrs Harrison for a change of use from retail (use Class A1) to a podiatry advice centre (use Class D1).

The application was presented to Committee because the Ward member supported the application, which had been recommended for refusal and there had also been over five letters of support received from members of the public.

The application was deferred from the previous Planning Committee meeting on 19 June 2018 to seek further evidence of marketing and important unmet local need.

The officer was of the opinion that whilst the submitted information indicated that a need had been demonstrated in terms of the increasing number of clients using the business, it was considered that it had not been adequately demonstrated that the business would meet an important unmet local need because 60% of the clients were from Kenilworth and 40% from outside of Kenilworth. A number of representations had been received from the public in terms of the need for a podiatry clinic with the majority of the respondents being existing patients of the business. There was no information on how many clients the business had had to turn away which would more accurately show an unmet need existed, whilst reference was made to the other chiropody clinic in Kenilworth there was again no information that they were turning away patients.

An addendum circulated at the meeting advised that two additional letters of support had been received, one of which was a petition with 67 signatures, and the other was a letter from a single household raising points previously included in the report.

The following people addressed the Committee:

- Ms Harrison, the applicant; and
- Councillor Davies, the Ward Councillor, who supported the application.

Members felt that there was an important unmet local need, demonstrated by the business's full order book and the fact that the owner wished to expand the business because it was busy.

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

The Committee therefore

Resolved that W/18/0842 be **granted** contrary to the recommendations in the report because:

(1) the applicant has demonstrated that the proposal satisfies the requirements of Local Plan Policy TC17 in that it meets an important unmet local need; and

(2) authority is delegated to the Planning Officers in liaison with the Chairman of the Planning Committee, to determine the conditions to be placed on the planning consent.

47. **W/18/0400 – 85 Rugby Road, Cubbington**

The Committee considered an application from Mrs Warrington for the erection of a two storey and a single storey rear / side extension and a porch.

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

The officer was of the opinion that the proposed extensions would be suitable in design and scale for the main property overall, and would not impact upon the street scene. They would not cause material harm to the surrounding neighbours nor the dwelling which could be built under an extant planning permission at no. 87 and therefore the application should be approved.

An addendum circulated at the meeting advised that amended plans had been received, revising the internal layout of the first floor to ensure that all bedrooms had a suitable level of outlook. One of the bedrooms had been removed and the layout reconfigured so that 'Bed 3' had a window looking rearwards onto the garden.

Ms Marrow addressed the Committee in objection to the application.

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

The Committee therefore

Resolved that W/18/0400 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 001, 050 and 200 submitted on 28th February 2018, drawings 100A, 150A, 300A and 400A submitted on 2nd July 2018 and drawing 151B submitted on 3rd July 2018 and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and

(3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

48. **W/18/0676 – North Lodge, Coventry Road, Stoneleigh**

Amended plans had been submitted which had reduced the footprint and volume of the building to a level which was considered acceptable.

As amended, the proposed detached building was not considered to be materially larger than the one it replaced and therefore, was not considered inappropriate development within the Green Belt.

Therefore, this application was withdrawn from the agenda to be determined under delegated powers.

49. **W/18/0805 – The Oak, Stratford Road, Beaudesert, Stratford on Avon**

The Committee considered a part retrospective application from Westbourne Leisure Limited for the retention of the existing development on site comprising a 60-bedroom hotel. This included the demolition of the existing function room, a three-storey rear extension and the conversion of space on the ground and first floors of the existing public house/restaurant. Additionally a ground floor extension to the existing restaurant and external alterations including amendments to the rear extension to provide an amended roof line and new windows, two no. gables on the rear elevation, plus associated landscaping and car park alterations.

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

The officer was of the opinion that the proposed development which lay within Warwick District would have no increased detrimental impact on the openness of the Green Belt or character of the countryside. The development would cause no harm to neighbouring residential amenity and would provide adequate parking. The application should therefore be approved.

An addendum circulated at the meeting advised that WCC Ecology had considered the bat survey that was submitted by the applicant and had confirmed that it had no objection, subject to notes relating to bats and nesting birds.

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

The Committee therefore

Resolved that W/18/0805 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings PA-212, PA-213, PA-214 and PA-215, and specification contained therein, submitted on 25th April 2018. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; 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 BE1 of the Warwick District Local Plan 2011-2029.

50. **W/18/0954 – Priory Farm, Rising Lane, Lapworth**

The Committee considered an application from Mr Blackburn for the erection of a two storey side extension and first floor extension to the existing detached garage.

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

The officer was of the opinion that the proposed extensions to the existing garage were considered of an acceptable design that would not adversely affect the setting of the building and the wider street scene. The proposal would not create a negative impact upon the amenity of neighbouring properties in terms of loss of light, outlook and privacy. In addition the proposal retained sufficient parking for two cars in accordance with the adopted guidance. The application was therefore recommended for approval.

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

The Committee therefore

Resolved that W/18/0954 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (PAM 2701/03 & PAM 2701 02C), and specification contained therein, submitted on 14 May 2018 & 2 July 2018 respectively. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

(3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **Reason:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029; and

(4) notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no alterations shall be made to the eastern elevation of the building hereby approved. **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 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 BE1 and BE3 of the Warwick District Local Plan 2011-2029.

51. W/18/1069 – Corner of Princes Drive, Coventry Road, Kenilworth

This application was withdrawn and therefore taken off the agenda.

52. W/18/1122 – 33 Wilmhurst Road, Warwick

The Committee considered an application from Mr Jackson for the erection of a first floor side and single storey rear extension.

The application was presented to Committee because the applicant was a Warwick District Council employee.

The officer was of the opinion that the proposals would have an acceptable impact on the character and appearance of the area and on the living conditions of neighbouring dwellings. Therefore it was recommended that planning permission should be granted.

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

The Committee therefore

Resolved that W/18/1122 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 1, and specification contained therein, submitted on 4th June, 2018. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; 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 BE1 of the Warwick District Local Plan 2011-2029.

53. **Planning Appeals Report**

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

Resolved that the report be noted.

(The meeting ended at 7.52 pm)

CHAIR
14 August 2018

Planning Committee: 14 August 2018 **Item Number:** **5**

Application No: W 18 / 0539

Registration Date: 26/03/18
Town/Parish Council: Baginton **Expiry Date:** 25/06/18
Case Officer: Lucy Hammond
01926 456534 lucy.hammond@warwickdc.gov.uk

Land to the north and south of the A45 between Festival and Tollbar Island Junctions of the A45 and A46, to the north of Coventry Airport Baginton, Coventry, CV8 3AZ

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

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

RECOMMENDATION

That reserved matters approval be granted subject to the recommended conditions set out at the end of this report.

DETAILS OF THE DEVELOPMENT

This is a reserved matters application seeking approval for access, appearance, landscaping, layout and scale for the construction of a primary substation pursuant to the original outline permission, for which approval was obtained in 2016 under ref. W/16/0239. The sub-station is a crucial enabling element of the Whitley South scheme, which is intended to provide necessary, and essential, additional power for the scheme.

The substation is proposed towards the southern edge of the site and comprises an area in which would be two transformers and one control room. A 2.4m high mesh fence is proposed around the perimeter of the site to enclose the substation on all sides.

THE SITE AND ITS LOCATION

The application site on which the proposed substation is proposed sits to the southern edge of the wider Whitley South proposals but is in fact near to the northern edge of the Warwick District administrative boundary. The site is accessed off Rowley Road and sits on the southern side of the road. It is approximately 500m south of the A45 Stonebridge Highway which travels east to

west from Tollbar Island to Festival Island respectively, the latter junction being the connection between the A45 and the A46 that runs north to south.

The site of the proposed substation is approximately 185 metres from the nearest residential properties that lie on the eastern edge of the village of Baginton which is located to the west side of the application site and Coventry Airport lies to the south east of the site. There are no particular land designations or specific site constraints that are of relevant consideration in the determination of this application.

PLANNING HISTORY

Although there is some relevant history to the wider site and associated development proposals, the only directly relevant record to this current application is the previously approved outline application, pursuant to which this reserved matters submission has been made. The outline application is summarised below:

W/16/0239 - Comprehensive development comprising demolition of existing structures and the erection of new buildings to accommodate offices, research & development facilities and light industrial uses (Use Class B1), hotel accommodation (Use Class C1), car showroom accommodation, small scale retail and catering establishments (Use Classes A1, A3, A4 and/or A5), new countryside park, ground modelling work including the construction of landscaped bunds, construction of new roads/footpaths/cycle routes, remodelling of junctions on the existing highway network, associated parking, servicing and landscaping (Outline application discharging access with all other matters reserved) - Approved 10.07.2017

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS4 - Spatial Strategy (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- DS8 - Employment Land (Warwick District Local Plan 2011-2029)
- DS9 - Employment Sites to be Allocated (Warwick District Local Plan 2011-2029)
- DS16 - Sub-Regional Employment Site (Warwick District Local Plan 2011-2029)
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029)
- EC1 - Directing New Employment Development (Warwick District Local Plan 2011-2029)

- TC2 - Directing Retail Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TC17 - Local Shopping Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CT2 - Directing New or Extended Visitor Accommodation (Warwick District Local Plan 2011-2029)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS2 - Protecting Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE4 - Archaeology (Warwick District Local Plan 2011-2029)
- NE1 - Green Infrastructure (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)

SUMMARY OF REPRESENTATIONS

Baginton Parish Council: Objection for the following reasons:
- The siting is inappropriate for a noisy and intrusive structure
- There are other areas in the development that could accommodate this without it encroaching on the village of Baginton
- The substation is proposed on the highest and most intrusive part of the site
- While the development needs a substation it should be positioned on lower land towards the A45 where the loss of amenity, noise, visual impact, loss of

openness to the surrounding country park and other areas of Green Belt are significantly reduced
- This is an intrusive imposition close to Baginton and there are other alternative locations.

Environmental Health: No objection subject to condition

Environment Agency: No objection

Lead Local Flood Authority: No objection subject to condition

WCC Ecology: No objection subject to condition

WCC Highways: Comments awaited

Public Response: 2 letters of objection received raising the following comments:
- the proposed substation is obtrusive and too close to Baginton
- it should be positioned more unobtrusively where the visual impact is less

this will result in unacceptable harm (noise and disturbance) to neighbouring properties in Baginton

ASSESSMENT

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

- the impact on the living conditions of nearby dwellings;
- the impact on the character and appearance of the area;
- car parking and highway safety; and
- other matters

Impact on the living conditions of nearby dwellings

In considering the impact on nearby dwellings, it is important to bear in mind that the wider site has outline planning permission for a comprehensive development that includes A1/A3/A4/A5, B1 and C1 uses together with other uses not coming within the aforementioned use classes (e.g. car showroom, retail and catering establishments). It follows that a development of this scale will require the necessary infrastructure to support it, including features such as substations.

The principle of this type of development is therefore accepted and it falls to consider whether or not the proposed siting and scale would result in material harm to the residential amenity of any nearby properties or other neighbouring buildings in the vicinity.

