**Planning Committee 17th December 2013**

**Observations Received Following the Preparation of the Agenda**

## Item 6: W/13/1608 Land at Brickyard Barn, Mallory Road, Bishop's Tachbrook

**Bishop's Tachbrook Parish Council**: **OBJECTS** to this application for the following reasons (summarised): –

1. This application does not comply with Rural Area Policies.
2. A solar voltaic park in this location does not conform to the most recent planning guidance set out in the letter of the 1st November 2013 to local planning authorities by the Rt. Hon. Gregory Barker MP, Minister of State for Energy & Climate Change
3. The proposal does not meet the requirements of our emerging neighbourhood plan
4. The negative visual impact associated with the proposed development which is on high land in a prominent position on the side of the Tachbrook Valley.
5. Loss of rural nature and amenity value of a key historic footpath to Warwick.
6. Loss of natural habitat for skylarks.

**Environment Agency**: No objection.

**WCC Public Rights of Way**: No objection

**Five additional objection letters** have been received raising concerns already identified within the report and in addition:

- Viability concerns for the smaller site/changes to Government subsidies, which are not material to the consideration of the planning application.

One letter from a local resident has been received withdrawing their previous objection.

**Campaign to Protect Rural England (CPRE): OBJECT** due to the detrimental impact on the visual amenity of landscape close to Bishop's Tachbrook. CPRE note that the Committee Report refers to the letter issued to all Local Authorities on 1"' November by the Rt Hon Gregory Barker MP, Minister of State for Energy and Climate Change and agree that sensitively placed green field sites can be included

for development, but we do not agree that this particular site falls into that category due to gradient changes across the site (10m) and the visibility from public views. CPRE note the view expressed in the Committee Report that solar panels in the landscape could be compared with that of polytunnels or greenhouses. Polytunnels are usually uncovered in winter, and whilst greenhouses are seen in the countryside, CPRE would also object, for the same reasons, to greenhouses covering an area of land of this size, and in this particular elevated position, were such a proposal to be submitted.

ln view of the adverse impact the proposal would have on the rural character of the landscape, CPRE ask for this current application to be refused.

**Item 7: W/13/1484 Land at Glasshouse Lane, Lapworth**

**Lapworth Parish Council: OBJECT** Since lodging its initial comment of 'no objection' Lapworth Parish Council has been made aware of local concerns/highway comments and revises its comment, objecting on the following grounds: This application seeks to formally set aside conditions which have consistently been applied to all previous applications, namely that the land should only be used for grazing purposes and "shall not be used for the purposes of a livery or riding school or any other commercial purposes". The reasons for these conditions, principally highway safety, have not changed. The highways comment of 'no objection' is subject to no less than seven conditions. Adherence to all of these conditions would have a significant impact and detriment on the street scene. There are a number of unresolved planning enforcement issues, it is therefore surprising than another application is being considered by the District Council.

**Item 9: W13/1339 – Unit 11, Livery Street, Regent Court, Leamington Spa**

The following additional pre-commencement condition could be imposed if Planning Committee consider it to be appropriate:

*The restaurant hereby permitted shall not be used unless and until:*

*(a) details of an acoustically absorbent canopy have been submitted to and approved in writing by the local planning authority; and*

*(b) the canopy approved under (a) has been installed in strict accordance with the approved details.*

*The canopy shall be retained and maintained in accordance with the approved details at all times that the premises are used as a restaurant.*

**REASON :** *To protect the living conditions of nearby dwellings, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.*

The Operational Schedule and Members Briefing Note that are referred to in the Committee Report are attached as Appendices.

**Item 10: W/13/1271 -68A Smith Street, Warwick**

It is clarified that this is a retrospective application to retain the current use of the premises.

The vacancy rate of premises in Smith Street is 15% and Warwick Chamber of Commerce have advised that there are no retailers known to them to be awaiting premises in Warwick.

The Chamber have also advised that they have no objection to this application.