PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 13 August 2013 in the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Rhead (Chairman); Councillors Mrs Blacklock, Mrs Bromley, Brookes, Mrs Bunker, De-Lara-Bond, MacKay, Weber, Wilkinson and Williams.

Apologies for absence were received from Councillors Boad and Dagg.

50. SUBSTITUTES

Councillor Mrs Blacklock substituted for Councillor Boad and Councillor Mrs Bromley substituted for Councillor Dagg.

51. DECLARATIONS OF INTEREST

Minute Number 56 - Agenda item 12 – W13/0766 – Land at Woodside Farm, Harbury Lane, Royal Leamington Spa

Councillor Brookes declared an interest because the application site was located in his Ward.

A photograph shown during the presentation prompted Councillor Ms De-Lara-Bond to declare an interest because she realised that a close relative lived near the application site.

Minute Number 57 – Agenda item 6 – W13/0690 – 1-3 Wharf Street, Warwick

During discussion of this item, Councillor Mrs Blacklock stated that she had a predisposition in wanting people to receive modern care.

Councillor Mrs Bromley declared an interest because the application site was located in her Ward. She was advised that there was no need to declare an interest in respect of advice she had sought from officers on a tree preservation order.

Councillor Rhead declared a personal interest when this item was introduced, because of a close family member had learning difficulties.

Councillor Weber declared a personal interest because he knew one of the registered speakers.

Minute Number 58 - Agenda item 11 – W13/0904 – 21 Wellesbourne Road, Barford, Warwick

Councillor Rhead declared an interest because the application site was located in his Ward.

Councillor Weber declared an interest because a property affected by the proposals was owned by friends of his.

52. SITE VISITS

To assist with decision making, Councillors Mrs Blacklock, Brookes, Mrs Bunker, Mrs Bromley, MacKay, Rhead, Weber, and Wilkinson visited the following application sites on Saturday 10 August 2013:

W13/0766 – Land at Woodside Farm, Harbury Lane, Royal Leamington Spa
W13/0690 – 1-3 Wharf Street, Warwick
W13/0886 – 8 Thickthorn Close, Kenilworth

Councillor Williams visited 8 Thickthorn Close separately.

53. MINUTES

The minutes of the meetings held on 2 July 2013 were agreed and signed by the Chairman as a correct record.

54. W13/0838 – 2 ROWLEY ROAD, WHITNASH, ROYAL LEAMINGTON SPA

The Committee considered an application from Ms McBurnie for a two storey side extension and garage.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Sustainable Buildings (Supplementary Planning Document - December 2008)
The 45 Degree Guideline (Supplementary Planning Guidance)

It was the officer's opinion that the proposed extension was considered to be of an appropriate scale and design for the location and would not impact adversely on the character and appearance of the street scene, or on the living condition of the neighbouring properties to the extent that would justify a refusal of permission. The proposal complied with all the relevant planning policies.

Councillor Mrs Falp spoke to the Committee representing Whitnash Town Council's objections to the application.

Following consideration of the report and presentation, along with the representation made at the meeting, the Committee resolved to grant planning permission subject to the conditions listed in the report.

RESOLVED that W13/0838 be GRANTED subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 2120-02F, and specification contained therein, submitted on 19/06/2013. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

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

users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011; and

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

55. W13/0886 – 8 THICKTHORN CLOSE, KENILWORTH

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

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

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)
The 45 Degree Guideline (Supplementary Planning Guidance)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
National Planning Policy Framework
Distance Separation (Supplementary Planning Guidance)

An addendum circulated at the meeting stated that an additional condition concerning renewable energy resources had been added to the recommendation. Amended more detailed plans were also presented at the meeting.

It was the officer's opinion that the proposed first floor side/rear extension and single storey front extension were acceptable in terms of their character and appearance within the street scene and did not significantly impact on the amenities of the surrounding neighbours such as would support a reason for refusal.

Councillor Vincett, representing the Town Council, addressed the Committee in opposition to the application. Dr Williams, a local resident, also addressed the Committee in opposition to the application.

A motion to refuse the application due to the cumulative effect of all of the alterations having an adverse effect on the adjacent property was defeated.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant the application with the conditions detailed in both the report and addendum.