Notwithstanding the scale of the proposed substation, which is necessary to serve a development of this overall scale, the nearest residential property in Baginton is some 200m away to the west, separated by areas of open space/country park and landscaping. The physical distance is such that the

substation would not result in any demonstrable harm to residential amenity by reason of overbearing, loss of light or loss of privacy.

In terms of noise that may be generated by the substation, the Environmental Health Officer has considered the application, read the submitted documents and has confirmed that there is no objection to the development on noise grounds, subject to the imposition of a standard condition on any forthcoming permission which seeks to limit the noise arising from the site and consequently control the potential for noise impact on local residential dwellings.

Subject to the recommended condition being attached to any forthcoming permission, officers therefore consider the development is acceptable in terms of noise and general disturbance and there would be no material harm arising in this regard.

Having regard to the above it is therefore concluded that the development would not result in any detriment to the amenity of residential properties or other neighbouring land uses/buildings and as such the development is considered to accord with the relevant provisions of the Development Plan, principally, Policies BE3 and NE5.

Impact on the character and appearance of the area

The substation is proposed off Rowley Road; the first transformer would be positioned reasonably near to the site's frontage, with the second transformer sitting approximately 4m behind it. The control room is proposed to the rear of the site, approximately 35m back from the site's boundary frontage and as such would be partially obscured by the transformers.

The transformer structures would measure 2.9m to the tallest part while the control room has a 3.9m height with a flat roof. The perimeter of the site is to be enclosed by 2.4m high mesh fencing which would be supplemented by tree and hedge planting. Indigenous hedgerow is proposed along the entire length of the east (side) and south (rear) boundaries and along the north (front) boundary up to the point of the access into the site. Along the western boundary, which separates the site of the substation from the village of Baginton, with the intervening feature of the country park measuring approximately 185m across, the same level of tree and hedge planting is not proposed but the 2.3m mesh fencing would continue. The transformers are proposed on the eastern side of the site and are thus not positioned close to the western boundary; there would be a total of 9m gap between the site boundary and the transformers. It is considered appropriate to add a condition requiring the submission of a further landscaping plan showing the addition of tree planting along the western boundary as well since there is no reason cited within the submission as to why it should be omitted from this boundary when the other boundaries are proposed to be suitably landscaped.

Overall, officers are satisfied that the proposal would not result in demonstrable visual harm to the character of the area and therefore the development accords with Policy BE1 of the Local Plan.

Car parking and highway safety

Access is proposed off Rowley Road, which is subject to the national speed limit but has good visibility in both directions. The nature of the proposal is such that there is a limited need for parking within the site which can be suitably accommodated by the proposal.

Whilst the comments of WCC Highways are awaited and will be reported at your meeting, it is not anticipated that there will be an objection on Highways grounds.

Other matters

Ecology
The comments received from WCC Ecology are noted, however the CEMP has been considered under the outline application and will need to be formally discharged as part of the appropriate process associated with the outline permission. It is noted however that the County Ecologist has also provided advice to the applicant and recommended the addition of a condition requiring the development to be timetabled and carried out in accordance with the detailed mitigation measures set out in an earlier Construction Management Plan received by the Local Planning Authority in June 2018.

Flooding and Drainage
The Lead Local Flood Authority initially requested some additional information/clarification regarding the drainage and surface water management. Following the receipt of additional information, the LLFA has confirmed there is no objection to the development subject to a condition being attached to any forthcoming permission requiring the implementation and provision of a maintenance plan giving details of how surface water systems shall be maintained and managed for the life of the development.

SUMMARY/CONCLUSION

The development forms a detailed part of the wider site development approved under an earlier outline permission. The principle is therefore acceptable subject to an assessment being made of the other relevant planning considerations. There are no environmental health concerns about the proposal in terms of noise and general disturbance and therefore together with the distance to the nearest neighbouring properties officers are satisfied that the substation would not result in material harm to residential amenity. The development is also considered acceptable in terms of its visual impact and the landscaping proposed is acceptable although a condition is recommended that requires details of additional tree planting along the west facing boundary. There are no issues arising from the development in terms of ecology and flooding/drainage and overall the recommendation is to approve planning permission.

CONDITIONS

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

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

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

2 Notwithstanding the details shown on approved drg. no. 1654/15 100 Rev.B, no part of the development hereby permitted shall commence until a further landscaping plan has been submitted to and approved in writing by the Local Planning Authority detailing the provision of additional tree planting along the western boundary of the site. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON**: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

3 Pursuant to Condition 1 of outline planning permission W/16/0239, a schedule of materials to be used on the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

4 The development shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding habitats and of protected and notable species within the site as set out in the document 'Construction Management Plan at Whitley South ' prepared by Buckingham Group Contracting Limited, received by the District Planning Authority on 14th June 2018. **REASON:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

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

6 Noise arising from any plant or equipment at the primary substation, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **6**

Application No: W 18 / 0724

Registration Date: 20/04/18
Town/Parish Council: Warwick **Expiry Date:** 15/06/18
Case Officer: Dan Charles
01926 456527 dan.charles@warwickdc.gov.uk

Land at Millwright Arms, Coten End, Warwick, CV34 4NU
Change of use of part of curtilage and erection of 3no. dwellings; Alteration of access, provision of car parking & landscaping FOR Punch Taverns of Bluemark Projects Ltd

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This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The proposed development is for the erection of 3 dwellings on the land to the rear of the existing Public House.

The dwellings consist of a row of 3 properties that face the rear elevation of the Public House. Each property contains 3 bedrooms.

A total of 6 parking spaces are provided for the 3 properties.

The proposal also proposes the alteration to the parking area associated with the public house to create 17 spaces and also to create turning space within the site for larger vehicles.

THE SITE AND ITS LOCATION

The application property is a Public House known as the Millwright Arms. It is a Grade II Listed Building, located within the Coten End / Emscote Road, Warwick, Conservation Area. A two storey plus attic timber-framed building which appears to be of 16th Century origin.

The application property is located within a group of properties which are also all Grade II Listed. The group includes No.65 & No.67.

The existing pub car park is to the east of the property. The pub gardens are to the north, which are mainly laid to grass. Beyond the pub garden area is an

area of land that is overgrown with dense foliage forming a boundary between the two area.
The site is bounded by traditional terraced residential properties to the east and north that are separated by rear garden areas. The neighbour to the immediate east of the site is a youth centre. The property to the west, No.67, is a restaurant.

To the west is a modern residential development known as Saw Mill Close. These properties share a side and rear relationship with the application site together with shared areas of parking, turning space that also abut the site boundary.

The existing car park is laid to compacted gravel but has no formal markings.

PLANNING HISTORY

W/17/1256 & 1263/LB - Proposed change of use of part of curtilage for the erection of five new dwellings, alteration of highway access, including car parking and associated landscaping works – BOTH REFUSED 29.09.2017.

W/12/0334 & 0363/LB - Proposed change of use of part of curtilage for five new dwellings with associated landscaping and alteration to existing access – BOTH WITHDRAWN 13.06.2012.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)

- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- LES - Low Emission Strategy Guidance for Developers (April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object to this application as they consider that the development has a detrimental effect on the area and adversely effects the special architectural and historic interest. The historic wall should be maintained at all costs.

WDC Arboricultural Consultant: No objection, subject to conditions.

WCC Highways: Following receipt of amended plan and Road Safety Audit, no objection subject to conditions.

WCC Landscape: No objection.

WCC Archaeology: No objection, subject to conditions.

WCC Ecology: No objection, subject to conditions and notes

Public Response: 14 letters (13 objections and 1 comment letter) have been received on the following grounds:

- Loss of valuable green space.
- Loss of local amenity.
- May affect the viability of the existing public house.
- Too many new houses being built.
- Alternative access should be proposed.
- Car park badly laid out and impractical.
- Harm to the amenity of neighbouring properties.
- Harm to highway safety.
- Impact on local area through noise and overcrowding.
- New access harmful to character.
- Harm to the character of Conservation Area.

Harm to the Listed Building and its setting.

ASSESSMENT

History/Background

Planning permission and Listed Building Consent were refused for the erection of 5 dwellings on the land to the rear of the Public House on the grounds of harm

to residential amenity as a result of the layout together with harm to the setting of the Grade II Listed Building and the Warwick Conservation Area.

This is a revised scheme for the provision of 3 dwellings with the omission of 2 dwellings to the rear of the site. The proposed siting of the remaining 3 dwellings has been amended to take into account the previous reasons for refusal.

Principle of Development

The application site lies within the built up area boundary of Warwick which is identified as an Urban Area for the purposes of the Local Plan. In these areas, the provision of new housing is considered generally acceptable, subject to an assessment of site specific matters.

Impact on visual amenity and the character of surrounding area and Warwick Conservation Area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Warwick District Local Plan Policy HE1 (protection of Heritage Assets) states development will be expected to respect the setting of conservation areas and important views both in and out of them.

The previous scheme for 5 dwellings was refused due to being an overdevelopment of the site that did not respect the character or form of the surrounding area. This scheme has omitted 2 units from the development allowing the proposed building to be set back into the site and align with the adjacent dwellings at Saw Mill Close. The reduction to 3 units has also reduced the overall demand for car parking on the immediate frontage of the proposed dwellings.

The properties are located in a linear row of 3 to the rear of the existing Public House building. From the centre of the access point, the nearest point of the dwellings is 45 metres back from the boundary of the site. The dwellings will be visible from the street frontage that affords views into the application site, however, given the intervening landscape features coupled with the significant distance, it is considered that the visual amenity from the public domain will not be harmed by the proposed development.

Notwithstanding the above, the design of the dwellings would create a high quality frontage that is sympathetic to the traditional character of the area and will introduce a high quality form of development to the currently overgrown area of land to the rear of the existing Public House.

The proposed development also includes the improvement of the existing garden space to the Public House by providing a high quality space that defines the area of land together with additional tables and play equipment.

Overall, the revised scheme has overcome the previous reasons for refusal and Officers are satisfied that the development will create a high quality environment that will respect the character of the local area and Warwick Conservation Area.

Impact on the character and setting of the Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Warwick District Local Plan Policy HE1 (protection of statutory heritage assets) states that permission will not be granted to alter or extend a listed building where those works will adversely affect its special architectural or historic interest, integrity, or setting.

The space to the rear of the building is currently an open plot of land, albeit significantly overgrown and disused. However, notwithstanding this, the land does provide some relief to the urban sprawl in the immediate context of a significant heritage asset, albeit in its current form, this relief is significantly limited.

The earlier scheme for 5 units was considered to be an overdevelopment of the parcel of land that would have a detrimental impact to the character and setting of the Listed Building.

The reduction of the proposal to 3 dwellings would result in a less dense form of development together with a reduced need for parking to serve the units. The reduction to 3 units has also allowed the dwellings to be set back into the site compared to the previous submission. This has increased the separation distance between the Listed Building and the proposed dwellings to 33 metres.