RESOLVED that W13/0886 be GRANTED subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved amended drawing 7576-02 Rev D, and specification contained therein, submitted on 12 August 2013. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

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

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

(5) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or

near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

56. **W13/0776 – LAND AT WOODSIDE FARM, HARBURY LANE, ROYAL LEAMINGTON SPA**

The Committee considered an application from Thomas Bates and Son Limited for outline permission for an urban extension comprising up to 280 new homes, public open space, landscaping, new access and highways and associated and ancillary development.

The application was presented to the Committee because objections had been received from Bishop's Tachbrook Parish Council and Whitnash Town Council and because of the level of public interest in the application.

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
DP5 - Density (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Open Space (Supplementary Planning Document - June 2009)
Vehicle Parking Standards (Supplementary Planning Document)
Warwickshire Landscape Guidelines SPG
Sustainable Buildings (Supplementary Planning Document - December 2008)
Affordable Housing (Supplementary Planning Document - January 2008)
Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
National Planning Policy Framework

An addendum circulated at the meeting stated that the officer was now recommending that the application should be refused. At the time the Committee report had been published, a number of consultation responses had not been received. These had now been received and in light of the additional information, the recommendation had been revised to one of refusal. The addendum detailed the additional comments that had been received and also the reasons why the recommendation was now for refusal.

Parish Councillor Deeley addressed the Committee, presenting the objections of Bishop's Tachbrook Parish Council, as did Councillor Mrs Falp who presented the objections of Whitnash Town Council. Mr MacKay from CAAF also addressed the Committee in objection to the application, as did Councillor Kirton speaking in opposition to the application as Ward Member.

A proposal was made and seconded to refuse the application for the reasons given in the addendum, plus issues relating to air quality and the effect on the Conservation Area. During discussions, Members also suggested that the lack of provision for allotment space should be mentioned to the Applicant. It was noted that at this stage the application was only for outline permission and that the Applicant might address some of the issues such as access arrangements when the full application was made.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to refuse the application.

RESOLVED that W13/0776 be REFUSED for the following reasons:

(1) the proposed development would be contrary to Policies DP2, DP6 and DP7 of the Warwick District Local Plan 1996- 2011 and the aims and objectives of the National Planning Policy Framework 2012 in that the applicant has failed

to demonstrate the traffic generation of the proposed development can be adequately catered for on the local highway network and that the proposed signalised access to the site will not have a detrimental effect on the local highway network in terms capacity and safety, thereby raising concern that the scheme could be prejudicial to highway safety;

(2) the proposed development would be contrary to Policy DP4 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the National Planning Policy Framework 2012 in that the proposed development is not supported by an archaeological site evaluation which would have enabled a proper and detailed assessment of the character and extent of any archaeological deposits of importance likely to be threatened by the proposed development and possibly worthy of conservation in whole or in part or of being fully investigated and recorded;

(3) The proposed development would be contrary to Policies DP2, DP9 and DAP8 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the National Planning Policy Framework 2012 in that the applicant has failed to demonstrate that the traffic generated by the proposed development will not have a detrimental impact upon air quality within the locality. Furthermore it has not been demonstrated that the additional traffic movements generated by the development within the local highway network will not result in air quality issues impacting upon the quality of the historic environment within nearby conservation areas to the detriment of the protection of such assets and the stewardship of the historic environment; and

(4) the proposed development would be contrary to Policies SC11, SC13 and SC14 of the Warwick Development Plan 1996-2011, in that no mechanism has been provided to secure affordable housing, open space, ecology bio-diversity off-setting, County Council highway, library and education and health care contributions and therefore infrastructure needs generated by the development have not been satisfactorily secured.

57. W13/0690 – 1-3 WHARF STREET, WARWICK

The Committee considered an application from Creative Support Limited for the demolition of the existing building and associated outbuildings and the erection of a proposed apartment building with 15 no. self-contained flats suitable for adults with learning disabilities, incorporating a communal area, a shared garden, a staff office, plus parking area and all associated works.

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

The officer considered the following policies to be relevant:

DP6 - Access (Warwick District Local Plan 1996 - 2011)
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

An addendum circulated at the meeting advised the Committee that CAAF had commented further in respect of revised plans received prior to the preparation of the report. CAAF requested that the existing building should be retained, or at the very least, the façade, which it was asserted had particular historic interest due to the fact that it was constructed to provide accommodation for children in the workhouse. CAAF did not believe that the design of the replacement building was appropriate and would cast a shadow over the grounds and buildings to the rear of the site. CAAF made suggestions on how to improve the design.

The addendum also gave details of an additional recommended condition for a contribution towards the improvement of open space.