The reduction in numbers has resulted in a lower density form of development and the resultant reduction in parking requirement has allowed for a greatly reduced amount of hardstanding to the frontage of the properties. Taken into consideration with the additional set back of the dwellings, Officers are satisfied that there would be no harm to the setting of the Heritage Asset.

Impact on adjacent properties

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

The site is surrounded by existing housing consisting of the existing, traditional terraced housing to Broad Street to the East, traditional terraces to Guys Cliff Terrace to the North and modern semi-detached and terraced properties to Saw Mill Close to the West of the site.

The terrace of three properties has been relocated compared to the previously refused scheme to create a side to side relationship with the adjacent properties on Saw Mill Close. There are no side facing windows that would have an impact on the occupiers of the adjacent properties. The dwellings at Sawmill Close are orientated differently to the proposed dwellings and the frontage of the application properties faces the same direction as the rear elevation of the properties on Saw Mill Close. It is considered that the layout of the properties would not result in any harmful overlooking of the adjacent properties.

The proposed scheme affords sufficient distance between the proposed dwellings and the existing properties that flank the site. The orientation of the three properties ensures all facing windows face front and rear and there are no side facing windows to primary rooms that would have the potential for overlooking adjacent properties.

It is considered that the revised scheme satisfactorily overcomes the previous reason for refusal.

Highway Safety

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

The proposed development would utilise the existing access serving the Public House and the car park to the Public House would be reconfigured to provide an access through.

Following discussions with the County Highways Officer in pursuance of the previous scheme, it was recommended that a dropped kerb arrangement as existing would be the most appropriate solution for accessing the site. In light of this, the current scheme was originally submitted with this form of access. However, during the consultation process, the County Highways Officer acknowledged that this advice was incorrect and an access with radius turnouts was required. This has now been provided on the revised layout plan together with a Road Safety Audit. The County Highways Officer has now raised no objection to the scheme on the basis of the revised layout.

The location of the access onto the public highway has been amended to serve the car park more centrally allowing for parking bays to be provided on either side of the access road. This allows for the creation of additional car parking serving the public house by providing a more appropriate layout within the car park. In terms of the existing public house parking, the submitted scheme makes reference to 17 cars including the disabled space. The current parking

arrangement for the Public House is not defined as the area is a simple hardstanding with no allocated spaces.

It is noted that the area defined for parking is currently smaller than that shown on the submitted plans. In this respect the current parking on site would be limited to approximately 10 vehicles. Officers are satisfied that the increased parking for the Public House would offset any potential parking pressures associated with the residential development on this site.

Impact on Ecology/Protected Species

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

The County Ecologist has assessed the site and raised no objection to the scheme subject to suitable conditions and notes to secure additional bat survey work to be undertaken together with the protection of existing trees and nesting birds. Subject to these conditions and notes, the Ecologist raises no objection to the proposal.

Trees/Hedgerows

The site is currently overgrown and whilst there is substantial planting located within the area, the amenity value of this is limited and is a result of a lack of maintenance due to the limited size of outdoor space associated with the Public House.

The existing trees within the site are to be retained as part of the application proposal and the scheme has the potential to create an improved area of landscaping within the site that is more appropriate for the Conservation Area location.

Tree and hedge protection can be secured by condition.

Low Emissions

A condition will be added to secure electric charging points as required by the Council's Low Emissions Strategy.

Water Efficiency

A condition will be added to ensure compliance with Policy FW3.

Conclusion

The current scheme for 3 dwellings is considered acceptable in principle and is considered to be an appropriate form of development for the site. The proposal would respect the character of the local area and Warwick Conservation Area and would not have a detrimental impact on the setting of the Grade II Listed Public House. Matters of access, car parking, landscaping and the impact on

protected species are considered acceptable subject to conditions. For these reasons, Officers recommend that planning permission is granted.

CONDITIONS

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

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) PTBMP/18/CEW/001 Rev A, and specification contained therein, submitted on 22.06.2018 and approved drawing(s) PTBMP/18/CEW/002, and specification contained therein, submitted on 03.04.2018. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **REASON**: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE2 of the Warwick District Local Plan 2011-2029.

5 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.

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

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 HE4 of the Warwick District Local Plan 2011-2029.

7 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until an Arboricultural Method Statement (to include an appropriate tree protection scheme) has been submitted detailing adequate steps to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) on the site, or those tree(s) whose root structure may extend within the site and which are within the Warwick Conservation Area. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).
REASON: 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 NE1 of the Warwick District Local Plan 2011-2029.

8 The development hereby permitted (including demolition) shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists- 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. Such approved mitigation plan shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development in accordance with Policies NE3 and NE4 of the Warwick District Local Plan 2011-2029.

9 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 building/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 Policies NE3 and NE4 of the Warwick District Local Plan 2011-2029.

10 No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of landscaping including details of native tree planting and wild flower planting and installation of bird and bat boxes. The agreed scheme to be fully implemented before/during development of the site as appropriate. **REASON:** To ensure an acceptable form of development in accordance with NPPF, ODPM Circular 2005/06 and Policies NE3 and NE4 of the Warwick District Local Plan 2011-2029.

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

12 All window and door frames shall be constructed in timber and shall be painted and not stained. **REASON**: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.

13 Prior to the occupation of the development hereby permitted, the first floor window(s) on the side elevations 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 BE3 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **7**

Application No: W 18 / 0725 LB

Registration Date: 20/04/18
Town/Parish Council: Warwick **Expiry Date:** 15/06/18
Case Officer: Dan Charles
01926 456527 dan.charles@warwickdc.gov.uk

Millwright Arms, 69 Coten End, Warwick
Change of use of part of curtilage and erection of 3no. dwellings. Alteration of access and provision of car parking & landscaping FOR Punch Taverns of Bluemark Projects Ltd

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

RECOMMENDATION

Planning Committee are recommended to grant Listed Building Consent, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposed development is for the construction of 3 dwellings on the land to the rear of the existing public house.

The dwellings consist of a row of 3 properties that face the rear elevation of the public house. Each property contains 3 bedrooms.

A total of 6 parking spaces are provided for the 3 properties.

The proposal also proposes the alteration to the parking area associated with the public house to create 17 spaces and also to create turning space within the site for larger vehicles.

THE SITE AND ITS LOCATION

The application property is a public house known as the Millwright Arms. It is a Grade II Listed Building, located within the Coten End / Emscote Road, Warwick, Conservation Area. A two storey plus attic timber-framed building which appears to be of 16th Century origin.

The application property is located within a group of properties which are also all Grade II Listed. The group includes No.65 & No.67.

The existing pub car park is to the east of the property. The pub gardens are to the north, which are mainly laid to grass. Beyond the pub garden area is an area of land that is overgrown with dense foliage forming a boundary between the two area.

The site is bounded by traditional terraced residential properties to the east and north that are separated by rear garden areas. The neighbour to the immediate east of the site is a youth centre. The property to the west, No.67, is a restaurant.

To the west is a modern residential development known as Saw Mill Close. These properties share a side and rear relationship with the application site together with shared areas of parking, turning space that also abut the site boundary.

The existing car park is laid to compacted gravel but has no formal markings.

PLANNING HISTORY

W/17/1256 & 1263/LB - Proposed change of use of part of curtilage for the erection of five new dwellings, alteration of highway access, including car parking and associated landscaping works – BOTH REFUSED 29.09.2017.

W/12/0334 & 0363/LB - Proposed change of use of part of curtilage for five new dwellings with associated landscaping and alteration to existing access – BOTH WITHDRAWN 13.06.2012.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object to this application as they consider that the development has a detrimental effect on the area and adversely effects the special architecture and historic interest. The historic wall should be maintained at all costs.

Public Response: 1 letter of objection received on the following grounds:

- Loss of valuable green space and trees
- Loss of local amenity.
- May affect the viability of the existing public house.

Harm to the amenity of neighbouring properties.

ASSESSMENT

History/Background

Planning permission and Listed Building Consent were refused for the creation of 5 dwellings on the land to the rear of the public house on the grounds of harm to

residential amenity as a result of the layout together with harm to the setting of the Grade II Listed Building and the Warwick Conservation Area.
This is a revised scheme for the provision of 3 dwellings with the omission of 2 dwellings to the rear of the site. The proposed siting of the remaining 3 dwellings has been amended to take into account the previous reasons for refusal.

Impact on the character and setting of the Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Warwick District Local Plan Policy HE1 (protection of statutory heritage assets) states that permission will not be granted to alter or extend a listed building where those works will adversely affect its special architectural or historic interest, integrity, or setting.

The space to the rear of the building is currently an open plot of land, albeit significantly overgrown and disused. However, notwithstanding this, the land does provide some relief to the urban sprawl in the immediate context of a significant heritage asset, albeit in its current form, this relief is significantly limited.

The earlier scheme for 5 units was considered to be an overdevelopment of the parcel of land that would have a detrimental impact to the character and setting of the Listed Building.

The reduction of the proposal to 3 dwellings would result in a less dense form of development together with a reduced need for parking to serve the units. The reduction to 3 units has also allowed the dwellings to be set back into the site compared to the previous submission. This has increased the separation distance between the Listed Building and the proposed dwellings to 33 metres.

The reduction in numbers has resulted in a lower density form of development and the resultant reduction in parking requirement has allowed for a greatly reduced amount of hardstanding to the frontage of the properties. Taken into consideration with the additional set back of the dwellings, Officers are satisfied that there would be no harm to the setting of the Heritage Asset.

Conclusion

The current scheme for 3 dwellings would not have a detrimental impact on the setting of the Grade II Listed Public House. For these reasons, Officers recommend Listed Building Consent is granted.

CONDITIONS

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

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) PTBMP/18/CEW/001 Rev A, and specification contained therein, submitted on 22.06.2018 and approved drawing(s) PTBMP/18/CEW/002, and specification contained therein, submitted on 03.04.2018. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1, BE3 and HE1 of the Warwick District Local Plan 2011-2029.

3 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies BE1 and HE1 of the Warwick District Local Plan 2011-2029.

4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **REASON**: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE2 of the Warwick District Local Plan 2011-2029.

5 All window and door frames shall be constructed in timber and shall be painted and not stained. **REASON**: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE2 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **8**

Application No: W 18 / 0893

Registration Date: 10/05/18
Town/Parish Council: Warwick **Expiry Date:** 05/07/18
Case Officer: Lucy Hammond
01926 456534 lucy.hammond@warwickdc.gov.uk

Warwick Castle and Grounds, Castle Hill, Warwick
Retrospective application for the development of a Maze attraction, including a Viking ship and other themed structures, pathways, landscaping and associated infrastructure FOR Merlin Attractions Operations Ltd

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

RECOMMENDATION

That planning permission be approved subject to the conditions set out at the end of this report.

DETAILS OF THE DEVELOPMENT

Retrospective planning permission is sought for the construction of a maze that sits on the site of the former Rose Garden. The maze consists of:-

1. Pathways surfaced with a permeable resin bound rubber crumb material.
2. The Maze predominantly comprises Portugal Laurel hedge, no more than 2.1 metres in height.
3. Parts of the Maze comprise 1.8 metre high walls made out of sandbags with a timber roof for the "Frightful First World War" area.
4. Shaped willow walling with a central green willow arch cover for the Witches area.
5. Signs and lighting.
6. Accessories such as large scales, kegs, trunks across each historical area.
7. A Viking boat (7m long) set on gravel and concrete paving slabs in the "Vicious Vikings" area.

It is important to note that many of the features listed above do not, in isolation, require planning permission either because they do not constitute development under the provisions of S.55 of the Town and Country Planning Act (for example accessories such as kegs, trunks etc, willow walling and any other planting/landscaping), or because the works constitute permitted development and as such do not require planning permission (for example means of enclosure under 2m in height).

The key feature which does require planning permission is the Viking boat play structure.

It is acknowledged that an application has been submitted by the Castle, retrospectively, for the maze in its entirety for completeness. However, a planning assessment can only be made of the elements which require formal planning permission.

THE SITE AND ITS LOCATION

Warwick Castle is Grade I listed; there are other buildings within its grounds which are Grade II listed and the site as a whole is within the Warwick Conservation Area as well as being partly designated a Scheduled Ancient Monument and Registered Park and Garden.

The part of Warwick Castle affected by these proposals is an outside space, i.e. the original rose garden and now maze. It is therefore not listed but does form part of the wider Registered Park and Garden and still forms part of the setting of the Grade I listed castle.

PLANNING HISTORY

While there is extensive history across the wider Castle site, there is no directly relevant planning history to the site of the retrospective maze.

RELEVANT POLICIES

- National Planning Policy Framework

- The Current Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029)
- CT1 - Directing New Meeting Places, Tourism, Leisure, Cultural and Sports Development (Warwick District Local Plan 2011-2029)
- CT6 - Warwick Castle and St Mary's Lands, Warwick (Warwick District Local Plan 2011-2029)
- H9 - Compulsory Purchase of Land for Gypsy and Traveller Sites (Warwick District Local Plan 2011-2029)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection for the following reasons:
- the Town Council are shocked that permission was not sought before the works were carried out
- the rose garden was Warwick's link to Princess Diana and should be restored and maintained

WDC Conservation: No objections overall to the development; the local planning authority does not have control over the loss of planting, or control over the planting of a new maze, and as such consideration needs to be limited to the new structures and to what impact, if any, they have upon the setting of the Castle, the Registered Park and Garden and features within it, and the Warwick Conservation Area. Neither support nor object to the application.

Historic England: No comments to make; recommend the application is determined in line with the specialist advice from the Conservation Officer and Archaeologist (where applicable).

The Gardens Trust: Objection for the following reasons:
- the Horrible Histories maze, with its laurel hedges and Viking boat is not in keeping with the setting
- the Registered Park and Garden is a highly selective designation
- Warwick is one of only 145 internationally important Grade I designated landscapes in England

Warwickshire Gardens Trust: Objection for the following reasons:
- the construction is unworthy of its setting and is an unwelcome intrusion into the Grade I Warwick Castle gardens and is detrimental, particularly through the destruction of the rose garden
- although the rose garden was a modern re-creation of an historic feature it is included in the HE description and is within the curtilage of the Grade I castle

The Victorian Society: Objection for the following reasons:
- regrettably the rose garden has been entirely removed and replaced without consent; it should be re-instated
- the loss of the rose garden and the replacement structures have a negative impact on the character and appearance of the Grade I registered park and garden

Conservation Advisory Forum (CAF): Objection for the following reasons:
- there is concern about this setting a precedent in the event it should be granted
- the scheme is extremely inappropriate given the highly sensitive location
- although the development is hidden from public view it should not diminish the Council's duty to preserve the setting of the heritage assets
- the maze impacts on important views and is visible from the towers of Warwick Castle
- there is little public benefit in the scheme and CAF is concerned that management of the site places the site's entertainment value over the site's special architectural and historic interest of international significance
- CAF considers the development is contrary to relevant policies of the Local Plan.

Public Response: 1 third party letter of objection raising the following concerns:

- the value and benefit the Castle brings to Warwick and the neighbouring areas is recognised and valued, however, this should not come at the expense and destruction of the heritage significance of the site
- Warwick Castle is a living historic monument not a theme park
- Merlin has not demonstrated the relevance or connection between the site's historic and heritage significance with the retrospective development including a Viking ship.

ASSESSMENT

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

- The principle of development;
- The impact on heritage assets;
- The impact on residential amenity;

Principle of development

Policy CT6 of the Local Plan relates specifically to Warwick Castle (and St Mary's Lands) and states that development at the Castle will be permitted where it is brought forward in line with an approved Masterplan setting out the development principles and broad areas for development, indicating the type of uses proposed and a Conservation Plan for the historic asset. The Masterplan will provide the framework within which planning applications will be determined and will:

a) Identify the physical and economic context;
b) Identify the development principles to underpin future development proposals;
c) Identify the significance of heritage assets within the vicinity, setting out how these will be sustained and enhanced;
d) Identify the location of developments, demonstrating how proposals will relate to the heritage assets and how they will enhance the positive contribution the asset makes to sustainable communities and to the character and distinctiveness of the area; and
e) Identify how the proposals support the vitality and viability of the local economy.

Work is currently ongoing towards the approval of a new Masterplan for the Castle. Having regard to the provisions of Policy CT6 and the criteria set out above, it is acknowledged that this application has been brought forward in advance of any masterplan being approved.

The explanatory text to the policy, at 3.135, however states that should other development proposals for the castle site be promoted, these will be considered in light of points a) to e) set out within the policy, where relevant and appropriate to the scale and nature of the development proposed and other policies within the Local Plan.

Notwithstanding the absence of an approved Masterplan for the Castle, the application must be considered on its merits having regard to the provisions of Policy CT6. Since the policy relates primarily to the economic benefits and the significance of the heritage assets and the development's impacts upon them,

both of these are considered in detail in the following sections of this report, all of which is intrinsically linked to the principle of development.

The impact on heritage assets

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In the exercise, with respect to any buildings or other land in a conservation area…special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal.

From the submitted Heritage Statement and listing description for the Registered Historic Park and Garden, it is evident that the site of the rose garden was historically part of the town of Warwick, but in the mid to late 18th century rows of properties on the site were demolished and this area was incorporated into the Castle grounds, forming part of a wider enhancement scheme. A rose garden was created on the site in the 1860s and a rock garden was constructed against an enclosing bank in 1900.

The Victorian rose garden was lost to a twentieth century tennis court but was re-created in its original location in 1984 with a series of box-edged geometric beds cut into areas of lawn, with gravel paths, and a number of cast metal pergolas/arbours were introduced. It became a Princess Diana Memorial Garden. The Horrible Histories Maze that recently replaced the 1980s rose garden includes structures such as a Viking ship and walls of sandbanks, which are intended to appeal to children.

The local planning authority does not have control over the loss of planting, or control over the planting of a new maze, and as such consideration needs to be limited to the new structures and to what impact, if any, they have upon the setting of the Castle, the Registered Park and Garden and features within it, and the Warwick Conservation Area.

The new structures are largely screened by the vegetation of the maze itself and existing mature planting. Some of the cast metal pergolas/arbours associated

with the 1980s rose garden have been retained, which is welcomed from a heritage point of view. No historic features, e.g. the rockery, or ice houses, or the significance of the Registered Park and Garden itself, has suffered substantial harm from the development. Any less than substantial harm caused to any heritage assets is considered to be minor and offset in any case by public benefits, for example, a new attraction and educational resource that is popular with young people along with the contribution of this feature to the wider appeal of the Castle (and therefore Warwick) as a tourist destination including all of the resulting economic benefits.

In making this assessment, regard has been had to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

The development is therefore considered to be in accordance with Policy HE1 of the Local Plan.

The impact on residential amenity

In view of the siting of the maze and the associated structures, there would be no harmful impacts arising on the residential amenity of neighbouring properties, the closest ones being approximately 45m to the east of the site boundary (in Mill Street). The development therefore accords with Policy BE3 of the Local Plan which requires development to have an acceptable impact on the amenity of nearby uses and residents.

Other matters

It is noted that the number of objections received from the amenity societies (e.g. Victorian Society, Gardens Trust etc) have all based their objections on the loss of the original rose garden and made reference to the fact this was Warwick's link with Princess Diana who officially opened the rose garden in the early 1980's. While this point is acknowledged and understood, it is equally important to acknowledge that the Local Planning Authority has no control over the removal of landscaping features such as planting, shrubbery and in this case the original rose garden which pre-dated the maze. No consent would have been required for its removal and similarly no consent is required for its replacement with different forms of landscaping. The only features over which the Local Planning Authority does have control are built structures; in this case the Viking Ship for which retrospective permission is sought.

Therefore, while the loss of the 'Princess Diana Rose Garden' is regrettable and understood, this is beyond the control of the planning system and the consideration of this application therefore is based solely on the structures in the new maze which require the benefit of planning permission.

SUMMARY/CONCLUSION

The development which includes many features which don't require planning permission (the loss of former planting, the replacement of new planting and

landscaping, means of enclosure under 2m in height etc) has been considered in the context of the principle policy in the Development Plan which relates to Warwick Castle (Policy CT6). The development is considered by officers to be acceptable in principle subject to an assessment being made of the other relevant material considerations.

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

CONDITIONS

1 The development hereby permitted shall be maintained strictly in accordance with the details shown on the site location plan and approved drawings 353/20 1, 353/20 2, 353/20 4 and 353/20 11, and specification contained therein, submitted on 10 May 2018. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1, BE3 and HE1 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **9**

Application No: W 18 / 0986

Registration Date: 21/05/18

Town/Parish Council: Beausale, Haseley, Honiley & Wroxall **Expiry Date:** 16/07/18

Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

Ivy Cottage, Barracks Lane, Beausale, Warwick, CV35 7NT

Erection of a part two storey part single storey side and rear extension after demolition of existing shed and porch FOR Mr M Edkins

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This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

RECOMMENDATION

Planning Committee is recommended to refuse planning permission for the reasons set out at the end of the report.

DETAILS OF THE DEVELOPMENT

The proposal is for a part two storey part single storey side and rear extension following the demolition of the existing porch and attached shed.

THE SITE AND ITS LOCATION

The application property is a two storey semi-detached dwelling in a rural location situated on Barracks Lane, Beausale. The site is washed over by Green Belt.

PLANNING HISTORY

Whilst there have been no previous planning applications for this property, the attached shed to the side of the property is not an original feature.

RELEVANT POLICIES

- National Planning Policy Framework 2018
- The Current Local Plan
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- H14 - Extensions to Dwellings in the Open Countryside (Warwick District Local Plan 2011-2029)
- Guidance Documents
- TR3 - Parking (Warwick District Local Plan - 2011-2029)

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

SUMMARY OF REPRESENTATIONS

Beausale, Haseley, Honiley and Wroxall Parish Council: Support on grounds that the proposals are modest and enhance the existing property.

WCC Ecology: Recommend initial bat and nesting bird survey and notes relating to amphibians, reptiles and Great Crested Newts.