It was the officer's opinion that the development would not cause unacceptable harm to the architectural and historic character of the setting of the Conservation Area. Furthermore, the proposal would not adversely affect the amenity of nearby residents, or unacceptably worsen the existing parking situation.

Ms Hodgetts, representing the views of CAAF which opposed the application, addressed the Committee. Ms Maclagan also addressed the Committee in opposition to the application. Mr Mistry spoke on behalf of the Applicant in support of the application, and he was followed by Mr Willis from the County Council who informed the Committee about the need for accommodation for people with learning difficulties in the area, followed by Mr Barlow who spoke about why it was so important for people with learning difficulties to be able to live independently.

Members were mindful about the comments in respect of the historic value of the building but noted that English Heritage had rejected an application to list the building. They therefore agreed that an additional condition could be imposed to reclaim the bricks on the existing building wherever possible and use them on the façade on Wharf Street.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained in the addendum, the Committee resolved to grant the application, subject to an additional condition for a contribution towards the improvement of open space in the area and a condition in respect of reclaiming bricks from the existing building.

RESOLVED that W13/0690 be GRANTED subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (W_L 1000 G; W_L 1001 G; W_L 1002 G; W_L 1003 G; W_L 1004 G; W_L 1010 C; W_L 1600 F submitted on 2 August 2013. W_L 1601 D; W_L 1602 D; W_L 1603 D; W_L 1604 B; W_L 1695 A submitted on 26 July 2013. 648/001A; 648/002 submitted on 15 May 2013. 648/003 Rev.A; 648/004 Rev.A; Planting Schedule submitted on 13 June 2013), and specification contained therein. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any construction works are commenced. Development shall be carried out in accordance

with the approved details. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

(4) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(5) the development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011;

(6) a landscape management plan, including long

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

(7) The development hereby permitted shall not be commenced unless and until a Sustainable Drainage Scheme has been submitted to and approved in writing by the local planning authority, to include the following:

1) The applicant is to undertake and provide percolation test results for the site where infiltration of water is proposed, this is to be in accordance with British Building Regulations Part M. The applicant is to provide a report showing photos of the tests being carried out and details of the test results along with soak away design calculations in accordance with BRE 365. If infiltration is not suitable on site then another drainage strategy will need to be submitted.

2) The applicant is to provide calculations/models of the proposed drainage system for a 1 in 30 year and 1 in 100year + cc event to demonstrate that it can be accommodated without causing flooding on and off site.

3) The applicant is to obtain discharge consent from Severn Trent Water to prove that there is suitable capacity to within the sewer to accommodate additional flows from the site.

The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with approved specifications.

REASON: To provide suitable drainage provision for the site and to prevent flooding in

accordance with the NPPF;

(8) no use of the development hereby permitted shall commence unless and until a pavement and verge crossing has been constructed to the site in strict accordance with the approved drawings or any subsequent amendment approved in writing by the local planning 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 DP6 of the Warwick District Local Plan 1996-2011;

(9) the development hereby permitted shall not be occupied until the bin store has been constructed in strict accordance with the approved plans. **REASON:** To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(10) the development hereby permitted shall proceed in accordance with the detailed mitigation measures for bats as set out in the document 'Document 2 - Delivery information' prepared by UES and received by the District Planning Authority on 15/05/2013. The approved mitigation measures shall be implemented in full. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011;

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

(12) all planting shall be carried out in accordance with the approved details in the first planting

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

(13) the access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain within the limits of the public highway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

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

(15) gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011;

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

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent,

location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

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

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

(17) the facade of the building hereby permitted fronting onto Wharf Street shall be constructed wherever possible using bricks which have been reclaimed from the demolition of the existing building at the site. **REASON**: To ensure that the visual amenities of the area are protected and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

58. **W13/0904 – 21 WELLESBOURNE ROAD, BARFORD, WARWICK**

The Committee considered an application from a Ms Saywell and Mr Close for a single storey rear extension and a two storey side extension with associated internal alterations and part demolition of a boundary wall.

The application was presented to the Committee because an objection had been received from Barford, Sherbourne and Wasperton Joint Parish Council.