ASSESSMENT

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which would outweigh the harm by reason of inappropriateness and any other harm identified

Paragraph 145 of the National Planning Policy Framework makes it clear that the construction of new buildings is to be regarded as inappropriate development in the Green Belt except. There are certain exceptions to this including where extensions are not disproportionate additions over and above the size of the original building.

The supporting text to Policy H14 of the adopted Local Plan states that development which would represent an increase of more than 30% of the gross floor space of the original dwelling (excluding any detached buildings) located within the Green Belt is likely to be considered disproportionate.

The floor area of the original dwelling was approximately 79 square metres. The additions amount to approximately 84 square metres which equates to 106% over the floor space of the original building. This is significantly greater than the Council's adopted Local Plan guidance of 30% and is therefore considered to represent a disproportionate addition to the property, which is harmful by definition and by reason of harm to openness.

No very special circumstances have been presented which would outweigh the harm identified. The proposed development is therefore considered to conflict with the NPPF and Local Plan Policy H14.

Design and the impact on the character and appearance of the area

The application property forms one half of a pair of semi-detached dwellings. The adjoining property has been extended extensively in the form of a two storey side and rear extension and a porch to the front of the property. The application property proposes an extension of a similar design and scale to that of the neighbouring property and therefore it is considered that the proposed extensions would not appear out of character with the adjacent property. The proposed two storey extension is of an appropriate design and scale for the property and will be constructed out of matching brick and tile to compliment the existing building.

The proposal is therefore considered to comply with Local Plan policy BE1 and the Residential Design Guide SPD.

Impact on the amenity of the neighbouring properties

The proposed extensions do not breach the Council's adopted 45° line taken from the adjoining neighbouring property and there are no other neighbouring properties. The proposal is therefore considered not to result in material harm to the living conditions of the occupiers of the neighbouring properties by reason of loss of light or outlook.

The proposal is considered to comply with Local Plan Policy BE3.

Ecology

Taking a precautionary approach, the County Ecologist has recommended that a preliminary bat survey is required prior to the determination of the application. This request has been considered, however, it is also noted that the existing dwelling is well sealed and there are no records of an existing bat roost in the property.

On this basis, it is considered that the likelihood of bats is relatively low and a bat note advising the applicant of their responsibility in relation to protected species would be more reasonable and appropriate in this case.

Summary/Conclusion

The proposed development would represent a disproportionate addition to the application property which therefore means that the proposal constitutes inappropriate development in the Green Belt which is harmful by definition. It would also be harmful by reason of harm to openness.

REFUSAL REASONS

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

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

Planning Committee: 14 August 2018 **Item Number:** **10**

Application No: W 18 / 1041

Registration Date: 05/06/18
Town/Parish Council: Barford **Expiry Date:** 31/07/18
Case Officer: Dan Charles
01926 456527 dan.charles@warwickdc.gov.uk

Land Adjacent, Bremridge Close, Barford
Display of 2no. non-illuminated hoarding signs and 1no. non-illuminated freestanding sign FOR Taylor Wimpey West Midlands Limited

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

RECOMMENDATION

Members are recommended to issue a Split decision, refusing Advertisement Consent for Sign A and granting it for Signs B and C.

DETAILS OF THE DEVELOPMENT

This is an application for Advertisement Consent for the display of 3 signs.

Sign A - 3000mm x 1000mm non-illuminated single sided sign to be located adjacent to the A429 bypass to advertise the new development at land off Bremridge Close.

Sign B - 1500mm x 1000mm non-illuminated single sided directional sign to be located on an existing garden wall to the entrance of Bremridge Close highlighting the restriction on HGV access.

Sign C – 900mm x 600mm non-illuminated single side directional sign to be freestanding at entrance to Bremridge Close.

THE SITE AND ITS LOCATION

The proposed signs are to be located in two distinct areas. Sign A is to be located adjacent to the A429 bypass that runs to the west of the village of Barford. The area of land is a wide grass verge with vegetation beyond that forms a significant buffer to the edge of Barford where it meets the open countryside beyond.

Signs B and C are to be located at the existing entrance to Bremridge Close. Sign B is to be attached to an existing brick boundary wall within the access to Bremridge Close. Sign C is to be freestanding and located on an existing gravelled area adjacent to the Bremridge Close street sign.

PLANNING HISTORY

W/17/0440 - Erection of 63 dwellings together with all ancillary works including, infrastructure, surface water attenuation measures and on-site open space provision – Granted 07.09.2017

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)

SUMMARY OF REPRESENTATIONS

Barford Joint Parish Council: The JPC objects to this proposal principally on the grounds that the proposed hoarding on the Barford Bypass is a visual intrusion in a countryside setting and may be a distraction for drivers. It is more sympathetic to the two signs within Barford, offering as they do directions to the construction site and permitted hours of use, nevertheless, if the application is to be treated as a piece, they too must be included in the objection.

WCC Highways: No objections

Public Response: 5 objections have been received on the following grounds:
- Totally out of character with village.
- Intrusive to residents.
- Distraction to drivers using A429.
- Signs will be ineffectual at controlling delivery times.

ASSESSMENT

Impact on visual amenity and the character of surrounding area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

This application can be assessed as two distinct elements; the 3000mm x 1000mm sales sign located on grassland to adjacent to the A429 Bypass and the two directional signs at the entrance to Bremridge Close.

The first proposed sign is to be located on the heavily screened green edge of Barford adjacent to the A429 Bypass. The area proposed for the sign has a rural and open character and it is considered that the display of the proposed sign would result in an and intrusive feature at odds with the rural character in this location. It would also appear relatively isolated in terms of its siting relative to the development which serves to exacerbate its inappropriateness.
The key test with any advertisement consent proposal is visual amenity and in Officers opinion, the provision of this sign would be visually harmful as it would

diminish the rural character of the location and would be an intrusive feature into the green edge of the village.

For the above reasons, Officers recommend that the road side advertisement be refused.

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

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

Whilst the use of two separate signs does introduce an element of visual clutter to the open entrance to Bremridge Close, Officers are satisfied that the purpose of the signs in this location do not create any significant harmful visual impact.

Overall, Officers recommend that a split decision is issued granting advertisement consent for Signs B and C and refusing Sign A.

Public/ Highway Safety

Sign A is located adjacent to the A429 bypass. This sign will be clearly visible to car drivers using the road. Having considered the location of the signs and discussed the proposal with the County Highways Officer, Officers are satisfied that the location of the sign, whilst prominent would not result in harm to highway safety.

Signs B and C are located within the existing access to Bremridge Close and the use of these signs is for directional purposes. Officers are satisfied that the signs would not have a detrimental impact on highway safety.

Conclusion

Officers consider that signs B and C are acceptable in visual amenity and highway safety terms and no objection is raised to the provision of these signs.

For the reasons set out in the visual amenity section of this report, Officers recommend that Sign A is refused.

REFUSAL REASON:

1 Policies BE1 and BE3 of the Warwick District Local Plan 2011 - 2029 state that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The location of the proposed sign is in an area defined by a heavily screened green edge to the village of Barford adjacent to the A429 Bypass. The area proposed for the sign has a rural and open character and the provision of the proposed sign would result in an intrusive feature to the rural character in this location. It would also appear relatively isolated in terms of its siting relative to the development which serves to exacerbate its inappropriateness.

The proposed advertisement is thereby considered to be harmful to amenity and contrary to the aforementioned policies.

CONDITIONS:

6 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 20137-SS-02 (except the Sign A which is not approved), and specification contained therein, submitted on 1st June 2018. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **11**

Application No: W 18 / 1042

Registration Date: 19/06/18
Town/Parish Council: Leek Wootton **Expiry Date:** 14/08/18
Case Officer: Liz Galloway
01926 456528 Liz.galloway@warwickdc.gov.uk

Honeysuckle Cottage, Woodcote Lane, Leek Wootton, Warwick, CV35 7QH

Erection of a detached garden room. FOR Mr Perry

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The application relates to the proposed erection of a detached garden room.

THE SITE AND ITS LOCATION

The application relates to a semi-detached dwelling located along a private driveway leading from Woodcote Lane which lies to the south of the application site. The property lies within the Leek Wootton Conservation Area.

PLANNING HISTORY

W/94/0038 - Granted for the erection of a dining room, conservatory and W.C.

W/04/0044 - Granted for the erection of a garden shed and greenhouse.

RELEVANT POLICIES

- National Planning Policy Framework

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Tree Officer: No objection.

Leek Wootton Parish Council: Objects on grounds of the design is out of keeping with the area and refusal of a previous application on Ivy Cottage.

WCC Ecology: Recommend nesting bird and tree protection buffer note.

WDC Conservation: No objection in principle subject to door and window materials.

ASSESSMENT

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

- Impact on the character and appearance of the street scene and the Conservation Area;
- Impact on the living conditions of the neighbouring properties;
- Ecology;
- Trees;
- Parking.

Impact on the character and appearance of the street scene and the Conservation Area

Warwick District Local Plan Policy BE1 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design.

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

The proposed detached summer house will be 2.5 metres high, 2.4 metres wide and 4.4 metres long and will be situated 2.5 metres from the side boundary and will be constructed using traditional materials.

The Leek Wootton Parish Council have objected to the garden room on the grounds that it is out of keeping with the area and the refusal of a previous application Ref. W16/0483 - Ivy Cottage, Woodcote Lane, Leek Wootton.

It is considered that the proposed garden room would be small in scale and will be constructed using traditional materials which would not detract from the character or appearance of the Conservation Area.

The Parish Council have referred to Application Ref. W16/0483 - Ivy Cottage in their objection. That application was refused for a single storey timber outbuilding, essentially on Green Belt grounds however, since that time the application site has been removed from the Green Belt such that, the 2 proposals are not directly comparable in that respect.

The application property lies within a predominately residential area containing various designs of properties within varying sizes of residential plots. The proposed summer house will be situated to the side of the property between the main dwellinghouse and the side boundary wall, and for that reason it does not constitute 'Permitted Development'. It is considered that the proposed summer house will be small scale and will not unacceptably harm the character or appearance of Woodcote Lane. Overall, it is considered that the scheme would respect the surrounding buildings in terms of scale, height, form and massing. Therefore, it is considered that the development would accord with the provisions of the Local Planning Authority Policies BE1 and HE2.

Large scale details will be required to ensure an appropriate quality of detail and appearance is secured for the Conservation Area.

Impact on the living conditions of the neighbouring properties

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

The detached garden room will have no detrimental impact on any of the neighbouring properties due to its size and position, and it is therefore considered to be in accordance with Warwick District Local Plan Policy BE3.

Ecology

WCC Ecology have commented on this application site and recommend a bird note and tree protection buffer note be attached to the decision notice.

Trees

The Tree Officer has assessed the application and its impact on adjacent trees and has no objections to the proposed development.

Parking

The existing arrangement for off street parking would meet the requirements set out in the Vehicle Parking Standards SPD and Warwick District Local Plan Policy TR3.

SUMMARY / CONCLUSION

The proposals would have an acceptable impact on the character and appearance of the area and on the living conditions of neighbouring dwellings. Therefore it is recommended that planning permission is granted.

CONDITIONS

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

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved amended drawing 275, and specification contained therein, submitted on 25th July, 2018. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **12**

Application No: W 18 / 1086

Registration Date: 06/06/18
Town/Parish Council: Warwick **Expiry Date:** 01/08/18
Case Officer: John Wilbraham
01926 456539 john.wilbraham@warwickdc.gov.uk

1 Masefield Avenue, Warwick, CV34 6JU
Erection of 2 bed dwelling house FOR Mr. Richard Barlow

This application is being presented to Committee as it is recommended for approval and an objection has been received from the Town Council.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application seeks permission for the erection of a 2-bed dwelling attached to the existing property with off-street parking provided within the site for 2 vehicles.

THE SITE AND ITS LOCATION

The application site is one half of a pair of semi-detached dwellings located on a corner plot facing towards a roundabout. The area is characterised by similar style semi-detached pairs of dwellings which are predominately brick although render is present on the top half of some properties including the application one. They are generally set back from the front boundaries of their plots to accommodate off-street parking within the site.

PLANNING HISTORY

Application number	Description of development	Decision
w/18/0462	Proposed new dwelling	Withdrawn

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)

- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document)
- LES - Low Emission Strategy Guidance for Developers (April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection as not in keeping with the streetscene

WCC Ecology: Recommend that works are carried out sensitively and that bat and nesting birds notes are attached

WCC Highways: No objection, subject to conditions

KEY ISSUES

Principle of development

Policy H1 seeks to direct new housing development in the first instance to the urban areas of Leamington, Kenilworth and Warwick. In that respect the proposal to create a dwelling in this location, which is within the Warwick urban boundary, is acceptable in principle having regard to Policy H1.

Impact on character of surrounding area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The new dwelling has been designed to appear as an extension of the existing property that projects out from the side elevation and then angles to follow the building line of the street. The new dwelling would be rendered at first floor level with bricks below to match the existing property. It would be set down and back from the host property to emphasise the subservience as well as being 1.3m from the boundary line to ensure it accords with the Residential Design Guide SPD.

The Town Council have raised an objection to the scheme as they consider it to be out of keeping with the character of the area. The new property has been designed to appear as an extension and there are examples of similar additions within the local vicinity. Subject to a condition requiring the materials to match the existing property, it is considered that the overall design is in keeping with

the area and therefore in accordance with Policy BE1 and the Residential Design Guide SPD.

Impact on adjacent properties and amenity of future occupiers

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

The adjacent neighbouring property at No. 3 is set at an angle to the application site due to the layout of the estate. There is no breach of the 45 degree line from the front or rear windows of this neighbouring property, however, there are a number of side facing windows which face towards the new addition. The two windows at ground floor level are not habitable rooms whilst the first floor one is a secondary window to a habitable room. The side of the neighbouring property is north facing and as such would receive little direct sunlight. Based on this and the rooms served by the side facing windows together with the lack of breach on the primary windows, it is considered that the proposal will not have an adverse impact on the neighbouring property having regard to Policy BE3.

In terms of the future occupants of the dwelling, the Residential Design Guide stipulates minimum sizes of amenity land that should be provided for new dwellings. For a 2 bed property this figure is 40sqm which is exceeded in the case of the proposal. The remaining garden for the existing property is 42sqm which is also considered to be acceptable. The new property is considered to have a reasonable outlook that does not adversely impact the existing property. Overall the proposal is considered to be in accordance with Policy BE3.

Access and Parking

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

The submitted plans have altered the parking to ensure that sufficient space is provided for 4 parking spaces for the existing and proposed dwellings, which complies with the Parking Standards SPD. The parking layout allows for the vehicles to be manoeuvred so that they exit the site in a forward gear. The Highways Authority were consulted on the scheme and raised no objection, subject to a number of conditions being attached. Based on this response and the imposition of these conditions, it is considered that the proposal will not have an adverse impact on highway safety having regard to Policy TR1 and TR3.

Ecology

On the previous application site photographs were sent to the County Ecologist who advised that the roof appeared well sealed. As such they recommended that informative notes be attached relating to protected species. They have reiterated those comments on this application and considered appropriate to ensure protected species are not impacted by the proposal.

Low Emissions

The proposal will result in additional vehicular movements and therefore there is a requirement for the provision of an electric charging point in accordance with the Council's adopted Low Emissions Strategy. This can be secured by condition.

Waste

The plans indicate that the bins will be stored within the site close to the front boundary. The waste team have confirmed there is no objection to the scheme as the dwelling will be part of the alternate weekly collection. As such the proposal is considered acceptable in this regard.

Water Efficiency

A condition to ensure compliance with Policy FW3 will be added to any approval granted.

CONDITIONS

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

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 3 C, 4 and 'swept path' plan, and specification contained therein, submitted on 6th June 2018. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.

4 Prior to the first occupation of the dwelling hereby permitted a pavement and verge crossing shall be constructed to the site in accordance with the standard specification of the Highway Authority. **REASON**: To ensure that a pavement and verge crossing is available for use when the development is completed thereby enabling safe and convenient access to and egress from the site in the interests of the safety of road users and pedestrians in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

5 The dwelling hereby permitted shall not be occupied unless and until the car parking provision shown on the approved plans has been constructed or laid out, and made available for use by the occupants and / or visitors to the dwelling and thereafter those spaces shall be retained for parking purposes at all times. **REASON**: To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies BE1 and TR4 of the Warwick District Local Plan 2011-2029.

6 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON**: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

7 The development shall not be occupied until the existing vehicular access to the site has been widened so as to provide an access of not less than 5 metres, as measured from the near edge of the public highway carriageway. **REASON**: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

8 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for its whole length as measured from the near edge of the public highway carriageway. **REASON**: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

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

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

Planning Committee: 14 August 2018 **Item Number:** **13**

Application No: W 18 / 1161

Registration Date: 25/06/18
Town/Parish Council: Leamington Spa **Expiry Date:** 20/08/18
Case Officer: Emma Booker
01926 456521 Emma.Booker@warwickdc.gov.uk

32 Riversleigh Road, Milverton, Leamington Spa, CV32 6BG
Demolition of existing garage and erection of single storey side extension and mono-pitch canopy on the rear elevation FOR Mr K Key

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This application is being presented to Planning Committee due to the applicant being an elected District Councillor.

RECOMMENDATION

Members are recommended to grant planning permission, subject to the conditions listed at the end of this report.

RELEVANT PLANNING HISTORY

Permitted Development Rights have been removed for development which falls into Schedule 2, Part 2, Class A of the GPDO (2015).

W/14/1481 - Erection of a two storey front extension - Granted

KEY ISSUES

The Site and its Location

The application property is a two storey detached dwelling sited within a prominent corner plot on Riversleigh Road, Leamington Spa in a predominantly residential area. The streetscene is compromised exclusively of two storey detached dwellings in two house types. The application property benefits from a large two storey front extension, granted approval under planning application ref: W/14/1161, which is similar in design and scale to extensions erected at Nos.34 and 41 Riversleigh Road.

Details of the Development

Demolition of existing garage, lean-to canopy over existing side access, and garden wall, and erection of a single storey side extension on the west side of the main dwellinghouse to accommodate a larger lounge and store room, and a mono-pitch canopy on the rear elevation of the original dwellinghouse. Proposed materials are to match existing.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council - No objection.

WCC Ecological Services - Recommend that notes relating to bats and nesting birds, as protected species, are attached to any approval granted.

ASSESSMENT

The impact on the neighbouring properties

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents in terms of light, outlook and privacy. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and states that extensions should not breach a 45 degree line taken from the nearest habitable room of a neighbouring property. This serves to protect the extent to which neighbours can enjoy their own dwellings without undue disturbance or intrusion from nearby uses.

As No.32 Riversleigh Road is sited on a corner plot with no immediate neighbours to the west, the proposed single storey side extension will not breach the 45° line when taken from the windows serving habitable rooms on the front and rear elevations of the adjacent neighbours.

The proposed mono-pitch canopy, just 1.20 metres in depth, will not breach the 45° line from No. 34 Riversleigh Road.

The proposal is therefore considered not to result in material harm to living conditions and complies with the aforementioned policy and SPD.

Design of the proposed extension

Local Plan Policy BE1 requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design.

The design and scale of the proposed single storey side extension is considered acceptable for the dwellinghouse. The proposed side extension will have a dual

pitched roof, with a pitch which matches that of the main roof of the existing dwellinghouse, and will protrude no further forward toward the principle elevation of the original dwellinghouse than the existing lean-to canopy to the side of the dwellinghouse. The proposed materials are to match existing, which will allow the proposed extension to successfully blend into the form of the original dwellinghouse, reducing the overall visual impact on the character of the streetscene. The west-facing side elevation of the proposed single storey side extension is to remain the same distance from the highway as at present thus preserving the grass verge and openness that characterises this corner plot.

When observed from the highway, the proposed side extension will appear significantly larger in scale than the existing flat roof detached garage. The proposed extension will be 1.30 and 1.0 metres greater in the height than the existing garage and lean-to canopy respectively, and extend an additional 8.0 metres along the side boundary of the dwellinghouse. It is considered that the increased bulk and mass of the proposed side extension will not appear as a disproportionate addition to the dwellinghouse, nor impact negatively on the openness of the corner plot. The proposed extension is of modern design, and therefore in keeping with the wider character of the streetscene. No.32 Riversleigh Road benefits from a modern part single and two storey front extension, granted permission under planning application ref: W/14/1161. As existing, the tired and dated detached garage and lean-to canopy contrasts with the modern aesthetic of the dwellinghouse, and therefore the proposed extension is considered an improvement in terms of overall design within the context of the streetscene.

The proposed mono-pitch canopy, to be erected to the rear of the original dwellinghouse with materials to match existing, is considered to be of an acceptable design and scale for the dwellinghouse. The proposed canopy will not be readily visible from any public vantage points as it will be obscured from view by the proposed single storey side extension, therefore the overall impact on the character of the streetscene is negligible.

The proposals are acceptable and in accordance with Local Plan Policy BE1.

Parking

In accordance with the Vehicle Parking Standards SPD, the proposed development will not require the provision of any additional parking and the proposal does not propose any changes to the existing parking.

The development is therefore in accordance with Local Plan Policy TR3 and SPD.

Summary/Conclusion

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

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON**: To comply with

Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 1187/1, 1187/2, 1187/3, 1187/4, 1187/5, 1187/6 and Block Plan 1:500, and specification contained therein, submitted on 11th June 2018 and 27th July 2018 respectively. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON**: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **14**

Application No: W 18 / 1165

Registration Date: 06/07/18
Town/Parish Council: Offchurch **Expiry Date:** 31/08/18
Case Officer: Helena Obremski
01926 456531 Helena.Obremski@warwickdc.gov.uk

Agricultural Building, Highlands Farm, Long Itchington Road, Offchurch, Leamington Spa, CV33 9AW

Proposed change of use of barn to storage of survey equipment (use class B8).
FOR RGI Limited

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed in the report.