The officer considered the following policies to be relevant:

National Planning Policy Framework
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Sustainable Buildings (Supplementary Planning Document - December 2008)
The 45 Degree Guideline (Supplementary Planning Guidance)

It was the officer's opinion that the proposed extension was considered to be of an appropriate design and scale for the location that would not impact adversely on the character and appearance of the street scene; the

character of the conservation area; or on the living conditions of the neighbouring properties to the extent that would justify a refusal of permission. The proposal was considered to comply with all relevant local plan policies and should therefore be approved.

Following consideration of the report and presentation, the Committee resolved to grant the application.

RESOLVED that W13/0904 be GRANTED subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings P08 REV C, P09 REV C, P10 REV C, P11 REV C, P12 REV C, P13 REV C, and specification contained therein, submitted on . **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and

(3) prior to the occupation and use of the extension hereby permitted, the obscure glazed privacy screen shown on approved drawing no.s P10 REV C, P12 REV C, shall be constructed in the position approved and in accordance with the details approved and in full accordance with the details approved as part of this application. That screen 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 retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and or the privacy of future users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011; and

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

59. **W13/0745 – DENTAL SURGERY, 9 CAPE ROAD, THE CAPE, WARWICK**

The Committee considered an application from Cape Road Dental Practice for the erection of a single storey side / rear extension.

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

The officer considered the following policies to be relevant:

DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
The 45 Degree Guideline (Supplementary Planning Guidance)
National Planning Policy Framework
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

It was the officer's opinion that the proposed extension would not have a detrimental impact on the occupiers of the neighbouring properties through increased visual intrusion or loss of light. The proposed extension was considered to be in keeping with the character of the Conservation Area. As the proposal would not increase the capacity of the dental surgery, and was to improve the existing services, there would not be any increase in the demand for on-street parking and was in accordance with the policies listed in the report.

Following consideration of the report and presentation, the Committee resolved to grant the application.

RESOLVED that W13/0745 be GRANTED subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings CP-01, and specification contained therein, submitted on 30th May 2013. **REASON:** For the avoidance of doubt

and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and

(3) the extension hereby permitted shall be used only as a Dental Laboratory for purposes ancillary to the use of the existing Dental Practice and for no other purpose (even if such other purpose would not otherwise require planning permission or would otherwise be permitted by any legislation), unless otherwise agreed in writing by the local planning authority. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP8 of the Warwick District Local Plan 1996-2011.

60. **W13/0880 – 56 SALTISFORD, WARWICK**

The Committee considered an application from Mr Layton for the demolition of the existing building and the erection of two no. replacement two-bedroom dwellings.

The application was presented to the Committee at the request of Councillor Mrs Higgins.

The officer considered the following policies to be relevant:

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
Open Space (Supplementary Planning Document - June 2009)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
National Planning Policy Framework

In an addendum circulated at the meeting, the Committee was informed that Warwickshire County Council Archaeology had recommended a condition requiring a programme of archaeological works. The wording of this condition was given in the addendum.

It was the officer's opinion that the development would not cause unacceptable harm to the architectural and historic character of the setting of the Conservation Area and the Listed Building opposite. Furthermore, the proposal would not adversely affect the amenity of nearby residents, and the impact on the existing parking situation was negligible. The proposal was therefore considered to comply with the policies listed in the report.

Following consideration of the report and presentation, and the information contained within the addendum, the Committee resolved to grant the application, with the additional condition given in the addendum report requiring a programme of archaeological works. A note was to be sent to the Applicant requiring that the existing elevation to 56 Saltisford be reflected in the design of the new building.

RESOLVED that W13/0880 be GRANTED subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (002A; 005B submitted on 26 June 2013. 006C submitted on 25 July 2013), and specification contained therein. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

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

(4) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open

space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

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

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

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

(5) the dwelling(s) hereby permitted shall not be occupied until the bin stores have been constructed in strict accordance with the approved plans. **REASON:** To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(6) the development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

(7) the development hereby permitted shall not commence unless and until two weeks' notice in writing of the start of works has been given to a suitably qualified bat worker appointed by the applicant to supervise all destructive works to the roof. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England are

consulted for advice and no further works shall be undertaken at the site unless and until full details of measures for bat migration and conservation have been submitted to and approved in writing by the local planning authority. The development shall then proceed in full accordance with the approved details and any required mitigation works shall be complete in full accordance with the approved details and shall not be removed or altered in any way without the prior written approval of the local planning authority. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011; and

(8) no development shall take place within he application site, unless and until a programme of archaeological works and investigations has been secured and initiated in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. **REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the District's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.

(The meeting ended at 8.55 pm)