DETAILS OF THE DEVELOPMENT

The proposal seeks planning permission for the proposed change of use of a barn to a storage and distribution unit (B8 use class). The Planning Statement explains that the property will be used to store drill and survey equipment, and vehicles in association with an established local surveying / drilling business. The business employs 10 people and is currently based in Leamington Spa.

The Planning Statement also notes that the land surrounding the building would be used as part of a family business for market garden production (no planning permission is required for this). There would be no alterations to the building as part of the change of use.

THE SITE AND ITS LOCATION

The application site relates to a modern rural building positioned within a paddock, which is located on the north side of the Long Itchington Road. The site is located within the Green Belt and Conservation Area. The site used to form part of a larger farm complex (Highlands Farm), however, the site has been historically separated.

PLANNING HISTORY

W/17/0635 - Application for prior approval for a proposed change of use from an agricultural building to a dwellinghouse (Use Class C3) - Refused 01.06.2017.

W/16/1387 - Application for prior approval for a proposed change of use from an agricultural building to a dwellinghouse (Use Class C3) – Refused 07.10.2016 (Planning permission required).

W/06/1100 - Application approved for the erection of an agricultural building – Approved 28.09.2006.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- BE4 - Converting Rural Buildings (Warwick District Local Plan 2011-2029)
- EC1 - Directing New Employment Development (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)

Guidance Documents

- Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Offchurch Parish Council: Objection, detrimental impact on the Conservation Area; impact on residential amenity; highway safety concerns in relation to the access.

Environmental Protection: No objection, subject to conditions.

WCC Ecology: No objection.

WCC Highways: No objection, subject to condition.

Public Responses: 2 Objections: Highway safety concerns regarding the access and increased vehicular movements; detrimental impact on amenity; detrimental impact on the character of the area.

Assessment

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

- Principle of the Development
- Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which outweigh the harm by reason of inappropriateness and any other harm identified
- The impact on the Character and Appearance of the Area, and Conservation Area
- The impact on the living conditions of nearby dwellings
- Car Parking and Highway Safety
- Ecological Impact
- Health and Wellbeing
- Other Matters

Principle of the Development

Change of use

Local Plan policy EC1 states that in rural areas, new employment development will be permitted for the diversification of agricultural and other land based businesses in accordance with policy EC2. In all instances applicants will be required to demonstrate that the proposal will not generate significant traffic movements which would compromise the delivery of wider sustainable transport objectives in accordance with policy TR2, and that the design and scale of the proposal would not have a detrimental impact on the landscape and character of the area.

Local Plan policy EC2 states that proposals for the diversification of agricultural and land based rural businesses will be permitted in line with the following criteria:
a) Best and most versatile agricultural land is protected
b) The scale and nature of the proposals are appropriate to their rural location so that they can be satisfactorily integrated into the landscape without being detrimental to its character
c) Existing buildings are used in preference to new buildings.

The proposal can be considered as the diversification of a land based rural business. In accordance with Local Plan policy EC2, the development will not impact on the best and most versatile agricultural land and the proposals will not significantly alter the rural character of the area because an existing building will be used. It is understood that all of the equipment associated with the proposed use will be stored inside of the application property, thus having a minimal impact on the rural location, and therefore the scale of the proposal is considered to be acceptable.

The agent states that the number of vehicular trips to the site would be considerably less than the established use of the site, which they consider to be agriculture. However, in two previous applications for change of use of the site as

prior notifications, the Council did not agree that it been demonstrated that the building had been used for the purposes of agriculture (and therefore prior approval was not granted).

Notwithstanding the above, the proposed use is unlikely to generate a significant amount of vehicular trips to the site owing to the small scale of the building. The air quality mitigation statement provided confirms that there would be one delivery to the site per month and that most staff would travel directly to their place of work (rather than the application site). During the busiest periods for the company, travel to the site would equate to 12 trips in a working day. This is not considered to be a significant amount of vehicular movements which would compromise the delivery of wider sustainable transport objectives in accordance with policy TR2.

Conversion of a rural building

Local Plan policy BE4 states that proposals to re-use and adapt existing rural buildings will be permitted subject to the following criteria:
a) the building is of permanent and substantial construction;
b) the condition of the building, its nature and location, makes it suitable for re-use or adaptation;
c) the proposed use or adaptation can be accommodated without extensive rebuilding or alteration to the external appearance of the building;
d) the proposal retains and respects the special qualities and features of listed and other traditional rural buildings, and;
e) the appearance and setting of the building following conversion protects, and where possible enhances, the character and appearance of the countryside.

The proposal represents the reuse of an existing building which is in good structural order. The building would be suitable for re-use and there are no proposed alterations to the building. There are no nearby traditional buildings and the proposed change of use is unlikely to significantly affect the setting of the property.

The proposed change of use is therefore considered to be in accordance with Local Plan policies EC1, EC2, TR2 and BE4.

<u>Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which outweigh the harm by reason of inappropriateness and any other harm identified</u>

As the proposal represents the reuse of an existing building, there would be no harm caused to the openness of the Green Belt. A condition will be added to ensure there will be no exterior storage on the site to ensure the protection of the openness of the Green Belt and character of the rural area.

The development is therefore considered to represent appropriate development within the Green Belt and is considered to be in accordance with Local Plan policy DS18.

The impact on the Character and Appearance of the Area, and Conservation Area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Local Plan states that development will not be permitted if it would lead to substantial harm to the significance of a designated heritage asset. Where the development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal. The explanatory text for HE1 clarifies that in considering applications relating to Conservation Areas, the Council will require that proposals do not have a detrimental effect upon the integrity and character of the building or its setting, or the Conservation Area. Local Plan policy HE2 supports this and states that it is important that development both within and outside a conservation area, including to unlisted buildings, should not adversely affect its setting by impacting on important views and groups of buildings within and beyond the boundary.

There have been objections from Offchurch Parish Council and members of the public that the proposed change of use would have a detrimental impact on the setting of the Conservation Area.

The Conservation Officer has no objection to the proposed change of use, stating that the building appears as a modern agricultural building. The proposal includes no exterior alterations to the building and a condition will be added to limit any storage of materials outside of the property. It is therefore considered that the proposals would have no impact on the street scene or Conservation Area. The development is therefore considered to be in accordance with the NPPF and Local Plan policies BE1, HE1 and HE2.

The impact on the living conditions of nearby dwellings

Warwick District Local Plan policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion.

There have been objections to the proposed change of use in relation to a detrimental impact on neighbouring amenity from additional noise from vehicular movements associated with the change of use.

The nearest residential property to the application site is over 150 metres away. Environmental Protection have been consulted and have no objection to the proposal. The applicant has proposed a condition limiting the use of the site for storage of drilling and surveying equipment / vehicles only which Environmental Health Officers note would offer a level of reassurance that the premises will not be used or expanded to a traditional B8 use which would generate larger vehicular movements. The agent has also confirmed that the only vehicles using the site would be small and not large distribution lorries, which would have more impact in terms of noise. The condition proposed by the agent is considered to be reasonable and would offer protection of residential amenity from permitted uses of the site under B8 use class which could be harmful to living conditions.

It is therefore considered that the proposed change of use would have no detrimental impact on residential amenity which would warrant reason for refusal of the application. The development is therefore considered to be in accordance with Local Plan policy BE3.

Car Parking and Highway Safety

There have been objections from Offchurch Parish Council and members of the public which raise concern regarding the existing access, an increased number of vehicular trips and the potential danger this could cause to highway safety. The comments make reference to previous planning applications where WCC Highways objected to the proposals (W/16/1387 & W/17/0635).

WCC Highways did object to the previous change of use applications to a dwelling. They had concerns regarding whether the required visibility splays could be achieved. Updated drawings were provided during the course of these applications, and WCC Highways withdrew their objections.

WCC Highways have assessed the current application and have no objection to the proposed change of use, subject to a condition requiring the applicant to provide a drawing showing the required visibility splays, which is considered to be reasonable. There is likely to be a small increase in vehicular trips to the site, however, subject to the provision of adequate visibility splays this would pose no danger to highway safety. WCC Highways have no further concerns regarding highway safety.

Whilst the concerns of the Parish Council and members of the public are noted, the proposed change of use is not considered to pose danger to highway safety, subject to the condition recommended by WCC Highways. There would be ample parking within the site boundaries to meet the Council's requirements for the proposed use class. The development is therefore considered to be in accordance with Local Plan policies TR1 and TR3.

Ecological Impact

WCC Ecology have requested that if alterations are to be made to the building that there are informed. As there are no external alterations proposed (and any internal alterations would not require planning permission), it is considered that the proposal would cause no harm to protected species. The development is therefore considered to be in accordance with Local Plan policy NE2.

Health and Wellbeing

There are no health and wellbeing benefits identified.

Other Matters

The anticipated vehicle trips associated with the change of use is likely to cause a small increase in traffic in areas of poor air quality within the district. To offset this it is recommended that the developer is required to provide electric vehicle charging facilities. A condition can be added to secure this.

Conclusion

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

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 Rgi sur 001, and specification contained therein, submitted on 14th June 2018. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.

4 The development shall not be occupied until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 160 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON**: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

5 The site shall only be used for the storage of drilling and surveying equipment / vehicles. **REASON:** For the protection of nearby residential amenity in accordance with Local Plan policy BE3.

6 No equipment of any description shall be kept or stored outside the application site OR building(s) the subject of this permission. **REASON**: To protect the visual amenities of the locality and openness of the Green Belt in accordance with Local Plan policies BE1 and DS18 of the Warwick District Local Plan 2011-2029.

Planning Committee: 14 August 2018 **Item Number:** **15**

Application No: W 18 / 1193

Registration Date: 14/06/18
Town/Parish Council: Warwick **Expiry Date:** 09/08/18
Case Officer: Emma Booker
01926 456521 Emma.Booker@warwickdc.gov.uk

91 Lakin Road, Warwick, CV34 5BL
Erection of part single and part two storey side extension with a wrap-around mono-pitch canopy to the front elevation and provision of additional parking space (resubmission of planning application ref: W/18/0352) FOR Mr S Mali
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This application is being presented to Committee due to an objection from the Town Council having been received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application proposes the erection of a part single and two storey side extension with a wrap-around mono-pitch canopy to the front of the dwellinghouse.

THE SITE AND ITS LOCATION

The application site relates to a two-storey semi-detached dwelling located on an open corner plot adjacent at the junction of Lakin Road and Green Lane. The streetscene is comprised of a wide variety of uses and house types. The Warwick Hospital complex surrounds the site to the north and east, while a mix of bungalows and flats front Lakin Road to the south.

Nos. 89 and 91 Lakin Road remain as a symmetrical pair of semi-detached dwellings, with peddle dash front bays and facing brickwork characterising their principle elevations. No.91 benefits from a flat roof single storey side extension, of tired appearance which is proposed to be demolished as part of this proposal. The property benefits from off-street parking provision for 2 cars to the rear of the dwellinghouse, in addition to a detached garage, which is to be demolished to provide an additional parking space.

PLANNING HISTORY

None relevant.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)

Guidance Documents

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

SUMMARY OF REPRESENTATIONS

Warwick Town Council - Object on grounds of overdevelopment of the site and concerns over lack of parking.

WCC Ecological Services - Recommend an Initial Bat Survey is carried out prior to determination of the application.

Public Response - 1 objection has been received from 1 Green Lane on the following grounds:

- Proposal in advance of the building line and out of character with the layout of the development.
- Proposal is detrimental to residential amenity
- The roof height of the extension is set excessively high and front section of the double extension should be set back from the original building.
- Extension would not appear as a subservient addition, having a visually overbearing impact.

ASSESSMENT

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

- Impact on the living conditions of neighbouring dwellings
- Design
- Parking

Neighbour Amenity

Policy BE3 of the Local Plan requires development to have an acceptable impact on the amenity of neighbouring properties.

Although relatively large in scale, the proposed part single and two storey side extension, and wrap-around mono-pitch canopy to the front of the dwellinghouse will not impact negatively on the amenity of any of the adjacent

neighbours. The proposal will not breach the 45 degree line from No.1 Green Lane or No.89 Lakin Road.

A separation distance of at least 13.0 metres will exist between the blank, north-facing gable end of No.1 Green Lane, sited to the rear of the dwellinghouse, and the rear elevation of the proposed two storey side extension. The Council's adopted Residential Design Guide SPD states that a minimum separation distance of 12.0 metres should exist between a blank side elevation of a two storey dwellinghouse and the rear elevation of the adjacent neighbour's two storey extension, and therefore it is considered that the proposal will not harm the amenity of No.1 Green Lane.

The proposal would therefore accord with Policy BE3 of the Local Plan.

Design of the proposed extension

Local Plan Policy BE1 requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design.

No.1 Green Lane has submitted an objection to the proposal on the grounds that the extension will protrude forward of the established building line and will therefore be out of character with the neighbouring dwellings sited along Green Lane and detrimental to residential amenity. As existing, the junction between Lakin Road and Green Lane appears relatively open due to a sizeable side garden to the north of the subject dwelling, and a grass verge on the opposing side of the highway. Although the proposed part single and two storey side extension will advance 4.50 metres forward of the established building line along Green Lane, it is considered that the proposed alterations will not impact negatively on the openness of the corner plot, nor appear as an incongruous feature to the streetscene. The proposal has been designed so that the bulk and mass of the proposed two storey element of the proposal is contained within the building line, therefore mitigating any impact on the streetscene and open nature of the corner plot. It is considered that when observed from Lakin Road, the dwellings sited along Green Lane are not read in conjunction which those fronting Lakin Road, therefore it is arguable that the proposed extension will not advance past the building line. This relationship exists due a significant amount of screening vegetation, a large separation distance between the two separate rows of dwellings and the fact that the principle elevations of the dwellinghouses on Green Lane face north, whereas those on Lakin Road face east. On this basis, it is not considered that the proposed extension will be detrimental to residential amenity or have a negative impact on the character of the streetscene, which is comprised of a wide variety of housing types and uses.

No.1 Green Lane also draws attention to the scale of the proposal, with concerns that it will have a visually overbearing impact and appear as an non-subserviant addition to the dwellinghouse. Specifically, this neighbour highlights that the roof height of the extension is excessively high, and that the front elevation of the proposed extension should be set back from the original building. The proposed two storey side extension has been designed to be subservient to the main dwellinghouse, as it is set down from the roof ridge of the main dwellinghouse and set back from the principle elevation of the original dwellinghouse. The

proposal is therefore in accordance with the Residential Design Guide SPD. The materials used in the construction of the proposal are to match existing enabling the extension to blend into the form of the original dwellinghouse.
The proposed extensions are of modern design and will improve the overall tired and dated appearance of the dwellinghouse. It is considered that the proposed canopy will balance the front elevation of No.91 Lakin Road and successfully incorporate the two storey floor side extension into the overall design of the dwellinghouse.

It is therefore considered that the due to the aforementioned factors, that the part single and two storey side extension will not impact negatively on the openness of the corner plot, appear as non-subservient and overbearing addition nor impact negatively on the character of the streetscene. The proposal is therefore in accordance with Local Plan Policy BE1.

Parking

Policy TR3 states that development will only be permitted that makes provision for parking and does not result in on-street car parking detrimental to highway safety. The Supplementary Planning Document (SPD) *Parking Standards* sets out Warwick District Council's detailed parking standards for developments.

As the proposal seeks to increase the number of bedrooms in the dwellinghouse from 3 to 4, an additional parking space is required to ensure that the proposal is in accordance with the Council's adopted Parking Standards. The applicant has shown on drawing no. 784-02B that an additional parking space will be created through the demolition of the existing detached garage. 3 parking spaces will be achieved through a tandem arrangement which is considered acceptable. A condition can be added to ensure the space is provided.

The proposal is therefore in accordance with Local Plan Policy TR3.

Ecology

The County Ecologist has recommended that a preliminary bat survey should be carried out prior to the determination of the application. The existing dwelling is located within a built up area with other dwellings in close proximity to application site. On this basis, it is considered that it would not be reasonable to require a pre-determinative bat survey. In reaching this conclusion, the location of the property, the characteristics of the local area and the fact that bats are a protected species under separate legislation have all been taken into account.

On the basis of the above, it is considered that an explanatory note regarding the applicants responsibility with regard to protected species is sufficient in this case.

CONCLUSION

Summary/Conclusion

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

CONDITIONS

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

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 784-01 and 784-02B, and specification contained therein, submitted on 14th June and 19th July 2018 respectively. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON**: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

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

Planning Committee: 14 August 2018 **Item Number:** **16**

Application No: W 18 / 1372

Registration Date: 19/07/18
Town/Parish Council: Kenilworth **Expiry Date:** 13/09/18
Case Officer: John Wilbraham
01926 456539 john.wilbraham@warwickdc.gov.uk

Corner of Princes Drive, Coventry Road, Kenilworth
Erection of a four bedroom dwelling with associated amenity and parking FOR Mr C Rose

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

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application is seeking permission for the erection of a four bed detached dwelling with associated parking area and garden.

THE SITE AND ITS LOCATION

The site is a corner plot of scrub land located adjacent to a T-junction which provides access to an industrial estate and housing, whilst behind it are open school playing fields. The site is just inside the Kenilworth Urban Area adjacent to the Green Belt.

PLANNING HISTORY

Application number	Description of development	Decision
W/18/1069	Erection of a new four bedroom dwelling with associated amenity and parking	Withdrawn
W/15/0489	Display of directional sign	Granted

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- DS18 - Green Belt (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- LES - Low Emission Strategy Guidance for Developers (April 2014)

SUMMARY OF REPRESENTATIONS

WCC Highways: No objection subject to suggested construction management condition

WDC Waste Management: No objection, will be serviced by alternate weekly kerb side collection

ASSESSMENT

Principle of development

Local Plan Policy H1 states that housing development will be permitted within urban areas, as identified on the policies maps. The application site is located within the Kenilworth urban boundary, and housing in this location is therefore acceptable in principle.

Impact on character of surrounding area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The site is a corner plot and as such it should have duel frontages to address both streets on which it sits. The plans show that this is the case with the main front door on the elevation facing towards Coventry Road and the side elevation addressing Princes Drive with full height glazing to give the impression of a door. The footprint of the dwelling is L-shaped with a design that gives the appearance of a 1.5 storey building due to having the first floor windows set in the eaves.

This aids in reducing the visual impact of the dwelling on the open fields behind and mirrors the scale of the properties opposite on Princes Drive. The materials proposed are brick with clay tiles which again reflects the wider area whilst the location of the parking to the side of the property is in accordance with the design guide.

The site has been left open at the front between the main elevation and Coventry Road with some new additional planting to give the site a softer appearance in the streetscene. I propose to condition samples of the materials together with a landscaping plan to ensure the finished dwelling fully respects the character of eth streetscene. Overall the proposal is considered to accord with Policy BE1 and the residential design guide.

Impact on adjacent properties and amenity of future occupiers

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

The nearest neighbouring properties are Flat 1 and 2 Monnington House to the north and the properties opposite across Coventry Road. The neighbouring properties are all over 25m away from the proposed dwelling which is in excess of the 22m separation distance set out in the design guide. There is not considered to be an issue in respect of loss of amenity given the detached location of the dwelling. For a no. 4 bed dwelling 60sqm of private amenity space is required. The submitted plans illustrate that 68sqm will be provided which is in excess of the required amount.

Overall the proposal is considered to accord with Policy BE3 in terms of impact on the amenity of neighbouring properties and future occupants.

The Town Council commented regarding the acceptability of a dwelling looking out over the school sports fields which are located behind the dwelling. The site is already visible from the footpath that runs along the Coventry Road whilst schools and their playing fields are located adjacent to the residential dwellings. As such there is not considered to be an issue arising from this application.

Access and Parking

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

The plans indicate that three spaces would be provided which is in accordance with the parking standard for a dwelling of this size. A turning head is also proposed which will allow the occupants to manoeuver out and exit the site in a forward gear. County Highways were consulted on the application and raised no objection to the scheme subject to a construction management plan. They have

confirmed that the visibility splays at the junction are acceptable and would not be affected by the proposal. Subject to this suggested condition the proposal is considered to be in accordance with Policy TR1 and TR3 and will not give rise to unacceptable highway safety issues.

Other Matters

Ecology
The existing site is an area of scrub land that will be cleared to allow the development to proceed. No comments have yet been received from the County Ecologist on the application however it is proposed to condition a landscaping plan so that suitable native species are planted on the site to improve the biodiversity above that of the existing area.

Low Emission
The proposal will result in additional vehicular movements and therefore there is a requirement for the provision of an electric charging point in accordance with the Council's adopted Low Emissions Strategy. This can be secured by condition.

Water Efficiency
A condition to ensure compliance with Policy FW3 will be added to any approval granted.

Conclusion

Although adjacent to the Green Belt the site is wholly within the urban boundary of Kenilworth and therefore the principle of housing is acceptable at this location. Consideration has been given to the scale, design and materials to be used for the dwelling and its associated landscaping given the semi-rural nature of this location. The impact on neighbouring properties and highway safety is deemed to be acceptable. Weighing all of these factors up the scheme is recommended to be approved.

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) 17-1666/001e and 17-1666/003e, and specification contained therein, submitted on the 19th and 16th July 2018. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

4 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. **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 BE3, TR1, TR3 and NE5 of the Warwick District Local Plan 2011-2029.

5 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.

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

7 No part of the development hereby permitted shall be commenced until a scheme for the provision of bat and bird boxes to be erected on the building within the site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **REASON**: To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.

8 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until a hard and soft landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details. Details of hard landscaping works shall include boundary treatment; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON**: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.